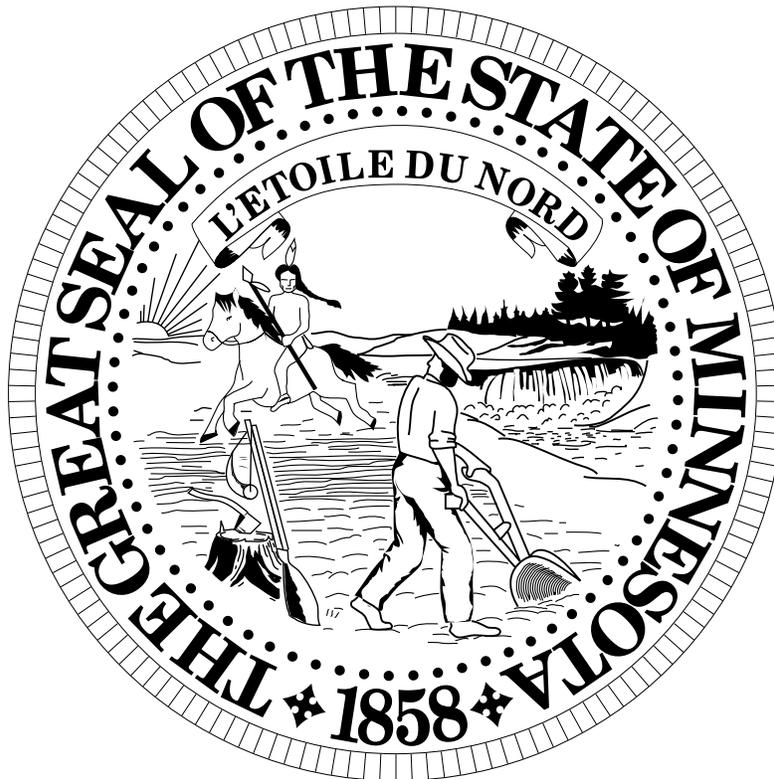


State of Minnesota

State Register

Rules and Official Notices Edition



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Monday 4 December 2000
Volume 25, Number 23
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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- proposed, adopted, exempt, expedited emergency and withdrawn rules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 |
|----------------------------|---------------------|--|---|
| #23 | Monday 4 December | NOON TUESDAY 21 NOVEMBER | Noon Tuesday 28 November |
| #24 | Monday 11 December | Noon Wednesday 29 November | Noon Tuesday 5 December |
| #25 | Monday 18 December | Noon Wednesday 6 December | Noon Tuesday 12 December |
| #26 | Tuesday 26 December | Noon Wednesday 13 December | Noon Tuesday 19 December |

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

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Minnesota Judicial Center, Room 135, 25 Constitution Ave., St. Paul, MN 55155

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Minnesota Rules: Amendments and Additions

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

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

Proposed Permanent Rules Relating to Corporate Franchise Tax

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing If 25 or More Requests for Hearing Are Received

Planned Amendments to Rules Governing Minnesota Corporate Franchise Tax, *Minnesota Rules*, parts 8009.7400, 8019.0100, 8019.0405, 8034.0100, 8043.0200, 8050.0100, 8052.0300, 8052.0400, and 8160.0630; and Planned Repeal of Rules Governing Minnesota Corporate Franchise Tax, *Minnesota Rules*, parts 8001.0100, 8001.0200, 8001.0400, 8003.0100, 8009.7300, subpart 1; 8014.0100, 8019.0200, 8019.0300, subparts 1-4, 6-11; 8019.0405, subparts 12 & 14; 8021.0100, 8021.0200, 8023.0500, 8030.0100, 8031.0100, subparts 1 & 2; 8031.0300, 8035.0100, 8038.3000, 8043.0200, subpart 3; 8093.0500, subparts 4 & 5; and 8097.0300.

Introduction. The Department of Revenue intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:30 p.m. on January 4, 2001, a public hearing will be held at the Minnesota Department of Revenue, Skjeggstad Room, 2nd Floor, 600 North Robert Street, St. Paul, Minnesota 55146, starting at 9:30 a.m. on Monday, January 29, 2001. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after January 4, 2001, and before January 29, 2001.

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

Susan Barry, Attorney
Minnesota Department of Revenue
Appeals & Legal Services Division
600 North Robert Street
St. Paul, Minnesota 55146
Phone: (651) 282-5581
Fax: (651) 296-8229

TTY: users may call the Department of Revenue at (651) 297-2196

Subject of Rules and Statutory Authority. The proposed rules govern Minnesota Corporate Franchise Tax. The proposed rules update the terminology and cites in the current rules, and repeal obsolete or unnecessary rules following statutory changes. Additionally, the rules are updated by adding clarifying language and examples where needed. The statutory authority to adopt the rules is *Minnesota Statutes*, section 270.06, clause (14), which provides that the Commissioner of Revenue shall make, publish, and distribute rules for the administration and enforcement of state tax laws. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on January 4, 2001, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on January 4, 2001. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

Alternative Format/Accommodation. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

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

Cancellation of Hearing. The hearing scheduled for January 29, 2001, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 282-5581 after January 4, 2001 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge George A. Beck is assigned to conduct the hearing. Judge Beck can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **phone:** (612) 341-7601, and **Fax:** (612) 349-2665.

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

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

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

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, **phone:** (651) 296-5148 or (800) 657-3889.

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

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

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

Dated: 4 December 2000

Matthew G. Smith
Commissioner of Revenue

8009.7400 AUDIT AND REVIEW.

The commissioner in examining the books and records of the taxpayer relating to the income tax return for a taxable year, which except for the provisions of *Minnesota Statutes*, section 290.095, subdivision 7, paragraph (c), would be ~~outlawed~~ barred by the normal limitation period, ~~will shall~~ limit such the examination and consideration in accordance with ~~the provisions of this rule. The procedure outlined will be followed with respect to such returns in cases where either~~ These procedures also apply when the taxpayer has filed a claim for refund has been filed by the taxpayer or where an application for a tentative carryback adjustment has been filed. The commissioner ~~will shall~~ make appropriate adjustments as a result of such the examination up to the amount of the tentative adjustment or the amount of the carryback but will in no event must not assess additional taxes for the year of carryback.

~~In the event that such~~ If the examination discloses that the amount refunded to the taxpayer pursuant to application under Minnesota Statutes, section 290.095, subdivision 7, paragraph (a), was improper, the commissioner shall issue an order assessing a tax which assessment shall in no event must not exceed the amount of the erroneous refund made for the year in question improperly paid, plus interest. Such assessment shall be made in accordance with the provisions of Minnesota Statutes, section 290.46, and The provisions of *Minnesota Statutes*, chapter ~~290~~ 289A, dealing with assessments, notice, appeal, and collection, applicable to *Minnesota Statutes*, section ~~290.46~~ income tax assessments shall be equally applicable, apply to assessments under this part.

8019.0100 DEFINITION OF UNITARY BUSINESS.

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

Subp. 2. **Unitary business defined; presumption.** ~~Business activities or operations carried on by more than one corporation are unitary in nature when the corporations are related through common ownership and when the trade or business activities of each of the corporations are of mutual benefit, dependent upon, or contributory to one another, individually or as a group. Unity is presumed whenever there is:~~

~~C. the unity of use evidenced generally by line functions, centralized executive force, and general system of operation.~~

~~All of the examples are not needed to show the unity of operation or unity of use.~~

~~The unitary nature of the business activities or operations is also evidenced by contributions to income resulting from functional integration, centralized management, and economies of scale. Examples of functional integration are centralized manufacturing, warehousing, accounting, legal staff, personnel training, financing, or centralized, group, or committee purchasing. Examples of centralized management are common officers or directors, exchange of personnel, frequent communication between management of the corporations, or where the parent must approve of major financial decisions. All of the examples are not needed to show functional integration or centralized management.~~

~~The term “unitary business” for purposes of filing A combined report includes only those corporations created or organized in the United States or under the laws of the United States or any state. The mere ownership of as much as 100 percent of the stock of another corporation does not, in the absence of other indicia of a unitary business, mean that the business of the group is unitary in nature.~~

~~The presence of any one of the factors contained in subparts 3 to 5 creates a strong presumption that the activities of the corporations constitute a unitary trade or business. “Unitary business” means business activities or operations which result in a flow of value between them. The term is applied to a flow either between multiple entities that are related through common ownership or within a single legal entity, and without regard to whether each entity is a sole proprietorship, a corporation, a partnership, or a trust. Flow of value is determined by reviewing the totality of facts and circumstances of business activities and operations.~~

~~Some activities that evidence a flow of value between related corporations include the following: assisting in the acquisition of equipment, assisting with filling personnel needs, lending funds or guaranteeing loans, interplay in the area of corporate expansion, providing technical assistance, supervising, providing general operational guidance, providing overall operational strategic advice, or common use of trade names and patents. Flow of value must be more than the flow of funds arising out of passive investment and consists of more than occasional financial oversight.~~

~~Transactions separately accounted for may evidence a flow of value. The fact that a business uses or can use a separate accounting system, including, but not limited to, separate accounting between divisions of a single legal entity, between multiple entities under common ownership, on an arm’s length basis, on a geographical basis, or by business function, does not determine whether a corporation is operating as a unitary business.~~

Subp. 2a. Presumption of unity.

