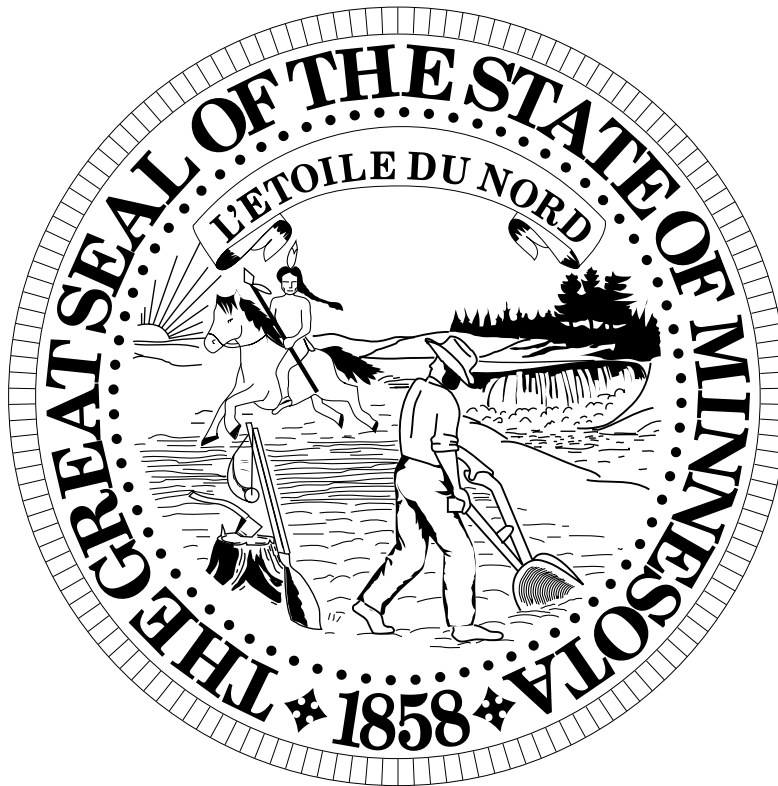


State of Minnesota

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- proposed, adopted, exempt, expedited emergency and withdrawn rules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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Vol. 25 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
#19	Monday 6 November	Noon Wednesday 25 October	Noon Tuesday 31 October
#20	Monday 13 November	Noon Wednesday 1 November	Noon Tuesday 7 November
#21	Monday 20 November	Noon Wednesday 8 November	Noon Tuesday 14 November
#22	Monday 27 November	Noon Wednesday 15 November	NOON MONDAY 20 NOVEMBER

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

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

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State Capitol, Room 231, St. Paul, MN 55155

Website: www.senate.leg.state.mn.us/departments/secretary/seninfo.htm

House Information Office (651) 296-2146

State Office Building, Room 175, 100 Constitution Ave., St. Paul, MN 55155

Website: www.house.leg.state.mn.us/hinfo/hinfo.htm

Minnesota State Court System

Court Information Office (651) 296-6043 Website: www.courts.state.mn.us
Minnesota Judicial Center, Room 135, 25 Constitution Ave., St. Paul, MN 55155

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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 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

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

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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Proposed Rules

Comments on Planned Rules or Rule Amendments

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

Rules to be Adopted After a Hearing

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

Rules to be Adopted Without a Hearing

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

Department of Public Safety

Driver and Vehicle Services Division

Proposed Permanent Rules Relating to Reduced Fee Minnesota Identification Cards

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Permanent Rules Relating to Reduced Fee Minnesota Identification Cards, *Minnesota Rule* part 7410.0700

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

Agency contact person. Comment or questions about the proposed rule and written requests for a public hearing on the proposed rule must be submitted to the agency contact person. The agency contact person is: Jane Ann Nelson, Minnesota Department of Public Safety, Driver and Vehicle Services Division, 445 Minnesota Street, Suite 196, St. Paul, Minnesota 55101-5196. **Phone:** (651) 296-2608; **Fax:** (651) 296-3141, **Email:** Jane.Nelson@state.mn.us. **TTY** (651) 282-6555.

Subject of the rule and statutory authority. The proposed rule is about how an individual applies to the department to obtain a state identification card for a reduced fee of 50 cents. Persons eligible for such a card are persons who are mentally retarded, who have serious or persistent mental illness, or who have a physical disability as these conditions are defined in *Minnesota Statutes*, section 171.07, subdivision 3. The proposed rule specifies what must be presented to verify the condition, who may verify the condition, whether reverification is necessary at the time of card renewal every four years, and maintaining information about the applicant's condition in a private manner. Statutory authority for the proposed rule is found in *Minnesota Statutes*, section 171.07, subdivision 3; section 14.06; section 161.061; and section 299A.01, subdivision 7. A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed. Additional copies of the notice and proposed rule are available on request from the agency contact person or may be obtained through the driver and vehicle service Internet site available at www.dps.state.mn.us

Comment. You have until 4:30 p.m. on December 6, 2000, to submit written comment in support of or in opposition to the proposed rule and any subpart of the rule. 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 rule addressed and the reason for the comment.

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

You are encouraged to propose any change desired. Any comment you would like to make on the legality of the proposed rule must also be made during this comment period.

Request for a hearing. In addition to submitting comment, you may also request that a public hearing be held on the proposed rule. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m., December 6, 2000. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rule to which you object or state that you oppose the entire rule. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. You are also encouraged to state the reasons for the request and any changes you want made to the proposed rule.

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

Alternate format. Upon request, this notice can be made available in an alternate format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rule may be modified as a result of public comment. Modification may be made without a public hearing. The modifications must be supported by comment and information submitted to the agency, and the adopted rule may not be substantially different than the proposed rule. If the proposed rule affects 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. The statement may also be downloaded from the driver and vehicle services WEB site that is accessed through the Internet at www.dps.state.mn.us. This statement contains a summary of the justification for the proposed rule, including a description of who will be affected by the proposed rule and an estimate of the probable cost of the proposed rule.

Adoption and review of rules. If no hearing is required, the agency may adopt the proposed rule after the end of the comment period. The proposed rule 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 proposed rule is submitted to the office. If you want to be so notified, receive a copy of the adopted rule, 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: 23 October 2000

Charles R. Weaver, Jr., Commissioner
Minnesota Department of Public Safety

7410.0700 APPLICATION FOR REDUCED FEE IDENTIFICATION CARD.

Subpart 1. Application process. To apply for a state identification card at a reduced fee, a person with a condition of mental retardation, mental illness, or a physical disability, as these conditions are defined in *Minnesota Statutes*, section 171.07, subdivision 3, paragraph (c), shall comply with this part.

A. The applicant shall comply with the identity provisions in part 7410.0400.

B. Verification of the condition must be made on a certificate provided and made available by the department at all state application and driver's license agent application sites and from the department's Internet site.

C. If an applicant cannot present the certificate verifying the condition required in this part at the time of application, the department shall accept the application and hold it in suspense for 30 days pending receipt of the certificate verifying the condition. If verification of the condition is not received within 30 days of the date of application, the department shall deny the application for a reduced fee identification card.

D. Verification is not needed during the period the identification card is valid if the cardholder applies for a duplicate and the verification information is on file with the department.

Subp. 2. Person with mental retardation. If verification of an applicant's condition of mental retardation, as defined in *Minnesota Statutes*, section 252A.02, subdivision 2, is not on file with the department:

A. the applicant must present verification of the condition when applying for an initial card and when applying for a renewal of a card; and

B. verification of the condition must be made by a medical doctor or county-authorized case manager.

For this condition, a verification form from a previous application may be presented.

Subp. 3. Person with mental illness. At the time of the initial application for a reduced-fee identification card and for all subsequent renewals, a person with mental illness must present verification of the condition of serious and persistent mental illness as described in *Minnesota Statutes*, section 245.462, subdivision 20, paragraph (c). Verification of the condition of serious and persistent mental illness must be made by a county case manager or a mental health professional, as defined under *Minnesota Statutes*, section 245.462.

Subp. 4. Person with physical disability. A person with a physical disability shall present verification of being a physically disabled person as defined in *Minnesota Statutes*, section 169.345, subdivision 2.

A. If the physical disability is permanent, verification is required only at the time of initial application and is valid for the life of the applicant.

B. If the physical disability is temporary, the verification is valid for four years from the date of initial application for a reduced-fee identification card.

C. Verification of the physical disability must be made by a medical doctor or chiropractor as authorized in *Minnesota Statutes*, section 169.345, subdivisions 2 and 3.

D. Verification of the physical disability may also be made through presentation of a valid, permanent, physical disability parking certificate issued to the applicant under *Minnesota Statutes*, section 169.345, or upon presentation of a motor vehicle registration with physically disabled plates registered in the applicant's name.

Subp. 5. Information on file; public access. Information on a condition listed in subpart 1 must be maintained as private data on the applicant in the record maintained by the department.

A. Verification information may be viewed by a driver's license agent at the time of application if the information can be retrieved at the application site.

B. A designation of the applicant's condition must not be indicated on the identification card issued.

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**.

Minnesota State Arts Board

NOTICE OF CORRECTION to Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received

Proposed Amendment to Rules Governing Procedures for Receiving and Reviewing Requests for, and Standards for Distribution of, Grants and Other Forms of Assistance, *Minnesota Rules*, Chapter 1900, Arts Board Grant Procedures

NOTICE OF CORRECTION to comment period deadline, hearing dates, times and the assigned administrative law judge as listed in the previous week's *State Register*, Monday 30 October 2000, Volume 25 Number 18, page 907 (25 SR 907).

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.

ERRATA

The correct deadline for the comment period is November 30, 2000. The correct rule hearing date, if 25 or more persons request a hearing by 4:30 p.m. on November 30, 2000, will be December 12, 2000 at 10:00 a.m. Administrative Law Judge Richard C. Luis will conduct the hearing. He can be reached at (612) 349-2542 or through the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, MN 55401-2138; **telephone:** (612) 341-7600; and **fax:** (612) 349-2665.