A. Business activities or operations carried on by more than one corporation related through common ownership are presumed to be unitary in nature when:

(1) the business activities or operations are of mutual benefit, dependent upon, or contributory to one another, individually, or as a group;

(2) there is unity of operation as evidenced generally by staff functions such as centralized advertising, accounting, financing, management, or centralized, group, or committee purchasing; and

(3) there is unity of use as evidenced generally by line functions, centralized executive force, and general system of operation.

B. The unitary nature of the business activities or operations is presumed when contributions to income result from functional integration, centralized management, and economies of scale.

(1) Examples of functional integration are centralized manufacturing, warehousing, accounting, legal staff, personnel training, financing, retirement plans, corporate-level tax return preparation, or centralized, group, or committee purchasing.

(2) Examples of centralized management are common officers or directors, exchange of personnel, frequent communication between management of the corporations, centralized administrative services, companywide payroll processing, common insurance plans, or where the parent must approve of major financial decisions.

(3) Examples of economies of scale are commingling of funds, providing centralized services, or elimination of interest expense attributable to common financing.

All of the examples are not needed to show functional integration, centralized management, or economies of scale.

C. All of the examples in item A, subitems (2) and (3), are not needed to show the unity of operation or unity of use. The presumptions of unity stated in item A are independent. The mere ownership of as much as 100 percent of the stock of another corporation does not, in the absence of other indicia of a unitary business, mean that the business of the group is unitary in nature. The presence of any one of the factors contained in subparts 2a to 5 creates a presumption that the activities of the corporations constitute a unitary trade or business.

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

Subp. 5. **Strong Centralized management.** ~~A Centralized management in determining the policies of each corporation in a group of corporations; that are related through common ownership indicates that the corporations, which might otherwise be considered to be carrying on separate trades or businesses, are considered engaged in a unitary trade or business when there is strong~~

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centralized management in determining the policies of each corporation respecting its primary business activities, coupled with the existence of centralized offices for such functions as financing, advertising, research, or purchasing.

~~Thus, some groups of corporations are considered as carrying on a unitary trade or business when The fact that the executive officers of one of the corporations in the a group of corporations are normally involved in determining the policies respecting the primary business activities of the other corporations in the group, and there are centralized units which perform for some or all of the corporations functions which truly independent corporations would perform for themselves, such as accounting, personnel, insurance, legal, purchasing, advertising, or financing indicates that the group of corporations is carrying on a unitary trade or business.~~

A finding of ~~strong~~ centralized management is not supported merely by showing that the requisite ownership percentage exists ~~or that there is incidental~~. An economic benefit ~~accruing that accrues~~ to a group because such ownership improves its financial position indicates that the group is carrying on a unitary trade or business. Both ~~elements of strong centralized management, that is, strong~~ centralized management authority and the exercise of that authority ~~through centralized operations~~, must exist in order to justify a conclusion that ~~the operations of otherwise seemingly separate trades or businesses are significantly integrated so as to constitute a unitary business~~ unity of use is present.

Subp. 6. **Common ownership.** Common ownership does not exist unless the corporation is one which is a member of a group of two or more corporations and more than 50 percent of the voting stock of each member is directly or indirectly owned by a common owner or by common owners, either corporate or noncorporate, or by one or more of the member corporations of the group. The term "common owner" includes the constructive ownership of stock by related taxpayers as provided in ~~Minnesota Statutes, section 290.10, clause (6) by the Internal Revenue Code of 1986, section 267, as amended through December 31, 1999.~~ Examples of common ownership are:

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

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

8019.0405 UNITARY COMBINED GROUP FRANCHISE TAX RETURN.

Subpart 1. **Filing of a single return.** Members of a unitary ~~group business~~, as defined in part 8019.0100, subpart 2, required to be included on a combined report ~~may elect to must~~ file a single corporate franchise tax return for the ~~combined~~ group. ~~While a foreign corporation may be part of a unitary business, only domestic corporations, as defined in Minnesota Statutes, section 290.01, subdivision 5, can file a combined report.~~

Subp. 2. **Definitions.** The following definitions apply to this part.

A. "~~Unitary Combined~~ group" means two or more corporations that are part of a unitary business, as defined in *Minnesota Statutes*, section 290.17, subdivision 4, and are required or permitted to file a combined report under part 8019.0300 and *Minnesota Statutes*, section 290.34 ~~and part 8019.0300, subdivision 2.~~

B. "Designated member" means the member of ~~the affiliated a combined~~ group designated by the ~~unitary combined~~ group ~~as provided in subpart 4.~~ The designated member must ~~have nexus with~~ be subject to tax in Minnesota under *Minnesota Statutes*, section 290.015.

C. "Member" means a corporation that is part of a ~~unitary combined~~ group that ~~elects to file a single return as provided in this part~~ is subject to tax in Minnesota under *Minnesota Statutes*, section 290.015.

D. "Single return" means one ~~combined report or~~ return filed by the designated member on behalf of all members of a ~~unitary combined~~ group.

~~E. "Single return year" means a taxable year for which a single return is filed or required to be filed by a unitary group.~~

Subp. 3. **Taxable year.** A single return must be filed on the basis of the designated member's taxable year. Each member ~~must adopt~~ shall conform the calculation of its corporate franchise tax, including its Minnesota net income, alternative minimum tax, apportionment factors, deductions, and credits, to the designated member's annual accounting period for the first and subsequent single return years in which the member is included in the ~~unitary combined~~ group.

~~When a corporation becomes a member of the unitary group during the taxable year, its taxable year must end on the same date as the designated member. When a corporation ceases to be a member of the unitary group during the taxable year, its taxable year must begin on the same date as the designated member's taxable year.~~

Subp. 4. **Election Members with different accounting periods.** ~~In order to elect to file a single return as provided in subdivision 1, all members of a unitary group that are subject to Minnesota franchise taxes must make a written election. The election must be filed with the single return in the form prescribed by the commissioner of revenue and contain:~~

~~A. the names of all members;~~

~~B. the Minnesota and federal employer identification numbers for each member; and~~

~~C. a statement appointing one member as the designated member and granting power of attorney to the designated member to represent the unitary group for all tax matters related to the single return.~~

~~The election to file a single return and the appointment of a designated member are binding for all subsequent tax years and may be rescinded or modified only on a form as prescribed by the commissioner. A member of a combined group that has a different accounting period than the designated member shall calculate its corporate franchise tax using the same accounting period as the designated member. A member shall conform its calculation of its corporate franchise tax to the designated member's annual accounting period by:~~

~~A. creating a pro forma federal income tax return based upon the member's actual accounting records for the time period covered by the designated member's accounting period; or~~

~~B. allocating the income and other return information, on a pro rata basis, based upon the number of months falling within the designated member's accounting period. For example, if a designated member's accounting period ends on December 31 and a member's accounting period ends on September 30, the member would assign 9/12 of its income and apportionment factors of one year and 3/12 of its income and apportionment factors of the succeeding accounting period to arrive at a full 12 months' income to be included in the single return.~~

~~Subp. 5. **Filing requirements.** The designated member is responsible for filing the single return. The return must be signed by a person who is authorized by the designated member and who has knowledge of the contents of the return.~~

~~The single return must include an explanation of changes in the unitary group's membership in the single return year, if any identify each member that is included in the combined return.~~

~~Subp. 6. **Liability for tax.** Every corporation that is a member of a unitary combined group during any part of a single return tax year is severally liable for the taxes, penalties, interest, or additions to tax of the unitary combined group for that taxable year provided, however, that the designated member is primarily responsible for payment of the taxes, penalties, interest, or additions to tax for the taxable year.~~

~~The tax liability prescribed in this part cannot be reduced by an agreement entered into by one or more members with another member or with another person.~~

~~Subp. 7. **Exception.** A former member may be less than severally liable, as provided in subpart 6, for an assessment of a tax deficiency in an amount not exceeding the portion of the deficiency which the commissioner determines to be allocable to the former member, based upon the proportion of the former member's taxable net income over the unitary combined group's taxable net income, if:~~

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

[For text of subp 8, see M.R.]

~~Subp. 9. **Computation of tax.** Each The designated member must compute its shall combine the separate franchise tax for the taxable year and combine those amounts for of each member to determine the unitary combined group's franchise tax liability for the taxable year in which a single return is filed.~~

~~Subp. 10. **Estimated payments.** The designated member must shall make quarterly payments of estimated taxes for the unitary combined group, as provided in *Minnesota Statutes*, section 289A.26.~~

~~In applying the provisions of *Minnesota Statutes*, section 289A.26, a unitary combined group electing to file filing a single return is treated as if it were a single corporation.~~

~~For purposes of the first taxable year in which an election is made under this part, the amount used as the tax liability for the prior taxable year to calculate the required installment under *Minnesota Statutes*, section 289A.26, subdivision 7, paragraph (b), clause (2), will be calculated using the total of the prior taxable year's tax liabilities of all the members.~~

~~If the members make separate estimated tax payments for the taxable year, then the provisions of this subpart do not apply and the provisions of *Minnesota Statutes*, section 289A.26, are applied to each member separately.~~

[For text of subp 11, see M.R.]

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Subp. 12. [See repealer.]

Subp. 13. **Interest.** Interest due on an underpayment or assessment of tax is calculated as if the ~~unitary combined~~ group were a single corporation.

Subp. 14. [See repealer.]

8034.0100 EVASION OF TAX BY CORPORATIONS.

In any case where a corporation, which ~~is liable to taxation under this act~~ is subject to Minnesota corporate franchise tax, conducts business transactions with its members or stockholders, or with any person or corporation interested in the business of ~~such~~ the corporation, in ~~such~~ a manner as to reduce the taxable net income attributable to this state, ~~or affect the amount of credit against the tax, or both,~~ the commissioner may determine the income of the corporation ~~so as~~ to reflect what would have been its reasonable taxable net income ~~or tax credit~~ but for such business transaction. Among others, the following devices commonly employed to distort income attributable to this state will not be recognized in determining ~~taxable net income due in current or subsequent tax years~~ the tax:

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

8043.0200 ADMINISTRATION.

Subpart 1. **Reversal of designation.** A taxpayer may reverse all or part of the designation that was made to the nongame wildlife management fund where the designation was originally made in error and the taxpayer had no intention to make a gift when the designation was made. A taxpayer ~~may~~ **must** not reverse the designation to the nongame wildlife management fund merely because the taxpayer, at a later date, changes the intention to make a gift to the fund. It will be presumed that the taxpayer intended to make a designation when more than 90 days have elapsed since the taxpayer received the refund check or a notice informing the taxpayer that a designation was made to the nongame wildlife management fund with the following two exceptions:

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

B. The taxpayer considered the designation to the nongame wildlife management fund as a payment of estimated income tax and properly ~~accounting reported~~ reported for this amount as an estimated tax payment on the taxpayer's income tax return for the following year.

~~A taxpayer may designate that all or part of the taxpayer's refund on an amended return go to the nongame wildlife management fund.~~

Subp. 2. **Who may make the designation.** An individual, ~~fiduciary, trust, or estate~~ may designate all or part of ~~their~~ an income tax or property tax refund to the nongame wildlife management fund. A corporation ~~or~~ may designate all or part of its corporate franchise tax refund to the nongame wildlife management fund. A partnership ~~may, fiduciary, trust, or estate~~ **must** not make this designation.

Subp. 3. [See repealer.]

[For text of subps 4 to 6, see M.R.]

8050.0100 OVERPAYMENTS; CREDITS AND REFUNDS.

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

Subp. 2. **Credit against estimated tax properly executed.** An income, corporate franchise, or estate tax return shall, at the election of the taxpayer, constitute a claim for refund or credit of an overpayment as defined in Minnesota Statutes, section 290.50 289A.50, subdivision 5 for the amount of the overpayment disclosed by such the return. For the purposes of Minnesota Statutes, section 290.50 such 289A.50, a claim shall be is considered as filed on the date on which the return is considered as filed.

An election to treat the return as a claim for refund or credit ~~shall be is~~ evidenced by a statement on the return setting forth the amount determined as an overpayment and advising ~~whether such amount shall be refunded~~ the commissioner either to refund the amount to the taxpayer or shall be applied to apply it as a credit against the taxpayer's estimated income tax for the taxable year immediately succeeding the taxable year for which such the return is filed. If the taxpayer elects to have all or part of the overpayment shown by the return applied to the taxpayer's estimated income tax for the succeeding taxable year, no interest shall be allowed on such is payable on the portion of the overpayment credited and such amount shall must be applied as a payment on the account of the estimated income tax for such year or the installments thereof.

~~In any case in which~~ A taxpayer ~~elects~~ **electing** to have an overpayment refunded, ~~the taxpayer may must~~ not thereafter ~~change the revoke that election to and~~ have the overpayment applied as a payment on account of estimated ~~income~~ tax.

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

8052.0300 PRACTICE OF ATTORNEYS, ACCOUNTANTS, AGENTS, AND PREPARERS BEFORE DEPARTMENT OF REVENUE.

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

Subp. 2. **Scope of representation pursuant to power of attorney.** When authorized by the taxpayer through a written power of attorney, an attorney, accountant, agent, or preparer may appear as the taxpayer's representative, ~~with or~~ without the taxpayer, before an employee of the Department of Revenue with respect to the tax liability of the taxpayer for the type of tax and taxable year or period authorized in the power of attorney. A written power of attorney is not required if the taxpayer is present.

For purposes of this part, a power of attorney grants authority to deal with any of the following: original or amended individual income tax returns; property tax refund returns; fiduciary income tax returns; partnership returns of income; corporation ~~income~~ franchise tax returns, including returns of small business corporations, life insurance companies, banks, and savings associations; employer's income tax withholding returns or deposits; estate tax returns; claims for refund; and estimated tax declarations.

A taxpayer representative may inspect only those state records, files, or documents which are either specifically listed, or directly or indirectly connected with matters specifically listed, in a power of attorney. The signed power of attorney form may be transmitted to the Department of Revenue by facsimile.

If the taxpayer is not present, a person presenting a power of attorney shall present identification satisfactory to the department employee.

Subp. 3. **Persons ineligible to practice.** ~~Any~~ A person who shall be ineligible to appear as a taxpayer representative under this part, if the person is:

- A. ~~under disbarment or suspension~~ barred or suspended from practice before the Department of Revenue;
- B. an employee of the Department of Revenue;
- C. ~~under disbarment or suspension~~ barred or suspended from practice as an attorney, certified public accountant, or licensed public accountant in the state of Minnesota; or
- D. ~~under disbarment or suspension~~ barred or suspended from practice before the Internal Revenue Service ~~shall be ineligible to appear as a taxpayer representative under this part.~~

However, with regard to items C and D, a granting of reinstatement to practice as an attorney, certified public accountant, or licensed public accountant, or a granting of reinstatement to practice before the Internal Revenue Service shall automatically reinstate a person's eligibility to practice before the Department of Revenue.

[For text of subp 4, see M.R.]

Subp. 5. **Incompetent conduct.** Incompetent conduct, for which any attorney, accountant, agent, or preparer ~~shall be subject to disbarment or suspension~~ may be barred or suspended from practice before the Department of Revenue, means the failure by an attorney, accountant, agent, or preparer, after due warning has been given by the commissioner of revenue pursuant to part 8052.0400, subpart 7, item C, 3, to:

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

Subp. 6. **Disreputable conduct.** Disreputable conduct, for which any attorney, accountant, agent, or preparer ~~shall be subject to disbarment or suspension~~ may be barred or suspended from practice before the Department of Revenue, includes any conduct ~~violative of that violates~~ that violates subpart 4. In addition, the following acts or events constitute disreputable conduct:

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

P. Knowingly aiding and abetting another person to practice before the Department of Revenue during a period ~~of disbarment or suspension~~ of that the other person is barred or suspended from practice.

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

8052.0400 ~~DISBARMENT AND SUSPENSION PROCEDURES TO BAR OR SUSPEND.~~

Subpart 1. ~~Commission's~~ Commissioner's power to suspend or disbar bar. Pursuant to *Minnesota Statutes*, section ~~290.52~~ 270.06, the commissioner of revenue, after due notice and opportunity for hearing, may suspend or ~~disbar~~ bar from further practice

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before the Department of Revenue any attorney, accountant, agent, or preparer who is ~~shown to be~~ incompetent or disreputable; refuses to comply with the provisions of this rule; or in any manner willfully and knowingly defrauds, deceives, or misleads any taxpayer with respect to a claim or prospective claim involving the Department of Revenue.

Subp. 2. ~~Reasons for suspension or disbarment~~ **to suspend or bar from practice.** Any attorney, accountant, agent, or preparer ~~shall be subject to disbarment or suspension~~ may be barred or suspended from practice before the Department of Revenue for violation of any of the provisions contained in part 8052.0300.

Subp. 3. **Warning.** Whenever the commissioner of revenue has sufficient grounds to believe that any attorney, accountant, agent, or preparer has violated a provision of part 8052.0300, ~~subpart 5 or 6,~~ the commissioner shall notify the practitioner in writing of the specific violation which has been committed. The notification ~~shall~~ must contain a warning to the practitioner that if the violation continues, or if any other violations are committed, the commissioner shall commence a proceeding ~~for disbarment or suspension of~~ to bar or suspend the practitioner.

Subp. 4. **Proceeding.** Whenever the commissioner of revenue has sufficient grounds to believe that any attorney, accountant, agent, or preparer has failed to comply with a warning by continuing to violate any provision of part 8052.0300, the commissioner shall commence a proceeding ~~for disbarment or suspension of~~ to bar or suspend the attorney, accountant, agent, or preparer. The commissioner's notice of and order for hearing ~~shall~~ must set forth the specific violations which the practitioner has committed, both prior and subsequent to the commissioner's warning, and ~~shall~~ must make a recommendation as to the specific disciplinary action to be taken against the practitioner. The entire proceeding ~~shall be~~ is governed by the procedure for contested case proceedings as provided in parts 1400.5200 to 1400.8500 and *Minnesota Statutes*, sections 14.02, ~~14.04 to 14.36, 14.38, 14.44 to 14.45,~~ and 14.57 to 14.69.