The agency contact person is: Cheryl Peterson-DeGeer, Minnesota State Arts Board, Suite 200 Park Square Court, 400 Sibley Street, St. Paul, MN 55101; **telephone:** (651) 215-1600; **fax:** (651) 215-1602; **TTY:** (651) 215-6235. The agency website is: www.arts.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 Natural Resources

Commissioner's Scientific and Natural Area Order No. 167 Clear Lake Scientific and Natural Area; Superseding Scientific and Natural Area Order No. 9

WHEREAS, certain lands in Sherburne County, Minnesota, described as:

Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section Twenty-three (23), Township Thirty-four (34) North, Range Thirty (30) West; Government Lot One (1) of Section Twenty-two (22), Township Thirty-four (34) North, Range Thirty (30) West; A piece of land 20 rods square in the Southeast corner of the Southwest Quarter of the Southwest Quarter (SW1/4 SW 1/4) of Section Fourteen (14), Township Thirty-four (34) North, Range Thirty (30) West; Commencing at a point on the South line of said Section Fourteen (14), 20 rods West of the Southeast corner of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of said Section Fourteen (14), thence running West on said section line to the Southwest corner of said Section Fourteen (14), thence on the West line of said Section Fourteen (14), 20 rods, thence running at right angles East to a point 20 rods due North of the above mentioned starting point, thence South to the place of beginning; and the South 1650 feet of Government Lot Six (6) of Section Fifteen (15), Township Thirty-four (34) North, Range Thirty (30) West; containing 78.10 acres, more or less.

are under the control and possession of the Department of Natural Resources; and

WHEREAS, such lands contain natural features of exceptional scientific and educational value significantly illustrating geological formations, an undisturbed plant community maintaining itself under prevailing conditions typical of Minnesota, containing natural features, including Hill's thistle (*Cirsium hillii*), and a seasonal haven for concentrations of waterfowl and other birds, and an ecological community significantly illustrating the processes of succession;

WHEREAS, the most effective means by which such lands can be protected and perpetuated in their natural state and used for educational and research purposes in such a manner as will leave them conserved for future generations is by designation as a Scientific and Natural Area;

NOW THEREFORE, I, ALLEN GARBER, Commissioner of Natural Resources, pursuant to authority vested in me by *Minnesota Statutes* §§ 84.033, 86A.05, subd. 5, 97A.093 and other applicable law, do hereby designate the above-described lands as Clear Lake Scientific and Natural Area. Furthermore, the Clear Lake Scientific and Natural Area is designated as a Public Use unit, open to the public for nature observation and general educational and research activities.

IT IS FURTHER ORDERED that the provisions of *Minnesota Rules* 6136.0100 through 6136.0600 shall apply to the above-designated area, except that a canoe rest stop may be established on the South 1650 feet of Government Lot 6 in Section 15, Township 34, Range 30. Overnight camping is prohibited at the canoe rest stop.

IT IS FURTHER ORDERED that Clearlake Mississippi Scientific and Natural Area Order No. 9 is hereby superseded.

Dated at St. Paul, Minnesota, this 27th day of October, 2000.



ALLEN GARBER, Commissioner
Department of Natural Resources

APPROVED AS TO FORM AND EXECUTION:

MIKE HATCH
Attorney General

By: 
STEPHEN B. MASTEN
Assistant Attorney General

Revenue Notices

The Department of Revenue began issuing revenue notices in July of 1991. Revenue notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue revenue notices is found in *Minnesota Statutes* § 270.0604.

Department of Revenue

Revenue Notice # 00-10: Sales and Use Tax - Nexus Standards

Introduction

This revenue notice sets out the department's position on criteria for determining when an out-of-state retailer is required to register, collect and remit Minnesota sales or use tax on sales made into Minnesota.

Retail sales made in Minnesota of taxable goods and services are subject to Minnesota sales tax. *Minnesota Statutes*, section 297A.21, subdivision 3, provides that an out-of-state retailer who maintains a place of business in Minnesota must register to collect and remit sales or use tax on retail sales made from a location outside of Minnesota to a destination in Minnesota.

Minnesota Statutes, section 297A.21, subdivision 1, defines "retailer maintaining a place of business in this state" to mean any retailer who:

- has or maintains an office, place of distribution, sales or sample room or place, warehouse, or other place of business in Minnesota either directly or by a subsidiary.
- has a representative, agent, salesperson, canvasser, or solicitor (either permanent or temporary), who operates under the authority of the retailer or its subsidiary in Minnesota for any purpose, including repairing, selling, delivering, installing, or soliciting orders for the retailer's goods or services.

Revenue Notices

- leases tangible personal property located in Minnesota.
- delivers tangible personal property into Minnesota in their own vehicles.

Department Position

It is the department's position that an out-of-state business is maintaining a place of business in this state and has sufficient nexus to be required to collect Minnesota sales or use tax when it conducts business activity in Minnesota on at least four days during a 12-month period. The out-of-state business is required to register, collect and remit Minnesota sales or use tax on sales made from outside Minnesota to destinations in Minnesota starting on the fourth day of such activity and for all sales made that day through the following 11 calendar months. (See the examples below.)

Out-of-state businesses must collect and remit Minnesota sales or use tax on all taxable sales made while in the state, even if the business does not meet the guidelines above.

Business Activity in Minnesota

Following are examples of business activity in Minnesota. Each day, or part of a day, that an out-of-state business participates in or conducts any of the following or similar activities is counted as a day for purposes of determining nexus for sales and use tax purposes.

- Conducting business activity in Minnesota by owning, leasing or maintaining tangible personal property or real property located in Minnesota.
- Providing taxable services while in Minnesota.
- Engaging in convention or trade shows, or conducting seminars or similar events for the purpose of promoting or conducting business activity while in Minnesota.
- Soliciting orders while in Minnesota.
- Making repairs, doing warranty work, or providing or arranging for maintenance or service in Minnesota. (Also see Revenue Notice # 96-16, Corporate Franchise & Sales and Use Tax Nexus, In-state Repair Services by Computer Companies)
- Installing or assembling products in Minnesota.
- Investigating, handling or otherwise assisting in resolving customer issues or complaints while in Minnesota.
- Providing customers any kind of service or technical assistance while in Minnesota, including but not limited to, engineering assistance, consulting service, training, design service, quality control, product inspection, or similar services.
- Providing delivery into Minnesota in vehicles owned, leased, or maintained by the business.

The following activities are not considered when determining whether an out-of-state business has nexus with Minnesota unless they involve any of the above activities or activities similar to those described above.

- Meeting with Minnesota suppliers of goods and services.
- Meeting in Minnesota with government representatives in their official capacity.
- Attending board meetings, retreats, seminars, or conferences (not as a seller) in Minnesota.
- Holding recruiting or hiring events in Minnesota.
- Set up or tear down of displays before and after trade shows, seminars, and similar events.
- Advertising in Minnesota through various media. *Minnesota Statutes*, section 297A.21, subdivision 4, provides that under certain circumstances regular or systematic solicitation of sales through advertisements in Minnesota creates nexus. Minnesota will enforce these provisions to the extent allowed by the United States Constitution and the laws of the United States.

Examples

1. Representatives for an out-of-state company spend five days in Minnesota for a trade show. The trade show is a three-day event, but the representatives come a day early to set up their display booth and spend a day after the event to take down and pack the display. This is the company's only business activity in Minnesota during the past 12 months. They make several sales to customers at the show. The company must register and collect and remit Minnesota sales tax on the sales made at the show. However, they are not required to collect Minnesota tax on any other sales made into Minnesota from outside the state since they had less than four days of business activity in Minnesota during the past 12 months.

2. In September 1999 and October 1999, representatives for an out-of-state company come into Minnesota for two days each month to complete warranty repair work on equipment. Since the company has four days of business activity in Minnesota, they are required to collect and remit Minnesota tax on all sales made from outside Minnesota to destinations in Minnesota beginning with the fourth day of business activity in Minnesota and continuing through the following 11 calendar months. Assuming that this company discontinues all sales activity in Minnesota after October 1999, they must collect and remit Minnesota sales or use tax on all sales starting on the date of the fourth sales activity in October 1999 and continuing through September 2000.
3. Same as example two above, except the out-of-state company continues to send representatives into Minnesota to do warranty repair work after October 1999. The company will continue to have nexus with Minnesota. In the future, if the company discontinues its business activities in Minnesota, its nexus will continue for 11 months past the month of its last business activity in Minnesota.

NOTE: In the examples above, if the out-of-state company is not required to collect Minnesota sales or use tax, its customers are required to remit use tax directly to the state on their purchases. The out-of-state company may, as a convenience to its customers, register and collect and remit Minnesota tax on any sales made to them.

Dated: 6 November 2000

Jennifer L. Engh
Assistant Commissioner for Tax Policy

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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.

Minnesota Department of Agriculture

Agronomy and Plant Protection Division and Grain and Produce Division

REQUEST FOR COMMENTS on Planned Repeal of Rules Governing Charges Under Minnesota Seed Law, *Minnesota Rules* 1510.0281, subp. 5, and Christmas Tree Standards, *Minnesota Rules* 1560.0100-1560.1600

Subject of the Rule. The Minnesota Department of Agriculture requests comments on its planned repeal of rules governing seed service testing and identification fees and Christmas tree standards. The department is considering repealing rules that 1.) set the fees paid to have seed tested for purity, germination, identification or other related tests so that fees would be based on cost recovery of program expenses in accordance with *Minnesota Statutes*, sections 16A.1283 (b) and 17.85; and 2.) adopt federal Christmas tree standards of 1971.

Persons Affected. The fee repeal would likely affect seed growers, manufacturers, distributors, and laboratories currently using the department's seed testing services. The tree standard repeal would affect no one. Federal Christmas tree standards are the only standards currently being used. The department does not contemplate appointing an advisory committee to comment on the planned repeal.

Statutory Authority. *Minnesota Statutes*, section 21.85, subd. 11 allows the commissioner to make rules to enforce the seed law, *Minnesota Statutes*, sections 21.80 to 21.92. *Minnesota Statutes*, section 21.89, subd. 1 requires the commissioner to establish fees to pay for administration of the seed law. *Minnesota Statutes*, section 27.14 requires the commissioner to make rules to carry out *Minnesota Statutes*, section 27.01 to 27.14 and 27.19 governing wholesale produce dealers.

Public Comment. Interested persons or groups may submit comments or information on the planned rules in writing or orally until 4:30 p.m. on January 12, 2001. The department has prepared a draft of the planned repeal. Written or oral comments, ques-

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tions, requests to receive a draft proposed rules, and requests for more information on the planned rules should be **addressed to:** Bill Krueger, Minnesota Department of Agriculture, 90 W. Plato Blvd., St. Paul, MN 55107: **Phone:** (612) 296-1572, **Fax:** (651) 297-8787, **Email:** william.krueger@state.mn.us. **TTY** users may contact the Department of Agriculture through Minnesota Relay Service at (800) 627-3529.