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

Subp. 6. **Disciplinary actions.** Upon completion of the hearing in a contested case proceeding for disciplinary action brought by the commissioner of revenue against an attorney, accountant, agent, or preparer, if the administrative law judge finds that the practitioner has committed the violations specified in the commissioner's notice of and order for hearing, and that disciplinary action is appropriate, the commissioner shall:

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

C. ~~disbar~~ bar the practitioner from practicing before the Department of Revenue if the proceeding brought against the practitioner is at least the third proceeding in which disciplinable misconduct has been found.

For purposes of items A to C, a voluntary suspension pursuant to subpart 5 is a proceeding in which disciplinable misconduct has been found. The commissioner shall base a decision as to disciplinary action on all the facts, along with any extenuating circumstances the commissioner deems relevant.

Subp. 7. **Effects of ~~disbarment or suspension~~ being barred or suspended.** If the commissioner's order against an attorney, accountant, agent, or preparer ~~is for disbarment~~ bars the practitioner, the practitioner shall not thereafter be permitted to practice before the Department of Revenue, except to represent himself or herself. Similarly, if the commissioner's order against an attorney, accountant, agent, or preparer ~~is for suspension~~ suspends the practitioner, the practitioner shall not thereafter be permitted to practice before the Department of Revenue during the period of suspension, except to represent himself or herself. ~~The disbarment or suspension of~~ Barring or suspending an individual, ~~where the individual was~~ who is employed by a firm or organization at the time a violation of this part occurred, ~~shall~~ does not affect the right of other members of the firm or organization to practice before the department.

Subp. 8. **Petition for reinstatement.** ~~If there has been a material change in circumstances after suspension or disbarment,~~ A suspended or ~~disbarred~~ barred attorney, accountant, agent, or preparer may petition, in writing, the commissioner of revenue for reinstatement to practice before the Department of Revenue if there has been a material change in circumstances after the practitioner has been suspended or barred. The petition must be supported with documentation or testimony from a responsible third party as to the fitness, character, and ability of the practitioner to resume practice. The commissioner shall review the petition and make a determination within 30 days as to whether the practitioner shall be reinstated. If the petition is granted by the commissioner, the practitioner may resume practice. If the petition is denied by the commissioner, no further petitions may be brought by the practitioner during the remainder of the suspension period, or for a period of five years if the practitioner has been ~~disbarred~~ barred.

8160.0630 ORDERS OF ASSESSMENT ISSUED WHEN NO RETURN HAS BEEN FILED.

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

Subp. 5. **Interest and penalties.** Interest payable to the commissioner under *Minnesota Statutes*, section 289A.55, subdivision 2, continues to accrue during the periods allowed for administrative review, appeal to tax court, and payment. Penalties for failure to make and file a return under *Minnesota Statutes*, section ~~289A.55~~ 289A.60, subdivision 2, continue to accrue until the taxpayer

files a return for the tax type and period upon which the order is based. Penalties for failure to pay tax under *Minnesota Statutes*, section 289A.60, subdivision 1, are suspended from the date of the order of assessment to the date that the amount shown on the order must be paid to the commissioner. After this period expires, penalties for failure to pay tax start to accrue again based on the number of days the tax is not paid before the date of the order of assessment and the number of days the tax is not paid after the period for payment expires continue to accrue until the taxpayer pays the amount assessed.

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

REPEALER. *Minnesota Rules*, parts 8001.0100; 8001.0200; 8001.0400; 8003.0100; 8009.7300, subpart 1; 8014.0100; 8019.0200; 8019.0300, subparts 1, 2, 3, 4, 6, 7, 8, 9, 10, and 11; 8019.0405, subparts 12 and 14; 8021.0100; 8021.0200; 8023.0500; 8030.0100; 8031.0100, subparts 1 and 2; 8031.0300; 8035.0100; 8038.3000; 8043.0200, subpart 3; 8093.0500, subparts 4 and 5; and 8097.0300, are repealed.

Official Notices

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

Office of Environmental Assistance

Notice Soliciting Nominations for Appointment to the State Solid Waste Technical Advisory Work Group

The Office of Environmental Assistance (OEA) is soliciting names to consider for appointment to a Solid Waste Technical Advisory Work Group. This Work Group will evaluate the barriers and solutions to implement a totally integrated solid waste system that accomplishes the hierarchy of preferred waste management practices as articulated in the OEA's *Solid Waste Policy Report*.

A "systems map" of the existing MSW system is critical to develop a common understanding of the waste management system components, relationships between components and factors that affect the state's ability to implement a truly integrated solid waste system. A Work Group, comprised of subsystem technical experts, will be appointed to provide insight and information to develop the systems map. The group will present the systems map and its preliminary recommendations to a Solid Waste Advisory Committee to be appointed by the Governor's Appointments Committee in mid-2001.

The Technical Advisory Work Group will:

1. Identify the component parts of the existing solid waste management system.
2. Identify the relationships that exist between those sub-system parts and the trends or behaviors that affect the relationship between the parts.
3. Identify the barriers faced by the system in managing the growth in the state's solid waste.
4. Work with a Financial Analyst to determine the current and long-term costs of the existing solid waste management system.
5. Identify various strategies that will remove the barriers to development of an integrated solid waste management system that is protective of the state's environment and that recognizes the true costs and benefits to the citizens of Minnesota.
6. Develop, to the extent possible, the cost of the various strategies identified to remove the barriers.

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

Official Notices

7. Prepare a report to submit to the Governor's Solid Waste Advisory Committee.

It is anticipated that there will be at least eight all-day meetings. These meetings will be held during the first quarter of 2001.

The group will be composed of no less than 20 and no more than 30 members with direct experience in and responsibility for the day to day operational activities of their organizations, with the exception of the citizen representatives. The Committee will have the following representation:

- 2 - 3 county solid waste administrators representing metropolitan and rural counties.
- 1 representative from the Department of Finance.
- 1 representative from the Minnesota Pollution Control Agency.
- 1 representative from the Office of Environmental Assistance.
- 4 - 6 generators of residential mixed municipal solid waste.
- 4 - 6 generators of commercial mixed municipal solid waste.
- 2 - 3 members from recycling industries and organizations.
- 2 - 3 members from non-landfill based waste processing facilities including both publicly and privately owned facilities.
- 2 haulers / collectors with representation from large and small haulers.
- 2 - 3 representatives from environmental interest groups.
- 1 - 2 private landfill owners.
- 1 - 2 public landfill owners.

Nominations must be submitted in writing no later than 4 p.m., C.S.T., December 22, 2000, to: Sherry A. Enzler, Director of the Office of Environmental Assistance, 520 Lafayette Road., 2nd Floor, St. Paul, Minnesota 55155-4100.

The Technical Work Group members will be nominated by the group they represent and appointed by a seven member committee which will include: Chair of the House and Senate Environmental Policy Committees, Director of the OEA, Chair of the Metropolitan Solid Waste Management Coordinating Board, the Chair of the Association of Minnesota Counties Environmental Policy Committee, the Chair of the Minnesota Chamber of Commerce Environmental Policy Committee, and the Chair of the Minnesota Environmental Partnership.

Minnesota Higher Education Services Office

Opinions Sought on Planned Amendments to Rules Governing Award Calculation Procedures and Qualifying Income Ranges for the Post-Secondary Child Care Grant Program, *Minnesota Rules*, 4830.7500, Subp. 2a

Subject of Rules. The Minnesota Higher Education Services Office [MHESO] requests comments on its planned amendment to rules governing the Post-Secondary Child Care Grant Program. The MHESO is considering rule amendments that will alter the formula used to create the annual maximum award chart used for this Program. The qualifying income guidelines on the current chart have not been updated since the chart was first implemented during FY1995. The income guidelines in the proposed formula correspond to those used for the subsidized school lunch program and are based on 130 percent of the federal poverty level. The proposed formula also uses narrower income bands and thus, eliminates the large "stair step" effect in the previous chart, whereby students faced a large reduction in the award if income increased by as little as one dollar. The proposed formula contains narrower qualifying income bands and award reductions that more closely correspond to rising income levels. Furthermore, because the proposed formula is based on 130 percent of the federal poverty level, the qualifying income guidelines will be automatically adjusted on an annual basis to account for inflation.

Persons Affected. The amendment to the rules would likely affect Minnesota post-secondary institutions participating in this Program and post-secondary students eligible to receive awards under this Program.

Statutory Authority. *Minnesota Statutes* 136A.01, Subd.2(8) authorizes the MHESO to adopt rules to administer the programs under its supervision.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing or orally until 4:30 p.m. on February 6, 2001. The Agency does not contemplate appointing an advisory committee to comment on the planned rules. However, all revisions have been requested or approved by the agency's standing Financial Aid Advisory Committee.

Rules Drafts. The MHESO has prepared a draft of the planned rules amendments.

Agency Contact Person. Written or oral comments, questions, requests to receive a draft of the rules, and requests for more information on these planned rules should be addressed to: Virginia Dodds, Minnesota Higher Education Services Office, 1450 Energy Park Drive, Suite 350, St. Paul, MN 55108, (651) 642-0567, ext. 3410. TTY users may call the Minnesota Relay Services at (800) 627-3529 to contact the Agency Contact Person indicated above.

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

Dated: 15 November 2000

Robert K. Poch, Director
Minnesota Higher Education Services Office

Department of Human Services

Department of Health

Department of Public Safety

Request for Comments on Planned Amendments of the Rules of the Minnesota Merit System Governing Affirmative Action Plans, Salary Adjustments and Increases, Establishment of Registers, Appointment From Registers, Temporary Appointments, and The Compensation Plan, (*Minnesota Rules*, parts 9575.0090, 9575.0350, 9575.0550, 9575.0650, 9575.0680, 9575.1500, 4670.0610, 4670.1320, 4670.2000, 4670.2500, 4670.2530, 4670.4200-4670.4240, 7520.0650, and 7520.1000-7520.1100)

Subject of rule. The Departments of Human Services, Health, and Public Safety are considering rule amendments pertaining to the operation of the Merit System that provide a 2001 salary adjustment for employees covered by the Minnesota Merit System and amend the salary ranges in the compensation plan for 2001. Other amendments to the rules covering affirmative action committees and trainee appointments are proposed to update language or repeal unnecessary language.

Persons Affected. The amendments to the rules would affect employees of the county human services, social services, health and emergency management agencies covered by the Minnesota Merit System. Rule amendments to the compensation plan and salary adjustments and increases would affect only those employees of county human services, social services, health, and emergency management agencies who are not covered by the terms of collective bargaining agreements. The departments do not contemplate appointing an advisory committee to comment on the planned rules.

Statutory Authority. *Minnesota Statutes*, sections 256.012, 144.071, and 12.22, subd. 3 authorize the departments to adopt rules to provide local and county appointing authorities with an effective system of personnel administration based on merit principles.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing or orally until 4:30 p.m. on Monday, February 5, 2001. The departments do not anticipate that a draft of the rule amendments will be available before the publication of the proposed rules. Written or oral comments, questions, requests to receive a draft of the rules when they have been prepared, and requests for more information on the planned rules should be addressed to:

Betty Carlson
Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155-3822
Phone: (651) 282-2649

Dated: 4 December 2000

Michael O'Keefe
Commissioner
Department of Human Services

Jan Malcolm
Commissioner
Department of Health

Jesse Ventura
Governor

Metropolitan Airports Commission

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that on the 18th day of December, 2000 at 11:00 a.m., in the Lindbergh Terminal Building at the Minneapolis-St. Paul International Airport, Room 3040, the Metropolitan Airports Commission will hold a public hearing to receive testimony relative to the adoption of:

HUMPHREY TERMINAL ORDINANCE:

An Ordinance to promote and conserve public safety, health, peace, convenience and welfare, to provide regulation on use of the Minneapolis-St. Paul International Airport – Wold – Chamberlain Field and to control the loading and unloading of passengers and freight thereat; to provide for payment of landing fees by aircraft other than signatory airlines and military aircraft; to provide for payment of Facility Use Fees, Aircraft Parking Fees, and federal inspections services use fees at the new Humphrey Terminal; prescribing the penalty for violation thereof; and to repeal Commission Ordinance No. 89.

Copies of the draft Ordinance may be obtained by contacting:

Rebecca Zwart
Metropolitan Airports Commission
6040 – 28th Avenue South
Minneapolis, MN 55450
Phone: (612) 726-8197
Fax: (612) 726-5306

Dated: 4 December 2000

Mr. Jeffrey W. Hamiel
Executive Director
Metropolitan Airports Commission
6040 - 28th Avenue South
Minneapolis, MN 55450

Metropolitan Council

Public Hearing on Affordable and Life-Cycle Housing Goals Agreements for Communities Initiating Participation in the Livable Communities Housing Incentives Account Program in 2001

The Metropolitan Council will hold a public hearing on affordable and life-cycle housing goals agreements for communities initiating participation in the Metropolitan Livable Communities Housing Incentives Account Program in 2001.

The public hearing will be held at 1:30 p.m., Monday, January 8, 2001 in Meeting Room 1-A, Mears Park Centre, 230 East Fifth St., St. Paul. All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak by calling (651) 602-1418 or (651) 291-0904 (TTY). Upon request, the Council will provide reasonable accommodations to persons with disabilities.

The procedure for the hearing will be as follows: 1) Persons will be called to speak in the order in which they have signed in. Those preregistered by phone will be called on first. 2) Individuals will be asked to limit their remarks to 5 minutes. 3) Designated representatives of groups or organizations will be asked to limit their comments to 10 minutes. 4) The chair of the hearing may limit the testimony of any person.

Written comments must be received by 5:00 p.m., Thursday, January 18, 2001. Mail comments to Guy Peterson, Metropolitan Council, 230 E. Fifth St., St. Paul, MN 55101. Comments may also be faxed to Mr. Peterson at (651) 602-1442, recorded on the Council's Public Comment Line at (651) 602-1500, or sent electronically to: data.center@metc.state.mn.us

Due to deadlines established for newly participating communities, a complete report of these housing goals may not be available before December 31, 2000. Call the Council's Data Center at (651) 602-1140 or (651) 291-0904 (TTY) for a copy of the housing goals document.

Minnesota Comprehensive Health Association

Notice of Meeting of the Finance Committee

Notice is hereby given that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Finance Committee will be held at 9:00 a.m., on Wednesday, December 6, 2000. The meeting will be held at the MCHA Executive Office, 5775 Wayzata Blvd., Suite 910, St. Louis Park.

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

Minnesota Pollution Control Agency (MPCA)

Public Notice of Intent to Issue State of Minnesota General Livestock Production Permit

A General Livestock Production Permit provides Authorization to Construct and Operate a Concentrated Animal Feeding Operation Under the National Pollutant Discharge Elimination System Permit (NPDES)/State

Disposal System (SDS) Permit (NPDES/SDS) # MN G440000

Public Comment Period Begins: December 4, 2000

Public Comment Period Ends: January 19, 2001

This permit provides coverage for livestock facilities consisting of 1000 animal units or greater within the boundaries of the state of Minnesota (excluding Indian Reservation Land) provided the owner/ operator has applied for coverage in accordance with the permit and has received written notification from the MPCA verifying coverage has been granted.

Receiving Waters: Waters of the State of Minnesota

Description of Permitted Facility: Livestock production facilities over 1000 animal units that meet the criteria listed in the general permit for receiving a general NPDES/SDS State of Minnesota Livestock Production Permit.

Preliminary Determination on the Draft Permit

The MPCA Commissioner has made a preliminary determination to issue this NPDES/SDS permit for a term of approximately five years.

A draft permit and fact sheet are available for review at the MPCA office at the St. Paul Address listed below, and main public notice page on the MPCA's Web site, located at: <http://data.pca.state.mn.us/cgi-bin/pubPDF.pl>

Written Comments

You may submit written comments on the conditions of the draft permit or on the Commissioner's preliminary determination.

Written comments must include the following:

1. A statement of your interest in the permit application or the draft permit;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft permit that you believe should be changed; and
3. The reasons supporting your position stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

Petition for Public Informational Meeting

You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.

Official Notices

Petition for Contested Case Hearing

You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rule 7000.1900*, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the application or draft permit; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft permit. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rule 7000.1900*, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

MPCA Decision

You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board consider the permit issuance. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to issue the permit and, if so, under what terms will be presented to the Board for decision if: (1) the Commissioner grants the petition requesting the matter be presented to the Board; (2) one or more Board members request to hear the matter before the time the Commissioner makes a final decision on the permit; or (3) a timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rule 7000.0650*.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this permit. If the MPCA does not receive written comments, requests, or petitions during the public comment period, the Commissioner, or other MPCA staff as authorized by the Commissioner, will make the final decision on the draft permit.

Comments, petitions, and/or requests must be submitted in writing on or before the end date of the public comment period identified on page 1 of this notice to:

Chris Lucke
Policy And Planning
Minnesota Pollution Control MPCA
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

Teachers Retirement Association

Notice of Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Friday, December 15, 2000 at 9:30 a.m. in Suite 500, Gallery Building, 17 W. Exchange Street, St. Paul, MN to consider matters which may properly come before the Board.

Department of Transportation State Aid for Local Transportation Group

Petition of the City of Red Wing for a variance from State Aid requirements for DESIGN SPEED

NOTICE IS HEREBY GIVEN that the Red Wing 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 Nymphara Lane at the Canadian Pacific Railroad crossing overpass in the City of Red Wing, 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 bridge replacement project located on Nymphara Lane in the City of Red Wing, Minnesota, so as to allow a 20 mph design speed for one vertical and one horizontal curve, in lieu of the required 30 mph minimum design speed.