Comments submitted in response to this notice will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Dated: 30 October 2000

Sharon Clark
Deputy Commissioner

Department of Commerce Energy Division

Notice of Public Meeting on Draft 2000 Energy Policy and Conservation Report

The Energy Division of the Department of Commerce, formerly the Department of Public Service, will hold a public meeting to present and take comments on its draft 2000 Energy Policy and Conservation Report to the Legislature as required by *Minnesota Statutes* §216C.18. The meeting will be held at 1:30 p.m., on November 8, 2000 in the Department offices at 121 7th Place East, Suite 200, St. Paul, Minnesota 55101. Written comments will also be accepted through November 15, 2000. Copies of the report are available online at: <http://www.dpsv.state.mn.us/docs/infocntr/informain.htm#Reports>. For more information contact Chris Gilchrist at (651) 297-4634.

Department of Health

Rules Reform Task Force Notice of Meetings

Task Force charge. Legislation in 2000 created a Rules Reform Task Force made up of four legislators and four persons appointed by Governor Ventura. *Minnesota Laws 2000*, chapter 469, section 5, which states:

“The task force must study and make recommendations to the governor and the legislature by January 15, 2001, on issues relating to review of agency rules. The recommendations must include, but are not limited to:

- (1) a process to be used by agencies, the governor, and the legislature to identify and prioritize rules and related laws and programs that will be subject to legislative review;
- (2) a process by which the legislature will review rules and related laws and programs identified under clause (1);
- (3) the estimated agency and legislative time and resources required for review of rules and related laws and programs under the processes recommended under clauses (1) and (2);
- (4) the effect of possible repeal of agency rules on the state budget and any loss of benefits to citizens of the state resulting from such a repeal;
- (5) the desirability of changes in the rulemaking requirements of the Administrative Procedure Act, given increased legislative scrutiny of rules; and
- (6) an analysis of ways to ensure or encourage compliance with state policies and goals using methods other than rulemaking, such as administrative penalty orders, descriptive guidelines, best management practices, compliance incentives, technical assistance, training, and procedural templates.

In making its recommendations, the task force must consult with interested parties, and must consider relevant state and federal laws and commitments.”

Meeting schedule. The Rules Reform Task Force meeting schedule is as follows:

- Friday, November 10, 2000, at 10:30 a.m., in Room 300S of the State Office Building.
- Friday, December 1, 2000, at 9:30 a.m., in Room 300S of the State Office Building.
- Thursday, December 14, 2000, at 9:30 a.m., in Room 400N of the State Office Building.
- There will possibly be one more meeting in late December 2000 or early January 2001 for the Task Force to review, edit, and approve the Task Force's final report.
- The agenda for each meeting will be posted on the Task Force web site. Each meeting will last approximately two hours.
- The State Office Building is located at 100 Constitution Avenue in St. Paul.

Public comment encouraged. The Task Force encourages the public to submit written comments or to testify with their opinions generally about rule reform and specifically about the six items listed in chapter 469, section 5. Testimony should be related to the scheduled agenda items for each meeting. If you are interested in submitting written comments or testifying before the Task Force, contact Adrienne Buske by **phone:** (651) 296-2955 or by **email:** Adrienne.Buske@house.leg.state.mn.us

Task Force web site. Task Force minutes, handouts, and other information are available on the Task Force **web site:** www.commissions.leg.state.mn.us/rtf/rtf.htm

Health Technology Advisory Committee

Notice of: 1) Availability of Preliminary "Light Therapy for Seasonal Affective Disorder (SAD)" Evaluation Report; and 2) Solicitation of Written Comments

The Health Technology Advisory Committee (HTAC) is charged under *Minnesota Statutes* 62J.152 with conducting evaluations of specific technologies and their specific use and application. For the purposes of evaluation, the definition of technologies in statute includes "... drugs, devices, procedures, or processes applied to human health care" As part of the evaluation process, HTAC is required to submit a report to the Legislative Oversight Commission on Health Care Access and to solicit written comments on the report. Before completing its final comments and recommendations on the HTAC technology evaluation report, HTAC solicits public comment on the report.

The Health Technology Advisory Committee (HTAC) has recently completed the preliminary evaluation report, "Light Therapy for Seasonal Affective Disorder (SAD)".

Brief Summary of the Preliminary HTAC Report: Light Therapy for Seasonal Affective Disorder (SAD).

Seasonal affective disorder (SAD), is a mood disorder subtype characterized by recurrent depressive episodes that occur and remit with changes of season. The most common form of the disorder involves onset of depression in the late fall or early winter with remission in the spring or summer. It is believed that SAD is associated with decreases in light exposure during the fall and winter seasons. Light therapy has been recommended as the first-line treatment for SAD. The most commonly used and studied form of light therapy involves the use of a light box that administers bright light during a particular time of day, usually in the morning but sometimes in the evening.

Design problems have hampered a definitive determination of efficacy since the introduction of light therapy as a treatment for SAD. However, recent studies have presented evidence that light therapy is an effective treatment for SAD. Long-term efficacy has not been established, and the intensity-response relationship, the optimal treatment schedule, and the long-term safety of light therapy have not been clarified.

Conclusions: Light therapy is still considered an investigational treatment. The Food and Drug Administration (FDA) has not yet given approval to market light boxes for the treatment of SAD nor does the Health Care Financing Administration (HCFA) cover the use of light therapy. Although, the Agency for Health Care Policy and Research (AHCPR), in guidelines published in 1993, gives light therapy a qualified recommendation under specific conditions.

Both the FDA and the AHCPR state that light therapy should be administered to properly diagnosed patients (who have no psychotic disorder and who are not suicidal) under the guidance of an experienced and trained medical professional.

Studies support reasonable beneficial effect of light therapy as a treatment of SAD, where light deprivation is believed to be the causal agent.

Recommendations: Patients, who use a light box device at home, should be under physician supervision and be informed about possible adverse effects.

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Further well-designed, randomized controlled studies are needed to establish the long-term efficacy, intensity-response relationship, the optimal treatment schedule and the long-term safety of light therapy treatment.

Individuals or organizations requesting information or a copy of the report should contact HTAC. Written comments regarding the report are due within 30 days from the publication of this notice. Any written material received by HTAC shall be subject to the requirements of the Minnesota Data Practices Act (*Minnesota Statutes*, Section 13) and should be forwarded to:

Nancy Cusick
Health Technology Advisory Committee
121 East 7th Place, Suite 400
St. Paul, MN 55101
Phone: (651) 282-6374
Fax: (651) 282-5628
<http://www.health.state.mn.us/htac/index.htm>

Metropolitan Council

Public Hearing on 2001 Unified Operating Budget and 2001-2006 Capital Improvement Program and 2001 Capital Budget

The Metropolitan Council will hold public hearing on the Council's proposed 2001 Unified Operating Budget, the 2001-2006 Capital Improvement Program and the 2001 Capital Budget. These hearings will be as follows:

- **Metropolitan Council 2001 Unified Operating Budget Public Hearing**
5:00 p.m., Wednesday, Dec. 13, 2000
Metropolitan Council Chambers
Mears Park Centre
230 E. Fifth Street
St. Paul, MN
- **Metropolitan Council 2001-2006 Capital Improvement Program and 2001 Capital Budget Hearing**
5:30 p.m., Wednesday, Dec. 13, 2000
Metropolitan Council Chambers
Mears Park Centre
230 E. Fifth Street
St. Paul, MN

All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak **by calling** (651) 602-1390 or **TTY:** (651) 291-0904. Upon request, the Council will provide reasonable accommodations to persons with disabilities.

Comments may also be submitted as follows:

- **Send written comments to:** Beth Wedstrom-Anderson, Chief Finance Officer, Metropolitan Council, Mears Park Centre, 230 E. Fifth St., St. Paul, MN 55101
- **Fax** comments to Beth Wedstrom-Anderson at (651) 602-1871.
- **Record comments** on the Council's Public Comment Line: (651) 602-1500.
- **Send comments electronically to:** data.center@metc.state.mn.us

Comments must be received by December 20, 2000.

Free copies of the public hearing draft of the Council's proposed 2001 Unified Operating Budget, the 2001-2006 Capital Improvement Program and the 2001 Capital Budget may be obtained from the Council's Data Center by **calling:** (651) 602-1140 or **TTY:** (651) 291-0904.

- These hearings are in addition to a Wednesday, Dec. 6, 2000, at 6:00 p.m. Truth-in-Taxation hearing scheduled for the Metropolitan Council and Metropolitan Mosquito Control Commission.

Minnesota Pollution Control Agency

Policy and Planning Division

Notice that the Public Comment Period is Open for Minnesota's Draft 2001 Intended Use Plan for the Water Pollution Control Revolving Fund

The draft 2001 Intended Use Plan (IUP) identifies and describes the water pollution control projects expected to receive loans from Fiscal Year 2001 funds. This is produced for the Water Pollution Control Revolving Fund, commonly known as the State Revolving Fund (SRF) which was created under the provisions in the federal Clean Water Act (Act) to provide financial assistance for water pollution control projects. As required by the Act, each state must annually prepare and submit to the U.S. Environmental Protection Agency (EPA) an IUP as part of its capitalization grant application.

The Minnesota Pollution Control Agency (MPCA) is responsible for preparing the IUP and for reviewing and monitoring projects to ensure they meet administrative and technical requirements. The Public Facilities Authority, housed in the Department of Trade and Economic Development, is responsible for reviewing the financial capability of the applicants, selling bonds to generate the loan funds, and setting the interest rates, terms and conditions of the loans.

The 2001 IUP lists two major activities to be funded by the SRF: 1) wastewater projects and 2) nonpoint-source pollution programs. Minnesota's revolving loan program provides loans to municipalities for planning, design and construction of wastewater treatment projects which are eligible under *Minnesota Rule 7077.0278*. Minnesota's revolving loan program also includes non-point-source pollution loan programs which provide financial assistance for implementation of best management practices to control and reduce nonpoint-source pollution.

If you are interested in receiving a copy of the draft IUP please contact Sally Patrick at (651) 297-4786 or check the web page www.pca.state.mn.us/water/revolvingfund.html. Any person may submit written comments on the draft IUP up to 4:30 p.m. on Wednesday, December 6, by mailing them to Sally Patrick, Policy and Planning Division (MF), Minnesota Pollution Control Agency, 520 Lafayette Road N, St. Paul, MN 55155-4194 or by fax : (651) 297-8676.