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

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

Dated: 22 November 2000

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

State Grants & Loans

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

Minnesota Housing Finance Agency

Consolidated Request for Proposals • Single Family RFP • Multifamily RFP • Housing Tax Credit Program

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

The Consolidated RFP represents an effort to coordinate the resources available within the agency, and to address communities' comprehensive housing efforts.

Eligible applicants are invited to submit proposal(s) for the Single Family RFP, the Multifamily RFP and the Housing Tax Credit Program. Separate Single Family and Multifamily applications are required.

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

Amount of Funds Available:

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

State Grants & Loans

Eligible Locations:

MHFA funds are generally available statewide; while respective RFP partner's funds are available only in the Metro area or Greater Minnesota depending upon the specific funding partner.

Eligible Applicants:

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

In addition to the above, eligible applicants for multifamily and tax credit proposals also include corporations and partnerships.

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

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

THRESHOLD REQUIREMENTS / SELECTION PRIORITIES

The MHFA has developed the following threshold requirements/selection priorities to increase the extent to which housing resources are strategically targeted. These threshold requirements/selection priorities will be used to evaluate, score and rank proposals submitted in response to both the Single Family and Multifamily RFPs.

All proposals eligible for financing must address housing needs created by current local Economic Vitality Housing Initiatives (EVHI), Continuum of Care Plans, or Metropolitan Housing Implementation Group (MHIG) Project Selection Criteria.

THRESHOLD REQUIREMENTS:

- **Project Overall Feasibility:** "Project Overall Feasibility" refers to the likelihood that the proposed project may be completed within the timeline proposed and within reasonable parameters of risk. Among the factors to be considered in determining project feasibility are: site control and/or the nature of the proposed site, whether the housing proposed is needed in the market to be served, the financial feasibility of the project (i.e. project has full funding, costs are reasonable, etc.), the ability to complete the project within the timeline proposed, and the impact of the project on the geographic area to be served. Preference will be given to proposals that identify housing needs as demonstrated by population growth, job growth, or very low vacancy rates for, or insufficient quantities of, affordable housing opportunities for low and moderate income households. In considering overall project feasibility, the extent to which the project meets the mission of proposed funders is also a critical factor.
- **Organizational Capacity:** "Organizational Capacity" refers to the likelihood of the organization being able to complete the proposed project. Among the factors to be considered are whether the purpose of the organization is housing related, whether the applying organization has related housing experience, whether the organization has sufficient, qualified staff for the proposed project, whether the organization has successfully completed projects with the funders and whether the organization has strong current capacity to complete the proposal as well as other proposals that are currently being developed by the organization.

SELECTION PRIORITIES:

- **Cooperatively Developed Plan:** The extent to which the proposal contains clearly identified goals relating to the housing element of a "Cooperatively Developed Plan" consistent with the missions of the funders. A Cooperatively Developed Plan is a plan which encompasses multiple affordable housing and related service initiatives in a geographically defined area that is developed through the cooperation and input of two or more of the following entities:
 - city or county (or instrumentality thereof),
 - a regional unit of government,
 - neighborhood and/or community group,
 - housing providers, and funders.
- **Smart Growth:** The extent to which the proposal is consistent with "smart growth" principles. For the purpose of the MHFA's investment in affordable housing, smart growth principles are as follows:
- **Linkage.** Housing development should be part of comprehensive community development efforts that link housing, jobs, transportation, recreation, retail services and, where necessary, social services.
 - **Jobs.** Housing is part of the infrastructure necessary to sustain economic vitality. New housing should be located near jobs

and in areas of job growth and should address housing needs of the local work force. Preference will be given to proposals that provide housing in communities with job and population growth.

- **Land Use.** We must maximize the adaptive reuse of existing buildings and the use of existing infrastructure, where financially feasible. In cases of new development, we must maximize the efficient use of land and infrastructure and minimize the loss of agricultural land and green space.

Transportation. We must develop housing near regional and interregional transportation corridors and transitways.

- **Underserved Populations:** The extent to which the proposal addresses the housing needs of “underserved populations.” Underserved populations are identified as individuals and/or households of color, single heads of households with minor children, and disabled individuals.
- **Local Investment and Leverage:** The extent to which the proposal demonstrates related local investment pursuant to a housing plan, local government participation that results in reduced costs, the involvement of local partnerships, and the extent to which private investment is leveraged, including contributions from local employers.

AGENCY-WIDE RESOURCES

Economic Development and Housing Challenge Program (EDHC): This program shall provide loans or grants for the purpose of construction, acquisition, rehabilitation, construction financing, permanent financing, interest rate reduction, refinancing, and gap financing of both single family and multifamily housing to support economic development activities or job creation/retention within a community or region by meeting locally identified housing needs.

Income Limit - 115% of the greater of state or area median income.

In order for proposals to be funded from this specific pool of funds, they must include:

- A financial or in-kind contribution from an area employer (the purchase of housing tax credits by a local employer is considered an employer contribution), **AND**
- A contribution from, at a minimum, one of the following:
 - Local unit of government,
 - Private philanthropic organization,
 - Religious organization, or
 - Charitable organization.

For an application to be considered for funding from the Economic Development and Housing Challenge Program, contributions from the sources mentioned above must equal or exceed the amount of funds requested from the RFP.

The proposal must also address the housing needs of the local work force. (Example: The proposal must demonstrate the link between jobs and housing, define the target area, describe how employees will access jobs and services, and demonstrate that the housing being provided (owner occupied or rental) is affordable based on the wage level of the jobs being created/retained.)

For proposals comparable in nature, *preference* shall be given to proposals that:

- Include regulatory changes that result in identifiable cost avoidance or cost reductions. Examples include, but are not limited to, increased density, flexibility in site development standards, or zoning code requirements, etc.
- Include a financial or in-kind contribution from an area employer, a local unit of government, **and**
- A private philanthropic, religious, or charitable organization.

Innovative and Inclusionary Housing Program (IIH): The MHFA’s Innovative and Inclusionary Housing Program is available to support new construction development for single family or multifamily housing, or a combination of the two, in Greater Minnesota, with a variety of prices and designs which serve families with a range of incomes and housing needs.

These resources are targeted to developments in which process and regulatory improvements that reduce the cost of housing are implemented.

In order for proposals to be funded from this specific pool of funds, they must at a minimum, meet the following:

Include identifiable cost savings from regulatory incentives by the local governing body, which would normally not be offered in a typical housing project. Examples of this could include, but are not limited to: density bonuses, reduced setbacks and parking requirements, decreased road widths, flexibility in site development standards and zoning code requirements, waiver of permit or impact fees, fast-track permitting and approvals, or any other regulatory incentives that will result in cost avoidance or reductions.

State Grants & Loans

- Include a variety of prices and designs which serve households with a range of incomes and housing needs **or** include innovative building techniques or materials which lower the costs while maintaining high quality construction and livability.
- Include units affordable to households with incomes at or below 80% of the greater of state or area median income.

As part of the application, the applicant must be able to provide a quantified breakdown of the cost savings due to regulatory incentives or innovative building techniques or materials.

NEW MULTIFAMILY RESOURCES:

Minnesota Families Affordable Rental Investment Fund Program (MARIF): The 2000 session of the Minnesota Legislature appropriated funds and authorized the MHFA to develop an affordable housing program for current and recent participants in the Minnesota Family Investment Program (MFIP)*. The MARIF Program was developed in response to this legislation. The purpose of the program is to provide modest, decent and safe affordable housing with rents affordable for current recent MFIP participants.

Eligible Applicants: Individuals, non-profit entities, for-profit entities, Minnesota Cities, Minnesota Housing and Redevelopment Authorities, a cooperative housing corporation, or a joint powers board established by two or more cities.

Eligible Properties: MARIF funding may be used for new construction or acquisition and/or rehabilitation, of permanent rental and permanent supportive housing with a minimum of four units.

Occupancy Requirements: Family households who, at the time of initial occupancy, are current or recent Minnesota Family Investment Program (MFIP)* participants must occupy units assisted with MARIF funds. "Recent MFIP participants" means a family who left MFIP due to increased income from employment or due to the collection of child or spousal support under Part D of Title IV of the Social Security Act no more than twenty-four (24) months prior to the family's application for tenancy in an MFIP unit, and whose income at the time of application is equal to or less than 160% of the federal poverty level for the family's size.

2000 160% of Poverty Guidelines

| Family Size | Poverty Guideline (Annual) | Poverty Guideline (Monthly) |
|-------------|-------------------------------|--------------------------------|
| 1 | \$18,360 | \$1,113.33 |
| 2 | \$18,000 | \$1,500.00 |
| 3 | \$22,640 | \$1,886.67 |
| 4 | \$27,280 | \$2,273.33 |
| 5 | \$31,290 | \$2,660.00 |

MARIF Rents:

- 2 Bedroom \$400.00
- 3 Bedroom \$450.00
- 4 Bedroom \$475.00

Interest Rate and Term:

First mortgage or subordinated loan with an annual interest rate not to exceed 1% with principle due and payable at the end of the 30 year term. The loan will be considered non-recourse debt.

Funds may also be awarded in the form of a subsidy repayment agreement. To ensure the long-term affordability of projects funded under the program, the subsidy repayment agreement will require repayment to the Agency unless the developer complies with rent and other program restrictions for the thirty (30) year MFIP affordability period.

Level of Funding:

It is allowable for MARIF units to receive 100% of their total development costs (TDC) from the MARIF funds. However, priority will be given to developments that leverage MARIF funds with other public, private or area employer contributions.

Funds **may not** be used for services.

Operating Subsidy:

If it is determined by MFHA, the development may be allowed up to six months of capitalized operating subsidy. This will be funded up front with the development.

Can you use Section 8 or RAFS?

Yes, MARIF basic rents will be set at Fair Market Rents (FMR). Section 8 vouchers will be accepted for the FMR. Applicants/Residents without vouchers will pay the greater of 30% of income or \$400.00 per month (For a two bedroom unit). As resident's incomes increases and they move toward stabilization, their rent will be adjusted annually. As incomes increase, rents will increase to the equivalent of 30% of their income, up to the FMR.

*MFIP (Minnesota Family Investment Program) is Minnesota's welfare reform Initiative. MFIP is a federal and state-funded program that provides a monthly cash and food benefit to eligible families. MFIP focuses on helping participants work their way out of poverty. Families exit MFIP at approximately 120% of the federal poverty level.

Project-Based Rental Assistance:

This resource is available through several entities via the Multifamily RFP:

- Metropolitan Council HRA for eligible projects located in the counties of Anoka, Carver, Hennepin (excluding the cities of Bloomington, Minneapolis, Plymouth, Richfield and St. Louis Park), and Ramsey (excluding the city of St. Paul);
- Saint Paul Public Housing Authority for eligible projects in the City of St. Paul; and
- **New:** Minneapolis Public Housing Authority for eligible projects in the City of Minneapolis.

Project based rental assistance is a housing subsidy program that permits a local housing agency to attach Section 8 certificates to newly constructed or rehabilitated units. The rental units are made available to low income families at or below 50% of the metro median family income at rents within the Section 8 existing fair market rent limit or HUD-approved exception rent limits. Eligible families receive rent assistance so long as they reside in the project-based dwelling unit.

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

SINGLE FAMILY RFP**AMOUNT OF FUNDS AVAILABLE:**

The following Limited Fund Programs: Approximately \$8 million available.

- Community Revitalization Fund (CRV)*. Community Revitalization Fund includes the resources: Economic Development and Housing Challenge Program (EDHC), Innovative and Inclusionary Housing Program (IIH).

*The Family Housing Fund, GMHF and MHFA will provide funds for the Community Revitalization Fund, with the later two agencies also contributing to the GMHF Home At Last Program (HAL).

The Metropolitan Council will also provide funds from their Local Housing Incentive Account (LHIA).

The Minnesota Department of Corrections may provide assistance through the Institution Community Work Crew (ICWC) Affordable House Building Program. Please contact Ron Solheid at MNDOC at (651) 603-0010 for future availability of funds and specific program information.

Types of Funds Available, Single Family RFP - Limited Fund Programs

The type of assistance provided by the Community Revitalization Fund (CRV) will vary - grant, interim construction loan or deferred loan - depending upon the needs addressed in each application and the availability of funding resources. The contributing partners strongly encourage communities to leverage funds with the resources available through this RFP to address the local housing need(s) identified in their comprehensive housing plan.

Representatives from the MHFA and the Funding Partners will review each individual proposal and determine whether funds will be provided in the form(s) of assistance listed below:

- **Interim construction financing** provides either no interest or low interest loans to entities to assist in acquiring, demolishing, rehabilitating and/or constructing homes. The interest rates on these loans vary. Interest free loans are provided to not-for-profit entities that use innovative construction or rehabilitation methods (including innovative materials, financing methods, etc.) to approach housing needs in a specific community. Interim construction loans must be repaid to the funder when the home is completed and sold.

State Grants & Loans

- **Deferred loans** are interest free loans which require repayment if specific program requirements are not met. A proposal may utilize deferred loans to help bridge gaps not covered by a first mortgage and/or other funding resources.
- **Grants** do not require repayment by approved organizations. Grants can be used for a variety of purposes (i.e. gap financing, construction, demolition, rehabilitation, zero percent contract for deed financing for first time, at risk homebuyers, etc.)

Each proposal must specifically identify the type of financing required.

Types of Funds Available, Single Family RFP - Ongoing Fund Programs

- Community Activity Set Aside Program (CASA)
- Community Fix-Up Fund (CFUF)
- Entry Cost Homeownership Opportunity Program (ECHO)
- **First mortgage loans** (CASA) provide long term fixed rate financing for the acquisition of a new or existing house for low and moderate income first time homebuyers.
- **Home improvement loans** (CFUF) are available to provide low interest loans to improve or maintain an existing home. These are typically second mortgages.
- **Entry cost assistance** (ECHO) is an interest-free deferred loan designed to support community lending programs for down-payment and closing costs.

Eligible Activities

Eligible activities vary by program. It is the Applicant's responsibility to review each program concept carefully.

Program Income Limits

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

Organizations who are requesting assistance from the Greater Minnesota Housing Fund must serve households with incomes equal to or less than 80% of the statewide median. Assistance from the Family Housing Fund may only be used for families whose income does not exceed 80% of the Twin Cities metropolitan area median income limit.

See the Single Family Request for Proposal application for Program Concepts and current income limits.

MULTIFAMILY RFP

Amount of Funds Available

Approximately \$18 million.

In addition, the Agency has up to \$10 million available in the new Minnesota Families Affordable Rental Investment Fund Program mentioned in the "New Multifamily Resources" section.

Types of Funding Available, Multifamily RFP

- **Deferred loan funds** are generally in the form of a zero percent (0%), 20-30 year deferred or subordinate loan or grant. Actual interest rate, term and type of loan or grant will vary depending upon recommended funding source(s) and will be discussed in detail with sponsors upon selection for funding.
- For developments using the **Federal Housing Tax Credit Program**, loans may be structured with an interest rate to be eligible for inclusion in qualified basis. More information on the Housing Tax Credit Program follows this section.
- **Long term fixed rate mortgages** for acquisition, refinance, or new construction of multifamily housing for developments that may generate adequate income to service debt are also available. These mortgages are offered through the Low and Moderate Income Rental Program (LMIR). Separate application materials are not required for the first mortgage programs.
First mortgage programs may be provided for new construction of housing tax credit developments. In addition, MHFA is interested in providing financing for developments with 20% project-based rental assistance and 80% market rate units, where the objective would be cost containment and creation of developments of scale (50 to 100 units).
- **Project-Based or Tenant Based Rental Assistance** may be available for eligible properties and eligible tenants. Rental assistance is generally provided in the form of a per-unit-month subsidy to the owner of a project on behalf of an eligible tenant living in the project. Rents must be within the Section 8 existing fair market rent limit or HUD-approved exception rent limits.

Eligible Projects

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

Permanent rental housing must be “residential housing” or be “generally available to low and moderate income people.” Developments in which the owner of permanent supportive housing is also the service provider are considered a low priority.

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

Developments in which economic integration is provided or maintained are encouraged.

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

Income Limits

The overall goal of the Multifamily RFP is to serve lower income households. Funding sources generally allow incomes up to 60% of median income in the seven-county metropolitan area, and up to 80% of statewide median income in Greater Minnesota (adjusted for family size). Funding sources with an objective of addressing needs identified in a continuum of care plan require lower income limits, generally at or below 30% of the seven-county metro area median income.*

Gross Rent Limits

For permanent rental housing proposals, maximum gross rents shall generally not exceed 30% of 50% of area median income, depending upon the underlying funding sources. The relationship between proposed rent levels and Fair Market Rents is an important factor because it is crucial that Section 8 voucher holders be able to rent units in MHFA-financed developments.

For transitional housing or permanent supportive housing proposals, maximum gross rents shall generally be equal to or less than 30% of the seven-county metro area median income.

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

HOUSING TAX CREDIT PROGRAM

The Minnesota Housing Finance Agency (MHFA) is pleased to announce that it is accepting 2001 Round 2 competition applications for reservation and allocation of Housing Tax Credits, authorized by the Federal Tax Reform Act of 1986, as revised.

Housing Tax Credits offer a ten year reduction in tax liability to owners and investors in eligible low income rental housing developments involving new construction, rehabilitation or existing rental housing with rehabilitation. General information on tax credit availability is posted on MHFA’s internet web site (www.mhfa.state.mn.us).

Total estimated 2001 tax credits available for the State of Minnesota is \$5.9 million. The total estimated 2001 tax credits available for 2001 Round 2 is \$362,991. MHFA has estimated the housing credit ceiling for Minnesota for calendar year 2001 based upon the amounts of the housing credit ceiling for calendar year 2000. The actual housing credit ceiling for the year 2001 will not be known by MHFA until some time in February or March of 2001. In early 2001 the IRS will make a final determination of Minnesota’s population component used in determining Minnesota’s final year 2001 housing credit ceiling. The IRS will publish this population component some time in February or March of 2001.