Public Employees Retirement Association

Notice of Meetings 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, November 9, 2000, at 7:00 p.m., in the auditorium of the Blue Earth County Library, 100 East Main Street, Mankato, Minnesota.

Minnesota Department of Public Safety

State Fire Marshal Division

REQUEST FOR COMMENTS on Planned Amendments to Rules Governing the Minnesota Uniform Fire Code, *Minnesota Rules*, Chapter 7510

Subject of Rules. The Minnesota Department of Public Safety requests comments on its planned amendments to rules governing the Minnesota Uniform Fire Code, *Minnesota Rules*, chapter 7510. The State Fire Marshal Division plans to adopt and make necessary amendments to the *2000 International Fire Code* published by the International Code Council.

Persons Affected. Persons affected by amendments to chapter 7510 may include fire and building officials, building owners and managers, architects, engineers, fire protection contractors, pyrotechnic operators, flammable liquids and LP-Gas installers, and ultimately the general public.

Statutory Authority. *Minnesota Statutes*, section 299F.011, authorizes the Commissioner, through the State Fire Marshal Division, to adopt rules to promulgate a statewide fire code and make amendments thereto.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing or orally until further notice is published in the *State Register* that the Division intends to adopt or withdraw the rules. The Division does not

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contemplate appointing an advisory committee to develop the planned rules, but will seek comments and suggestions from the Minnesota State Fire Chiefs Association and the Fire Marshal's Association of Minnesota throughout the drafting process.

Rule Drafts. The Division has not yet prepared a draft of the planned rules and amendments.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these planned rules should be directed to: Patricia Bell at Department of Public Safety, Fire Marshal Division, 444 Cedar Street, Suite 145, St. Paul, MN 55101-5145, (651) 215-0522, **Fax:** (651) 215-0525, and **email:** *Pat.L.Bell@state.mn.us*. **TTY** users may call the Division at (651) 282-6555.

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

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 30 October 2000

Thomas R. Brace
State Fire Marshal

Department of Transportation

Petition of Nicollet County for a Variance from State Aid Requirements for RIGHT-OF-WAY

NOTICE IS HEREBY GIVEN that the Nicollet County Board has made written request to the Commissioner of Transportation, pursuant to *Minnesota Rules* 8820.3300, for a variance from rules as they apply to reconstruction and surfacing projects on County State Aid Highway No. 41 in Nicollet County, located between a point 2.6 miles East to 5.9 miles East of County State Aid Highway No. 23.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.2500, Subp. 3, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to allow a 57 foot right-of-way width at approximate engineer's station 296+50, in lieu of the required 66 foot minimum width for the construction projects located on County State Aid Highway No. 41 in Nicollet County, Minnesota, known as State Aid Project Nos. 52-641-06 and 52-641-07.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota 55155.

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

Dated this 30th day of October, 2000

Julie A. Skallman
State Aid Engineer
State Aid for Local Transportation

Department of Transportation

Petition of the City of Duluth for a Variance from State Aid Requirements for DESIGN SPEED

NOTICE IS HEREBY GIVEN that the Duluth City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300, for a variance from rules as they apply to a proposed bridge replacement project located on Municipal State Aid Street No. 113 (Skyline Parkway) at Keene Creek in the City of Duluth, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9936, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, as they apply to a proposed construction project located on Municipal State Aid Street No. 113 (Skyline Parkway) at Keene Creek in the City of Duluth, Minnesota, so as to allow a vertical and horizontal design speed of 26 mph, in lieu

of the required 30 mph minimum.

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

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

Dated this 30th day of October, 2000

Julie A. Skallman
 State Aid Engineer
 State Aid for Local Transportation

Department of Transportation

Proposed Variance from Rules to Allow the Use of Metric Units

NOTICE IS HEREBY GIVEN that the Commissioner of Transportation, pursuant to *Minnesota Rules* for State Aid Operations 8820.3300, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, proposes a categorical administrative variance from rules as they apply to all State-aid and Federal-aid construction projects as follows:

The following minimum standard dimensions will be permitted in the preparation of plans and construction of projects designed using the Metric unit of measurement. These minimum dimensions shall not be converted to English units and used in the preparation of plans designed using the English unit of measurement.

8820.9920 GEOMETRIC DESIGN STANDARDS; RURAL AND SUBURBAN UNDIVIDED; NEW OR RECONSTRUCTION PROJECTS.

New or reconstruction projects for rural and suburban undivided roadways must meet or exceed the minimum dimensions indicated in the following design chart.

Projected ADT (b)	Lane Width (meters)	Shoulder Width (meters)	Inslope (c) (rise : run)	Recovery Area (d) (meters)	Design Speed (e) (g) (km/h)	Surfacing	Structural Design Strength (i) (metric tons)	Bridges to Remain (f) (Width Curb to Curb) (meters)
0 - 49	3.3	0.3	1 : 3	2	50 - 100	Aggregate		6.6
50 - 149	3.3	0.9	1 : 4	3	60 - 100	Aggregate		6.6
150 - 749	3.6	1.2	1 : 4	4.6	60 - 100	Paved	8.2	8.4
750 - 1499	3.6	1.2	1 : 4	8	60 - 100	Paved	8.2	8.4
1500	3.6	1.8 (h)	1 : 4	9	60 - 100	Paved	9.1	9.0

Engineering judgment may be used to choose a lane-width or shoulder-width dimension other than the widths indicated in the chart for roadways. Factors to consider may be safety, speed, population/land use, benefit/cost analysis, traffic mix, farm equipment, environmental impacts, terrain limitations, bicycle traffic, pedestrian traffic, other nonmotorized uses, functional classification, or other factors. Widths less than those indicated in the chart require a variance in accordance with parts 8820.3300 and 8820.3400.

(a) For rural divided roadways, use the geometric design standards of the Mn/DOT Road Design Manual, with a minimum 9.1 metric ton structural design and minimum 60 kilometers per hour design speed.

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(b) Use the existing traffic for highways not on the state-aid system.

(c) Applies to slope within recovery area only.

(d) Obstacle-free area (measured from edge of traffic lane). Culverts with less than 675 millimeters vertical height allowed without protection in the recovery area.

Guardrail is required to be installed at all bridges where the design speed exceeds 60 kilometers per hour, and either the ADT exceeds 749 or the bridge clear width is less than the sum of the lane and shoulder widths.

Mailbox supports must be in accordance with chapter 8818.

For roadways in suburban areas as defined in part 8820.0100, the recovery area may be reduced to a width of 3 meters for projected ADT under 1,000 and to 6 meters for projected ADT of 1,000 or over. Wherever the legal posted speed limit is 60 kilometers per hour or less, the recovery area may be reduced to a width of three meters.

(e) Subject to terrain. In suburban areas, the minimum design speed may be equal to the current legal posted speed where the legal posted speed is 50 kilometers per hour or greater.

(f) Inventory rating of M 13.5 is required. A bridge narrower than these widths may remain in place if the bridge is not deficient structurally or hydraulically.

(g) Design speed of 50 kilometers per hour allowed for highways not on the state-aid system.

(h) Shoulders are required to be a minimum width of 2.4 meters for highways classified as minor arterials and principal arterials with greater than 1,500 ADT projected.

(i) Roadways not on the state-aid system are not subject to the minimum structural design strength requirements. In suburban areas, the minimum structural design strength is 8.2 metric tons or 9.1 metric tons as needed for system continuity.

Approach sideslopes must be 1:4 or flatter when the ADT exceeds 400.

MS 22.5 loading with AASHTO Standard Specifications or HL-93 loading with load and resistance factor design (LRFD) is required for new or reconstructed bridges. MS 18 loading is required for all rehabilitated bridges. The curb-to-curb minimum width for new or reconstructed bridges is the sum of the lane and shoulder widths plus 1.2 meters.

8820.9926 GEOMETRIC DESIGN STANDARDS: RURAL AND SUBURBAN UNDIVIDED; RECONDITIONING PROJECTS.

Subpart 1. Minimum reconditioning standards. Reconditioning projects for rural or suburban undivided roadways must meet or exceed the minimum dimensions indicated in the following design chart. See part 8820.0100, subpart 13b, for the description of activities allowed.

Existing ADT	Statutory or Regulatory Posted Speed	Lane Width (Paved)	Combined Lane (Paved) and Shoulder Width
Below 750	Under 80 km/h	3.0 meters	3.3 meters
Below 750	80 km/h or over	3.0 meters	3.6 meters
Over 749	Under 80 km/h	3.0 meters	3.6 meters
Over 749	80 km/h & over	3.3 meters	4.3 meters

Engineering judgment may be used to choose a lane or shoulder width dimension other than the widths indicated in the chart for roadways. Factors to consider include safety, speed, population/land use, benefit/cost analysis, traffic mix, environmental impacts, terrain limitations, bicycle traffic, pedestrian traffic, other non-motorized uses, functional classification, or other factors. Widths less than those indicated in the chart require a variance in accordance with parts 8820.3300 and 8820.3400.

Widths of bridges to remain in place must equal roadway pavement width. Bridges narrower than these widths may remain in place provided that the bridge does not qualify for federal-aid bridge funds. M 13.5 inventory rating is required.

Any highway that was previously built to state-aid or state standards, that was granted a variance to standards in effect at the time of construction or reconstruction, or that is a trunk highway turnback, may be reconditioned.

The proposed structural design strength must be a minimum of 6.4 metric tons.

8820.9936 GEOMETRIC DESIGN STANDARDS, URBAN; NEW OR RECONSTRUCTION PROJECTS.

New or reconstruction projects for urban roadways must meet or exceed the minimum dimensions indicated in the following design chart.

Functional Classification and Projected Traffic Volume	Design Speed (km/h)	Lane Width (a) (meters)	Curb Reaction Distance (e) (meters)	Parking Lane Width (meters)
Collectors or Local with ADT < 10,000*	50 – 60	(b) 3.3	0.6	2.4
	over 60	3.6	0.6	3.0
Collectors or Local with ADT >=10,000 and Arterial	50 – 60	(b) 3.3	(c) 1.2	3.0
	over 60	3.6	(c) 1.2	(d) 3.0

- (a) One-way turn lanes must be at least 3 meters wide, except 3.3 meters is required if the design speed is over 60 km/h.
- (b) Wherever possible, lane widths of 3.6 meters, rather than 3.3 meters, should be used.
- (c) May be reduced to 0.6 meters if there are four or more traffic lanes and on one-way streets.
- (d) No parking is allowed for six or more traffic lanes or when the posted speed limit exceeds 70 km/h.
- (e) Curb reaction must be provided only where parking is not provided.

One-way streets must have at least two through-traffic lanes.

When a median is included in the design of the two-way roadway, a 0.3 meter reaction distance to the median is required on either side of the median. Minimum median width is 1.2 meters.

Urban design roadways must be a minimum 8.2 metric tons structural design, or 9.1 metric tons if needed for system continuity.

Roadways not on the state-aid system are not subject to the minimum structural design strength requirements.

A new bridge must have a curb-to-curb width equal to the required street width. MS 22.5 loading with AASHTO Standard Specifications or HL-93 loading with load and resistance factor design (LRFD) is required for new or reconstructed bridges and a minimum of HS 18 loading is required for all rehabilitated bridges.

For ADT less than 150, the widths of bridges to remain must be at least the sum of the lanes. For ADT greater than or equal to 150, the widths of bridges to remain must be at least the sum of the lanes plus half the sum of the shoulders, parking lane, and curb reaction distance.

Clearance of 0.5 meters from the face of the curb to fixed objects must be provided when the posted speed is 60 to 70 km/h. A 3 meter clearance from the driving lane must be provided when the posted speed exceeds 70 km/h.

For volumes greater than 15,000 projected ADT*, at least four through-traffic lanes are required.

*Additional average daily traffic may be allowed if a capacity analysis demonstrates that level of service D or better is achieved at the higher traffic volume. If the capacity analysis demonstrates that additional lanes are required only during peak traffic hours, then each additional driving lane may be used as a parking lane during nonpeak hours.

“Level of service” has the meaning given it in the Highway Capacity Manual, Special Report 209, as revised and published by the Transportation Research Board of the National Research Council, Washington, D.C. The definition is incorporated by reference, is not subject to frequent change, and is located at the Minnesota State Law Library, 25 Constitution Avenue, St. Paul, Minnesota 55155.

8820.9946 GEOMETRIC DESIGN STANDARDS, URBAN; RECONDITIONING PROJECTS.

Subpart 1. Two-way streets. In the following design chart, total width is from face-to-face of curbs.

Reconditioning projects for two-way urban roadways must meet or exceed the minimum dimensions indicated in the chart.

Number of Through Lanes, Functional Class, and Present Traffic Volume	Total Width with No Parking (meters)	Total Width with Parking on One Side (meters)	Total Width with Parking on Both Sides (meters)	Proposed Structural Design Strength (metric tons)
2 Lane Collector or Local with ADT < 10,000	7.8	9.6	11.4	(b) 8.2
4 Lane Collector or Local with ADT < 10,000	13.2	15.6	18.0	(b) 8.2
2 Lane Collector or Local with ADT >=10,000 or 2 Lane Arterial	7.8	9.6	12.6	8.2
4 Lane Collector or Local with ADT >=10,000 or 4 Lane Arterial	13.2	16.2	19.2	8.2
6 Lane Collectors or Arterials	19.8	(c)	(c)	8.2

- (a) Permissible for present traffic volumes less than 15,000 ADT.
- (b) When ADT is less than 5,000, 6.4 metric tons is allowable.
- (c) No parking is allowed.

When a median is included in the design of the two-way roadway, a 0.3 meters reaction distance to the median is required on either side of the median. Minimum median width is 1.2 meters.

For ADT less than 150, the widths of bridges to remain must be at least the sum of the lanes. For ADT greater than or equal to 150, the widths of bridges to remain must be at least the sum of the lanes plus half the sum of the shoulders, parking lane, and curb reaction distance.

Subp. 2. One-way streets. In the following design chart, total width is from face-to-face of curbs.

Reconditioning projects for one-way urban roadways must meet or exceed the minimum dimensions indicated in the chart.

Number of Through Lanes and Functional Classification	Present ADT	Total Width with No Parking (meters)	Total Width with Parking on One Side (meters)	Total Width with Parking on Both Sides (meters)	Proposed Structural Design Strength (metric tons)
2 Lane Collector or Local with ADT < 10,000	<5,000	6.3	8.7	11.1	6.4
	5,000 – 10,000	6.9	9.3	11.7	8.2
2 Lane Collector or Local with ADT >=10,000 or 2 Lane Arterial	<15,000	6.9	9.3	11.7	8.2
	>= 15,000	7.2	9.6	12.0	8.2
3 Lane Arterial or Collector	All	10.2	12.6	15.0	8.2

For ADT less than 150, the widths of bridges to remain must be at least the sum of the lanes. For ADT greater than or equal to 150, the widths of bridges to remain must be at least the sum of the lanes plus half the sum of the shoulders, parking lane, and curb reaction distance.

Subp. 3. Exception. Any street that was previously built to state-aid or state standards, that was granted a variance to standards in effect at the time of construction or reconstruction, or that is a trunk highway turnback, but does not meet current standards, may be reconditioned regardless of subparts 1 and 2.

8820.9956 VERTICAL CLEARANCES FOR UNDERPASSES.

Underpass projects must meet or exceed the minimum dimensions indicated in the following design chart.

	Rural-Suburban Design, Vertical Clearance (meters)	Urban Design, Vertical Clearance (meters)
Highway under Roadway Bridge	5	4.4
Highway under Railroad Bridge	5	4.4
Highway under Pedestrian Bridge	5.3	4.4
Highway under Sign Structure	5.3	4.4
Railroad under Roadway Bridge*	6.7	6.7

*Variances to the required minimum may be granted by the commissioner of transportation. That approval eliminates the need for a state-aid variance.

8820.9961 MINIMUM DESIGN STANDARDS FOR 45-DEGREE AND 60-DEGREE DIAGONAL PARKING.

Diagonal parking projects must meet or exceed the minimum dimensions indicated in the following design chart.

Parking Angle	Present ADT	Parking Stall Width (meter)	Parking Stall Depth (meter)	Distance Between Traffic Land and Parking Stall (meter)	Length Along Curb (meter)
45 degrees	< 3000	2.7	6	0.6	3.9
60 degrees	< 3000	2.7	6.4	2.1	3.2
45 degrees	>= 3000	2.7	6	4.3	3.9
60 degrees	>= 3000	2.7	6.4	5.8	3.2

Maximum legal speed limit must be 50 km/h.

At least two through-traffic lanes must be provided.

Diagonal parking provisions must be established by cooperative agreement between the local road authority and the commissioner.

The cooperative agreement must show the angle of parking and provide for pavement marking of the parking lanes.

Minnesota Statutes, section 169.34, must be adhered to in determining diagonal parking spacing. Provide a 0.6 meter clearance from the face of the curb to fixed objects. Parking meters, when spaced so as to not interfere with vehicle operation, are exempt.

Official Notices

8820.9981 MINIMUM GEOMETRIC DESIGN STANDARDS: NATURAL PRESERVATION ROUTES, DESIGNATED NATIONAL FOREST HIGHWAYS WITHIN NATIONAL FORESTS, AND STATE PARK ACCESS ROADS WITHIN STATE PARKS; NEW OR RECONSTRUCTION PROJECTS.

Subpart 1. Type I route. New or reconstruction projects for type I natural preservation routes, designated natural forest highways within national forests, and state park access roads within state parks must meet or exceed the minimum dimensions indicated in the following design chart.

Surface Type	Design Speed (km/h)	Lane Width (meters)	Shoulder Width (a) (meters)	In-slope (b) (rise : run)	Recovery Area (c) (meters)	Design Strength (metric tons)	Bridges to Remain (d) (meters)
Aggregate	50	3.3	0.3	1 : 3	1	---	6.6
Paved	50	3.3	0.5	1 : 3	3	8.2	6.6

(a) If the route has scenic vistas that will require parking vehicles along the shoulder, widening the shoulder at these locations is acceptable. The designer will provide a 1.2 meter paved shoulder if the route is a popular bicycle route.

(b) Applies to slope within recovery area only. Other design features, such as guardrails or retaining walls, should be considered in particularly sensitive areas in lieu of reconstructing the inslope in accordance with part 8820.4060.

(c) Obstacle-free area (measured from edge of traffic lane).

Guardrail is required to be installed at all bridges where the design speed exceeds 60 km/h, and either the ADT exceeds 749 or the bridge width is less than the sum of the lane and shoulder widths.

Mailbox supports must be in accordance with chapter 8818.

(d) Inventory rating of M 13.5 is required. A bridge narrower than these widths may remain in place if the bridge is not deficient structurally or hydraulically.

MS 18 loading with AASHTO Standard Specifications or HL-93 loading with load and resistance factor design (LRFD) is required for new bridges. MS 16 loading is required for all rehabilitated bridges. The curb-to-curb minimum width for new or reconstructed bridges is the sum of the lane and shoulder widths plus 1.2 meters.

Ditch depths and widths must be kept to the minimum required to function hydraulically and to provide for adequate snow storage when a standard ditch would negatively impact the surroundings.

The designer shall specify in the plan and special provisions that the clearing width is to be kept to the absolute minimum. In sensitive areas, the normal clearance allowed to a contractor for working room is zero unless otherwise required for special conditions.

Curb and gutter may be used in lieu of a ditch section under the paved option. The lane width, shoulder width, and recovery area must be maintained.

For designated national forest highways within national forests, and state park access roads within state parks, this subpart applies only where the projected ADT is less than 100, unless the route has been designated as a natural preservation route.

Subp. 2. Type II route. New or reconstruction projects for type II natural preservation routes, designated national forest highways within national forests, and state park access roads within state parks must meet or exceed the minimum dimensions indicated in the following design chart.

Surface Type	Design Speed (km/h)	Lane Width (meters)	Shoulder Width (a) (meters)	In-slope (b) (rise : run)	Recovery Area (c) (meters)	Design Strength (metric tons)	Bridges to Remain (d) (meters)
Aggregate	50	3.3	0.6	1 : 3	3	—	7.2
Paved	60	3.6	1.2	1 : 4	3	8.2	7.2

(a) The designer will provide a 1.8 meter paved shoulder if the route is a popular bicycle route. If the route has scenic vistas that will require parking vehicles along the shoulder, widening the shoulder at these locations is acceptable.

(b) Applies to slope within recovery area only. Other design features, such as guardrail or retaining walls, should be considered in particularly sensitive areas in lieu of reconstructing the inslope in accordance with part 8820.4060. Approach sideslopes must be 1:4 or flatter within the recovery area when the ADT exceeds 400.

(c) Obstacle-free area (measured from edge of traffic lane).

Guardrail is required to be installed at all bridges where the design speed exceeds 60 km/h, and either the ADT exceeds 749 or the bridge width is less than the sum of the lane and shoulder widths.

Mailbox supports must be in accordance with chapter 8818.

(d) Inventory rating of M 13.5 is required. A bridge narrower than these widths may remain in place if the bridge does not qualify for federal-aid bridge funds.

MS 18 loading with AASHTO Standard Specifications or HL-93 loading with load and resistance factor design (LRFD) is required for new bridges. MS 16 loading is required for all rehabilitated bridges. The curb-to-curb minimum width for new or reconstructed bridges is the sum of the lane and shoulder widths, but may not be less than 9 meters.

Ditch depths and widths must be kept to the minimum required to function hydraulically, to be traversable if within the recovery area, and to provide for adequate snow storage when a standard ditch would negatively impact the surroundings.

The designer shall specify in the plan and special provisions that the clearing width is to be kept to the absolute minimum. In sensitive areas, the normal clearance allowed to a contractor for working room is zero unless required for special conditions.

For designated national forest highways within national forests, and state park access roads within state parks, this subpart may be applied only where the projected ADT is less than 300, unless the route has been designated as a natural preservation route.

Subp. 3. Type III route. New or reconstruction projects for type III natural preservation routes, designated national forest highways within national forests, and state park access roads within state parks must meet or exceed the minimum dimensions indicated in the following design chart.

Surface Type	Design Speed (km/h)	Lane Width (meters)	Shoulder Width (a) (meters)	In-slope (b) (rise : run)	Recovery Area (c) (meters)	Design Strength (metric tons)	Bridges to Remain (d) (meters)
Aggregate	50	3.6	0.9	1 : 4	3	—	7.2
Paved	50	3.6	1.2	1 : 4	3	8.2	7.2
Paved	60	3.6	1.2	1 : 4	4.6	8.2	7.2

(a) The designer will provide a 1.8 meter paved shoulder if the route is a popular bicycle route. If the route has scenic vistas which will require parking vehicles along the shoulder, widening the shoulder at these locations is acceptable.

(b) Applies to slope within recovery area only. Other design features, such as guardrail or retaining walls, should be considered in particularly sensitive areas in lieu of reconstructing the inslope in accordance with part 8820.4060. Approach sideslopes must be 1:4 or flatter within the recovery area when the ADT exceeds 400.

(c) Obstacle-free area (measured from edge of traffic lane).

Guardrail is required to be installed at all bridges where the design speed exceeds 60 km/h, and either the ADT exceeds 749 or the bridge width is less than the sum of the lane and shoulder widths.

Mailbox supports must be in accordance with chapter 8818.

(d) Inventory rating of M 13.5 is required. A bridge narrower than these widths may remain in place if the bridge does not qualify for federal-aid bridge funds.

(e) This standard may be applied only when the project is located in a subdivided area or an area in a detailed development process, and physical restraints are present that prevent reasonable application of another level of these standards.

MS 22.5 loading with AASHTO Standard Specifications or HL-93 loading with load and resistance factor design (LRFD) is required for new bridges. MS 16 loading is required for all rehabilitated bridges. The curb-to-curb minimum width for new or reconstructed bridges is the sum of the lane and shoulder widths, but may not be less than 9.6 meters.

Official Notices

Ditch depths and widths must be kept to the minimum required to function hydraulically, to be traversable if within the recovery area, and to provide for adequate snow storage when a standard ditch would negatively affect the surroundings.

The designer shall specify in the plan and special provisions that the clearing width is to be kept to the absolute minimum. In sensitive areas, the normal clearance allowed to a contractor for working room is zero unless required for special conditions.

8820.9986 MINIMUM GEOMETRIC DESIGN STANDARDS: NATURAL PRESERVATION ROUTES, DESIGNATED NATIONAL FOREST HIGHWAYS WITHIN NATIONAL FORESTS, AND STATE PARK ACCESS ROADS WITHIN STATE PARKS; RECONDITIONING PROJECTS.

Reconditioning projects for natural preservation routes, designated national forest highways within national forests, and state park access roads within state parks must meet or exceed the minimum dimensions indicated in the following design chart.

TYPE I, II, OR III ROUTE

Proposed Design Strength (metric tons)	Pavement Width (meters)	Shoulder-toShoulder Width (meters)
6.4	6.6	7.8

Widths of bridges to remain in place must equal pavement width. A bridge narrower than these widths may remain in place if the bridge does not qualify for federal-aid bridge funds. M 13.5 loading is required.

8820.9990 ROUTE MARKER.

Sign shall be 610 mm wide by 610 mm height

Green legend; white reflectorized background

8820.9995 MINIMUM BICYCLE PATH STANDARDS.

Minimum Bicycle Path Standards

For Off-Road Design, the following shall apply	
Minimum Surface Width (two-way)	2.4 meters (b)
Shoulder / Clear Zone	0.5 meters (c)
In-slope	1 : 2 (rise : run)
Design Speed	30 km/h (d)
Vertical Clearance	3 meters

(a) For on-road bicycle facilities, the appropriate tables in the Minnesota Bicycle Transportation Planning and Design Guidelines are recommended for design purposes.

(b) 3 meters is desired for a combined bicycle/pedestrian path. 1.5 meters is required for a one-way bicycle path.

(c) The shoulder/clear zone should be carried across bridges and through underpasses 3.6 meters or less in clear width. Lead-in guardrail should be provided when shoulders are not carried over bridges.

(d) Use a 50 km/h design speed for grades longer than 150 meters and greater than four percent, from the uphill point where the grade equals four percent to 150 meters beyond the downhill point where the grade becomes less than four percent. The maximum allowable grade is 8.3 percent.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota 55155.

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

Dated this 30th day of October, 2000.

Julie A. Skallman
State Aid Engineer
State Aid for Local Transportation
M.S. 500 Transportation Building
395 John Ireland Blvd., St. Paul, Minnesota 55155
(612) 296-3011, or
Paul Stine (651) 296-9973

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 Health

Office of Rural Health and Primary Care

Minnesota Rural Flex Grant Program

Notice of Grant Opportunity to Preserve Access to Needed Health Services and to Encourage Collaboration and Integration of Rural Community Health Systems

The Minnesota Department of Health (MDH) is seeking applications from

- rural hospitals with 50 or fewer beds,
- rural hospitals eligible to convert to Critical Access Hospital licensure,
- rural health networks, and
- rural EMS organizations

interested in network development and health system integration efforts in rural areas, improvements to the rural EMS system, quality improvement at rural health care facilities, and community-level health planning.

The purpose of these grants is to preserve access to needed health services and encourage collaboration and integration of rural community health systems. Grants may be used to develop community, network or strategic plans for preserving or enhancing access to health services. Grants may also be used for implementation activities in the following categories by applicants with completed plans or needs assessments:

- Network development
- Health system improvements - diversification, new services, workforce development efforts, etc.
- Strengthening and integrating the EMS system
- Quality improvement

\$220,000 in federal Rural Hospital Flexibility Program funds is available to fund applications, and the maximum award is \$25,000. Funds cannot be used for construction/renovation/modernization, routine hospital and emergency medical services operating costs, or individual clinical services. No more than 20% of any grant may be used for equipment. Applicants will be required to include representatives of the hospital, local EMS system and other health providers and community leaders in their community planning and/or implementation process, whenever appropriate. All non-hospital organizations are encouraged to apply jointly with a rural hospital. The Office of Rural Health and Primary Care expects that successful applicants will be able to begin their grant projects by March, 2001. The Minnesota Department of Health can provide technical assistance to grantees in addition to grant support.

Prospective applicants who have questions, and/or would like a copy of the complete Request for Applications and application form may contact:

State Grants & Loans

Jill Zabel
Office of Rural Health and Primary Care
Division of Community Health Services
Minnesota Department of Health
P.O. Box 64975
St. Paul, MN 55164-0975
Phone: (651) 282-6304
Toll Free: (800) 366-5424 (inside Minnesota only)

The application can also be downloaded from the internet at <http://www.health.state.mn.us/divs/chs/grants.htm>

Applications are due by January 5, 2001 at 4:00 p.m., at the address above.

State 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 \$25,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: agency name and address, name of agency contact person, description of project and tasks, cost estimate and final submission date and time of completed proposal. Certain quasi-state agencies and MnSCU institutions are exempted from these provisions. In accordance with *Minnesota Rules* 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. Certified Economically Disadvantaged Businesses and individuals shall receive the equivalent of a 4% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (651) 296-2600 or [TTY (651) 282-5799.]

Department of Administration

Building Codes and Standards

Notice of Request for Proposals for Contractors to Develop, Execute and Compile a Report to the Legislature on Detached Single One-and Two-Family Buildings

The Minnesota Department of Administration, Building codes and Standards Division is issuing a Request for proposals (RFP) for Contractors to develop, execute and compile into a report, a research project to satisfy the requirements of *Laws of Minnesota 2000*, chapter 407, section 1 item (c) which states:

The department of administration, building codes and standards division (BCSD), shall issue a report to the legislature by December 1, 2001, addressing cost benefit, as well as air quality, building durability, moisture, enforcement, enforceability, and liability regarding implementation of *Minnesota Rules*, chapters 7670, 7672, and 7674. The report must include a feasibility study of establishing new criteria for category 2 detached single one and two family R-3 occupancy buildings that are energy efficient, enforceable, and provide sufficient non-mechanical ventilation or permeability for a home to maintain good air quality, building durability, and adequate release of moisture.

All proposals must be received not later than 2:30 p.m., Central Time, December 11, 2000, as indicated by the notation made by the receptionist, Metro Square Bldg. Suite 408, 4th floor, 121 7th Place East, St. Paul Minnesota 55101.

A complete copy of this RFP may be obtained by contacting Steve Hernick (651) 296-4630 or steve.hernick@state.mn.us

Minnesota State College and Universities (MnSCU)

St. Cloud Technical College

Request for Proposal (RFP) to Upgrade the Auto Body Paint Spray Booths with Two Positive Pressure Brake Cycle Systems FY00/01

Introduction:

St. Cloud Technical College is soliciting bids to Upgrade the Auto Body Paint Spray Booths with Two Positive Pressure Bake Cycle Systems FY00/01 beginning November 6, 2000.

Request for Proposals are available from:

St. Cloud Technical College
Melinda Begin
1540 Northway Drive
St. Cloud, MN 56303
(320) 654-5512

Proposal Due Date:

Vendor proposals are do no later than 2:00 p.m., November 20, 2000.

Department of Employee Relations

Notice of Request for Professional Services to Provide Drug and Alcohol Testing Training and Administrative Services as Required by Federal Law

The State of Minnesota is releasing a Request for Proposals for qualified respondents to provide statewide drug and alcohol testing, training and administrative services in compliance with the provisions of the Omnibus Transportation Employee Testing Act of 1991 as administered under the authority of the U.S. Department of Transportation Highway Administration 49 *Code of Federal Regulations* Parts 382 et. al. - Controlled Substances and Alcohol Use and Testing: Final Rule and 49 *Code of Federal Regulations* Part 40 - Procedures for Transportation Workplace Drug and Alcohol Testing Programs: Final Rule.

The services will be for approximately 2,650 employees in safety sensitive positions who work for various State agencies and report to work sites located in all 87 counties of the State of Minnesota.

Proposals are due no later than 2:30 p.m., December 11, 2000.

For a copy of the complete Request for Proposals contact:

Ann Maile
Labor Relations Bureau, DOER
200 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155-1603
Phone: (651) 296-2516
Fax: (651) 296-2599
Email: ann.maile@state.mn.us

Minnesota Historical Society

NOTICE TO CONTRACTORS: Request for Sealed Bids for the Construction of the Visitor and Staff Services Building at Forestville State Park, Preston, Minnesota

Sealed bids for the construction of the Historic Forestville Visitor and Staff Service Building will be received at the office of the Contracting Officer or an authorized agent located in the Minnesota History Center until 2:00 p.m. local time on 12 December 2000. Bids will then be publicly opened and read aloud.

Mail sealed bids to:

Chris Bonnell
Contracting Officer for the Minnesota Historical Society
Minnesota History Center
345 Kellogg Boulevard West
St. Paul, MN 55102

Authorized agents for receipt of bids are the following: Mary Green-Toussaint, Contract/Procurement Technician, or any Work Service Center staff member in the Finance and Administration Division on the 4th floor of the History Center.

PLEASE NOTE THAT THE ABOVE ADDRESS IS THE MINNESOTA HISTORY CENTER. IF PROPOSALS ARE BEING HAND DELIVERED, VENDORS MAY PARK IN THE ON-SITE LOT, BUT SHOULD ALLOW ENOUGH TIME TO DELIVER THEIR PROPOSALS TO THE CONTRACTING OFFICE ON THE 4TH FLOOR OF THE BUILDING. ACTUAL RECEIPT OF THE PROPOSAL BY THE CLOSING TIME IS REQUIRED FOR CONSIDERATION.

The work consists of a two story, 2,178 GSF wood framed structure on top of an existing stone foundation. The exterior consists of salvaged siding boards provided by the Owner and wood shingles on the roof. Reworking and expanding the existing stone foundation is included in this work.

Contracts are anticipated to be awarded within thirty days of bid opening. Upon execution of the contract the contractor may start the work immediately or wait until the spring. Regardless of start date the work shall be final complete no later than 31 August 2001.

Award will be made to the lowest responsive bidder.

Questions regarding the bidding documents should be submitted in writing to the Architect by 4 December 2000.

A MANDATORY PRE-BID MEETING WILL BE HELD AT THE JOBSITE ON 30 NOVEMBER 2000 AT 9:30 A.M.

Bidding documents including the bid form, drawings and specifications will be available for inspection on 6 November 2000 at CPMI's Bloomington Office.

Complete bid sets of drawings, specifications and bid forms are available to bidders, without cost, by contacting CPMI (612) 854-3663. Postage, delivery or like charges shall be paid for by the bidder requesting the plans including the cost of returning the documents to CPMI. If the complete set of documents, including addenda, is not returned to CPMI within ten (10) calendar days after award of contract, a charge of \$50 per set will be assessed.

Bids are to be submitted on forms supplied by the Owner. No oral, facsimile, telegraphic or telephonic bids or modifications will be considered. All bids shall be accompanied by a bid bond, executed by the bidder and a duly authorized surety company, certified check, cashier's check or bank draft made payable to the Minnesota Historical Society in an amount not less than 5% of the total bid.

Enforcement of Davis Bacon Act is a requirement of this project. The Contractor shall pay not less than the prevailing hourly rate of wages for work of a similar character in the locality in which the work is performed, as determined by the Minnesota Department of Labor and Industrial and as set out in the detailed plans and specifications.

The Owner reserves the right to reject any and all bids. To waive all informalities in bids, to request additional supplemental information and to accept the bid which is deemed in the best interest of the Owner. No bid may be withdrawn for a period of thirty (30) days subsequent to the specified time for receipt of bids.

The lowest responsive bidder will be required to furnish satisfactory Certificates and Policies of Insurance, Labor and Material Payment Bond, Performance Bond and other documents as stated in the specifications.

Minnesota Historical Society

NOTICE TO CONTRACTORS: Request for Sealed Bids for the Erection, Lease and Dismantling of a Tower Crane at St. Anthony Falls Heritage Center

Sealed bids for the erection, lease and dismantling of a tower crane will be received at the office of the Contracting Officer or an authorized agent located in the Minnesota History Center until 2:00 p.m., local time on 27 November 2000. Bids will then be publicly opened and read aloud.

Mail sealed bids to:

Chris Bonnell
Contracting Officer Minnesota Historical Society
Minnesota History Center
345 Kellogg Boulevard West
St. Paul, MN 55102

Authorized agents for receipt of bids are the following: Chris Bonnell, Contracting Officer or any Work Service Center staff member in the Finance and Administration Division on the 4th floor of the History Center.

PLEASE NOTE THAT THE ABOVE ADDRESS IS THE MINNESOTA HISTORY CENTER. IF PROPOSALS ARE BEING HAND DELIVERED, VENDORS MAY PARK IN THE ON-SITE LOT, BUT SHOULD ALLOW ENOUGH TIME TO DELIVER THEIR PROPOSALS TO THE CONTRACTING OFFICE ON THE 4TH FLOOR OF THE BUILDING. ACTUAL RECEIPT OF THE PROPOSAL BY THE CLOSING TIME IS REQUIRED FOR CONSIDERATION.

The work consists of providing a tower crane with the following minimum requirements:

- 230' jib radius
- 241' hook height
- 6000 pound capacity at hook radius of 230'
- freestanding tower
- electrical operation – 3 phase, 480 volt, 200 amp service

The successful bidder shall consult with the Owner in regards to crane foundation design and shall provide anchor bolts and installation template. Foundation design and construction shall be by others. The Owner shall provide electrical power to the base of the crane. The successful bidder shall provide power disconnect at the base of the crane and wiring to motors and cabs.

The bidder shall visit the site and become familiar with the conditions which may affect the erection and dismantling of the crane. The bidder shall include the cost of all equipment, supplies, labor, overhead, profit, taxes, incidental costs, etc., in their bid.

The Owner anticipates the crane foundation to be constructed in November 2000 with the erection of the tower crane to follow. The Owner intends to use the crane from November 2000 through September 2001. The crane will be used in the construction of the St. Anthony Falls Heritage Center. The Owner intends to assign the crane lease to the successful General Contractor for this work.

Future development of the site, east of St. Anthony Falls Heritage Center, is anticipated. If the development proceeds the crane lease may be assigned to the Development Contractor. If this occurs the total lease length could be as long as 24 months. The Owner does not guarantee the length of lease.

The bidder shall provide a lump sum price for erection of the crane, a lump sum for the dismantling of the crane and a monthly lease rate. The low bid shall be determined by multiplying the monthly lease rate by ten (10) and adding the lump sum for erection and dismantling.

Questions regarding the bidding documents should be submitted in writing to CPMI by 20 November 2000. Bidding documents including the bid form and drawing will be available for inspection on 6 November 2000 at CPMI's Bloomington Office.

Bids are to be submitted on forms supplied by the Owner. No oral, facsimile, telegraphic or telephone bids or modifications will be considered.

Enforcement of Davis Bacon Act is a requirement of this project. The Contractor shall pay not less than the prevailing hourly rate of wages for work of a similar character in the locality in which the work is performed, as determined by the Minnesota Department of Labor and Industrial.

The Owner reserves the right to reject any and all bids. To waive all informalities in bids, to request additional supplemental information and to accept the bid which is deemed in the best interest of the Owner. No bid may be withdrawn for a period of thirty (3) days subsequent to the specified time for receipt of bids.

The lowest responsive bidder will be required to furnish satisfactory Certificates and Policies of Insurance.

Minnesota State Legislature

Minnesota House of Representatives

House Public Information Office

Notice of Request for Bid for Printing of the House Public Information Office publication *Session Weekly*

PUBLIC NOTICE IS HEREBY GIVEN that the Minnesota House of Representatives Public Information Office is seeking bids from qualified printers to provide printing services for the *Session Weekly*.

- The size of the publication is 8-1/2" x 11", with a minimum of 20 pages plus cover.
- All work must be done in-house – unless specifically approved by us.
- All bids must be submitted on the forms accompanying the specifications in a sealed envelope and delivered to Room 175, State Office Building, no later than Monday, November 20, 2000, at 2:00 p.m. Bid submittals will be opened publicly on that date and time.

A copy of the Request for Bid packet can be obtained by calling:

Paul Battaglia
175 State Office Building
St. Paul, MN 55155-1298
(651) 296-8904

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

Minnesota State Legislature

Minnesota House of Representatives

House Public Information Office

Notice of Request for Bid for Mailing of the House Public Information Office publication *Session Weekly*

PUBLIC NOTICE IS HEREBY GIVEN that the Minnesota House of Representatives Public Information Office is seeking bids from qualified mail houses to provide mailing services for the publication *Session Weekly*.

The size of the publication will be 8-1/2" x 11" and it is mailed Periodicals Postage Rate.

All bids must be submitted on the forms accompanying the specifications in a sealed envelope and delivered to Room 175, State Office Building, no later than Monday, November 20, 2000, at 2:00 p.m. Bid submittals will be opened publicly on that date and time.

A copy of the Request for Bid package can be obtained by calling:

Paul Battaglia
175 State Office Building
St. Paul, Minnesota 55155-1298
(651) 296-8904

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

Department of Natural Resources

Bureau of Engineering

Division of Parks and Recreation

Request for Proposal for Rehabilitation of the Swimming Pool and Buffalo River Dam at Buffalo River State Park

The Minnesota Department of Natural Resources, Bureau of Engineering and Division of Parks and Recreation request proposals from interested consulting engineering firms for professional services in relation to evaluating and recommending water filtration systems and preparation of construction plans and specifications for rehabilitating the Swimming Pool and Buffalo River Dam at Buffalo River State Park. Buffalo River State Park is located approximately 20 miles east of Moorhead, Minnesota.

The project is scheduled for a May, 2001 construction letting.

To receive a copy of the complete Request for Proposal, Contractors will be required to submit a written request, either by direct mail, fax, or e-mail to the address indicated below. Site visitation is encouraged.

Complete Requests for Proposals can be obtained from:

Tim Petersen, P.E.
Assistant Administrator, Bureau of Engineering
Minnesota Department of Natural Resources
500 Lafayette Road
St Paul MN 55155-4029
Phone: (651) 296-0608
Fax: (651) 297-5818
Email: *Tim.Petersen@dnr.state.mn.us*

The responses to the Request for Proposals must be received by 2:00 p.m., December 12, 2000.

Late submittals will not be considered.

The successful responders will be required to submit acceptable evidence of compliance with worker's compensation insurance coverage requirements prior to execution of the contract.

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

Department of Transportation

Office of Advanced Transportation Systems, Program Support Group

Notice of Request for Proposals for Partners for I-90 Gate Operations

The Minnesota Department of Transportation (Mn/DOT) is requesting proposals for partners for the purpose of seeking new and innovative partnership arrangements between the Mn/DOT and the private sector to meet the needs of controlling traffic through the use of gates. By issuing this RFPP, Mn/DOT acknowledges the innovative skills and ability of the private sector to develop creative and novel ways to provide transportation services, which are mutually beneficial to all parties, including the general public as well as the private sector.

Work is proposed to start after February 1, 2001.

A Request for Proposals for Partners will be available by mail from this office through December 6, 2000. **A written request (by direct mail or fax) is required to receive the Request for Proposal for Partners.**

The Request for Proposal for Partners can be obtained from the Agreement Administrator:

State Contracts

Susan Sheehan
Agreement Administrator
Minnesota Department of Transportation
Office of Advanced Transportation Systems
395 John Ireland Boulevard
Mail Stop 320
St. Paul, MN 55155
Fax: (651) 215-0409

Proposals submitted in response to the Request for Proposals for partners in this advertisement must be received at the address above no later than December 6, 2000. **Late proposals will not be considered.**

This request does not obligate Mn/DOT to complete the work contemplated in this notice. Mn/DOT reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Non-State 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 Airports Commission

Notice of Call for Bids For Microbolometer Thermal Imager and Accessories

Sealed bids will be received by the Metropolitan Airports Commissions at its office at 6040 28th Avenue South, Minneapolis, MN 55450-2799, until 10:00 a.m., Local Time, MONDAY, NOVEMBER 13, 2000, for the procurement of **MICROBOLOMETER THERMAL IMAGER & ACCESSORIES**.

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

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

Dated: 26 October 2000

Metropolitan Airports Commission
JoAnn Brown/Buyer-Administrator

Metropolitan Council
Environmental Services Division

Notice of Intent to Procure Polymer

The Metropolitan Council Environmental Services Division hereby serves Notice of Intent to Procure Polymer for the Metropolitan Wastewater Treatment Plant. The Council will request proposals from qualified companies for two (2) different Polymers used in the dewatering process at the Metro Wastewater Treatment Plant.

Qualification bench testing will begin in November and based on those results, full scale testing will be in December or early January. If you believe your company can supply the required polymer and would like more information, please write or fax by November 17, 1999.

Mr. James Wawra, Process Engineer
Metropolitan Council Environmental Services
2400 Childs Road
St. Paul, MN 55106
Fax: (651) 602-8846

Metropolitan Council
Metro Transit

Sealed Bids Sought for Automatic Bus Wash System at Metro Transit Heywood Service Garage

The Metropolitan Council is soliciting sealed bids for an Automatic Bus Wash System at Metro Transit's Heywood Service Garage. Bids are due at 2:00 p.m., on Tuesday, November 28, 2000.

Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
515 N. Cleveland Avenue
St. Paul, MN 55114
(612) 349-5070

Metropolitan Council
Metro Transit

Sealed Bids Sought for Printed Bus Schedules

The Metropolitan Council is soliciting sealed bids for Printed Bus Schedules for Metro Transit services. Bids are due at 2:00 p.m., on November 30, 2000.

Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
515 N. Cleveland Avenue
St. Paul, MN 55114
(612) 349-5070

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.

Available at Minnesota Bookstore – Fall & Winter Recreation

Order form on back page

Hunter's Field Guide

This popular *Outdoor Life* field guide offers practical advice on how to be a safe, successful and responsible hunter. Through easy-to-read illustrations and text, learn tips on: treating common injuries, reloading shot gun shells, the basics of bow hunting, how to hold and carry a muzzle-loader, recommended shot and target range for various game, and much more. Great tool for the beginner as well as the experienced hunter. Softcover, 194pp. **Stock No. 19-31 \$5.99**

Ice Fishing Secrets

This In-Fisherman series book is just the ticket to better success out in the fish house. Incredibly comprehensive, this book will walk you through everything from selecting the best location for catching bass, perch, walleye, etc., to making your own gaff, tight-line twitching, tip-ups and floats, the calendar cycle for best fishing for various species, and many more techniques and tips. Softcover, 288pp. **Stock No. 9-68 \$11.95**

Minnesota Muskie Fishing Guide

This Sportsman's Connection book guides you to great spots throughout the state for muskie fishing. With over 50 marked fishing maps, tips and hot spots from experts, and GPS grids for large lakes, you'll have an upper hand in the battle with the muskie. Spiral-bound, 184pp. **Stock No. 20-14 \$19.95**

Rock Climbing in Minnesota & Wisconsin

Rock climbers will delight in discovering more than 800 routes at 11 major areas, offering a lifetime of cragging entertainment for beginners and experts alike. Maps and photos accompany clearly written descriptions of the routes, and pertinent access and safety information are provided. Softcover, 291pp. **Stock No. 9-70 \$25.00**

Great Minnesota Walks:

49 Strolls, Rambles, Hikes & Treks

This book's 49 walks vary in length and difficulty, but all offer great vistas and points of interest. Each walk described includes distance, estimated time, path description, directions/maps, highlights, and a contact for more information. Thorough descriptions of each walk tell you what geologic formations, wildlife, and other points of interest you'll find. Softcover, 168pp. **Stock No. 9-52 \$16.95**

Minnesota State Parks

This complete guide to 68 state parks features extensive maps, things to do at each park, campsites, playgrounds, horse riding and more. Softcover, 280pp. **Stock No. 9-43 \$14.95**

Guide to Minnesota Outdoors

Whether you ski, snowshoe, or winter camp, this guide will lead the way. Softcover, 279pp. **Stock No. 19-73 \$9.95**

More than 5,000 Minnesota DNR lake-depth maps are available through Minnesota's Bookstore. Visit our web site or call for information or a free catalog.



Minnesota Public Hunting Areas Map

ONE map shows ALL public areas open to hunting throughout the state! **Stock No. 12-153 \$4.00**

Pocket Guide to Walleye Fishing

So much information in such a little book! This plastic-coated pocket guide is a great reference for simple, step-by-step instructions for walleye fishing, including information on equipment, fish behavior, and technique. Sturdy, water-resistant book is packed with diagrams and quick tips about bait, jigs, lake structure, and much more. A great stocking-stuffer for your favorite fishing enthusiast! Spiral-bound, 26pp. **Stock No. 9-69 \$12.95**



Public Recreation Information Maps

Produced by the MN Dept. of Natural Resources, 51 PRIM maps chart all county, state and federal public lands. With an easy map legend and charts, you will find trails for snowmobiling and skiing, areas where hunting is allowed, camp sites, boat access, wildlife refuges, and more. Includes topographical information. Call for information and assistance selecting the area map of your choice OR check the index map shown on our website.

www.comm.media.state.mn.us



Available at Minnesota Bookstore – Minnesota Novelties

Order form on back page



Sitting Moose

Cuddly, beanie-baby-style stuffed moose sits approx. 7" high. **Stock No. 15-93 \$5.99**

Little Moose "Pincher" Magnet

With magnets in its feet, this soft little moose attaches to metal shelves, clip boards... **Stock No. 15-58 \$2.95**

Fishing Baby Loon

One of our favorites! Wooden, hand-painted loon is carved to sit on the edge of a bookcase or shelf. **Stock No. 15-72 \$4.95**

Note Cards: Historic State Capitol

This set of 10 note cards feature an illustration of the Capitol, circa 1880's. **Stock No. 15-13 \$4.95**

Minnesota Poem Letterseal

1" round color seal with poem lauding Minnesota. **Stock No. 15-3 \$.10**



Cookie Cutters

One of our most popular items! Each cookie cutter comes with a tasty cookie recipe (*we did a taste-test and they're great!*)

Moose

Stock No. 15-2 \$3.25

Stocking (not shown)

Stock No. 15-127 \$2.00

Key Chains/Tags

Boast of your home state every time you pull out your keys.

Minnesota Loon 2" x 1.5" **Stock No. 15-91 \$1.95**

Wolf in Pines "touchstone" **Stock No. 15-32 \$2.00**

Floating Key Tag- Minnesota's Bookstore logo

4" long white foam oval **Stock No. 15-5 \$2.00**

St. Paul /State Capitol in Spring

1.5" x 2" **Stock No. 15-88 \$1.50**

State Capitol/Hardboard (see magnets for image)

2.5" x 3.5" **Stock No. 15-69 \$4.00**



Refrigerator Magnets--

Minnesota Map and Symbols The state map, seal and flag on a 2" x 3" color magnet. **Stock No. 15-17 \$1.50**

State Capitol Hardboard tag with photo is 2.5" x 3.5" **Stock No. 15-68 \$3.00**

Minnesota Loon in Frame 2"x 3" **Stock No. 15-9 \$1.25**

MN/St. Paul: State Capitol in Spring Full-color photo of MN State capitol measures 3" x 2.5". **Stock No. 15-89 \$1.25**

3-D/Handpainted Loon 2" long **Stock No. 15-101 \$2.50**