Please be advised there is a possibility that additional tax credits may become available for 2001 Round 2 due to proposed Federal legislation to increase the Housing Tax Credit “per capita” amount. MHFA currently does not have any additional information on this possible increase. Please refer to MHFA’s internet web site periodically for updates on the status of this proposed increase.

As in past competition years, in 2001 Round 2 a priority will be given to proposals which have previously received an allocation of tax credits and are in need of a supplemental allocation. MHFA will be establishing a Wait List from the non-selected proposals remaining at the conclusion of the 2001 Round 2 competition. Proposals from this list will be considered to receive returned credits, if any, which become available for allocation prior to October 1, 2001.

The Minnesota Housing Finance Agency’s 2001 Housing Tax Credit Program and related manual contents have been revised in several key respects as follows:

- 1) A Selection Priority for Government Participation/Rent Reduction is being created which gives priority to developments targeting units for project based and/or tenant based rental assistance and calls for a cooperatively developed plan between Owner and local HRA to identify and meet local need.
- 2) The Selection Priority for Promoting Rehabilitation is being revised to drop the requirement for 3 bedroom and larger unit types.
- 3) The

State Grants & Loans

Selection Priority for Development Cost Reduction is being revised to more substantially recognize the benefit to a development from Historic Tax Credit, certain Tax Increment Financing and Tax Abatement. 4) The Selection Priority for Family Design Features as well as general Housing Tax Credit Design Standards are being significantly revised to be more flexible, accommodating and encouraging of designs which incorporate desirable elements of cost and design efficiencies and good growth policy. 5) The Preference Priority for HUD insured loan commitment is being dropped. 6) Various submission requirements relating to owner developed Affirmative Fair Housing Marketing Plans as well as Tenant Selection Plans and Policies are being strengthened. 7) Various underwriting standards relating to Management and Operating benchmarks and Reserves are being clarified. 8) Various administrative and clarification revisions have also been made to certain text and forms.

A 2001 "full manual package" including these revisions was mailed out in May of this year. If you have already obtained this package, a set of administrative revisions is available from MHFA upon request to bring your manual set current. If you have not previously received the initial full manual package, one will be mailed to you by MHFA upon request.

No significant changes have been made to the tax credit materials or application process for 2001 Round 2. MHFA **will not** be holding a formal tax credit application training session for the 2001 Round 2 RFP.

Credit Formula

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

Local Administration of Tax Credit

For Round 2, applicants within Suballocator or Joint Powers Suballocator jurisdictions apply directly to the MHFA.

MHFA Administration Tax Credits

In all tax credit rounds, applicants with eligible buildings in the balance of the state, not within the jurisdiction of a suballocator, may apply to the MHFA for an allocation of housing tax credits.

Each year, ten percent of the state ceiling is set aside by MHFA for qualified 501(c)(3) and 501(c)(4) nonprofits as required by Section 42 of the Internal Revenue Code of 1986. To the extent that this set aside remains unmet, qualified nonprofits can apply to MHFA for these credits, regardless of the geographic location of the proposed low income housing development, as specified in the allocation plan. At this time, the 2001 nonprofit set aside has already been met.

APPLICATION PROCESS

To request a Single Family, Multifamily, or Housing Tax Credit (Round 2) Request for Proposal application packet, please contact:

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

Single Family RFP - (651) 297-3118, or Toll Free: 1-800-710-8871

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

Electronic Discs or Email Application Versions - Multifamily RFP and Housing Tax Credits only

The Multifamily RFP and Housing Tax Credit application form has been revised and updated since the last round of the RFP. Do not use the outdated versions of the electronic discs or email application form for making current applications to this round. *Use only the electronic disc or email application form version labeled Spring 2001 Multifamily RFP / Housing Tax Credits (2001 Round 2)*. If you have any question as to the version of the disc or email application form you are using please contact Tamara Wilson, (651) 296-4451 or Patty Kroona, (651) 215-6238 at MHFA for assistance in clarifying this information.

MULTIFAMILY AND SINGLE FAMILY RFP INFORMATION AND TECHNICAL ASSISTANCE SESSIONS:

The MHFA will be providing RFP Information and Technical Assistance at Regional Economic Vitality and Housing Initiatives (EVHI) meetings in December to Mid-January. Please check the MHFA website at www.mhfa@state.mn.us for updated information regarding EVHI meetings. Please call or email the MHFA at one of the numbers below at least a week before the scheduled meeting to reserve a spot at one of the information sessions.

Fran Gustafson
Phone: (651) 297-3118
Email: *Fran.Gustafson@mhfa.state.mn.us*

Tamara Wilson
Phone: (651) 296-4451
Email: *Tamara.Wilson@mhfa.state.mn.us*

When making your reservation, please identify your name, organization, phone number, and number of people attending.

APPLICATION SUBMISSION DEADLINES:

The original application form with all attachments PLUS three additional copies of the complete application form and all attachments are due to MHFA by 5:00 p.m. on the following dates:

- **Thursday, February 1, 2001 - Multifamily RFP and Housing Tax Credit (Round 2)**
- **Friday, February 9, 2001 - Single Family RFP (Available in hard copy only.)**

Recommendations for both Single Family and Multifamily programs will be made at the MHFA Board meeting on April 26, 2001.

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

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

Department of Human Services

Notice of Availability of Request for Proposal for Grantees to Provide Outpatient Gambling Treatment Services

The State of Minnesota, Department of Human Services, Mental Health Division is interested in entering into master grant contracts with eligible vendors to assist in the implementation of the statewide expansion of fee-for-service payment for outpatient gambling

The *Laws of Minnesota 1998*, Article 8, Section 11(b) mandated that as of July 1, 1999, all STATE appropriated gambling treatment funds must be administered on an individual client, fee-for-service basis. During the 2000 legislative session, the deadline for this change was extended to July 1, 2000. The source of funding is provided through a legislative appropriation, approximately \$1 million per year, and is contingent upon continuation of appropriations for SFY 2002-03. Funding is currently in the base budget. It is anticipated that funding will continue into the next biennium.

A complete copy of the Request for Proposal may be obtained by contacting Sharon Walp at the address or telephone number below.

Sharon Walp
Minnesota Department of Human Services
Mental Health Division, Compulsive Gambling Program
444 Lafayette Road
St. Paul, Minnesota 55155-3828
Phone: (651) 582-1818
Fax: (651) 582-1831
Email: *sharon.walp@state.mn.us*

This is an open enrollment process. If you are interested, you may submit an application on forms included in the Request for Proposal. The estimated approval turnaround time is 30 days. There is no guarantee that you'll secure any clients.

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.]

Board of Electricity

Notice of Request for Proposals for Providing Electrical Inspection Service for the Remainder of Fiscal Year 2001 and all of Fiscal Year 2002 (January 1, 2001 Through June 30, 2002) in Specific Geographical Areas of the State

The Board of Electricity is requesting proposals to provide electrical inspection service in the upper portion of Cass County and all of Hubbard County. In accordance with *Minnesota Statutes* section 326.241, subdivision 2(2), all individuals providing inspection service must be licensed as journeyman or master electricians.

A detailed Request for Proposals has been prepared by the Board that defines minimum service requirements and other related information.

Prospective responders who are interested in submitting a proposal for this service should request the detailed Request for Proposals. Requests for the detailed Request for Proposals and related questions should be directed to the following person:

John I. Williamson, Assistant Executive Secretary
Minnesota Board of Electricity
Griggs-Midway Building, Suite S-128
1821 University Avenue
St. Paul, MN 55104
Phone: (651) 642-0800
Fax: (651) 642-0441
Email: john.williamson@state.mn.us

Proposals must be received at the Board office by 4:30 p.m. Central Time, December 19, 2000. Late proposals will not be considered.

Department of Employee Relations

Employee Insurance Division

Request for Proposals (RFP) for Promotional Merchandise

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employee Relations, Employee Insurance Division is issuing an RFP for promotional merchandise. The selected vendor will be expected to provide stock and customized promotional merchandise (and maintain inventory) for the State Employee Health Promotion Program and participating state agencies.

The contract will be awarded for a two-year period starting on the date the contract officially begins. Additional contract extensions may be considered by the state, resulting in a possible maximum of five years for the contract.

This request for proposal does not obligate the state to complete the project, and the state reserves the right to cancel the solicitation at its discretion.

A copy of the complete RFP may be obtained by contacting Lisa Mueller at the mailing address, email address or telephone number below:

Lisa M. Mueller
Minnesota Department of Employee Relations
Employee Insurance Division - State Employee Health Promotion Program
200 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
Phone: (651) 296-1689
Email: lisa.mueller@state.mn.us

Proposal Due Date: All responses to the RFP are due no later than 4:00 p.m., on January 11, 2001, in the manner specified in the RFP document. **Late proposals will not be considered.**

Minnesota Historical Society

Request for Bids for Freelance Contractor - Photo Lab Tech Services

The Minnesota Historical Society is seeking bids from qualified firms or individuals to provide photographic technical and clerical support to the Minnesota Historical Society's Conservation Department Photo Lab Section.

All bids must be received by Chris M. Bonnell, Contracting Officer for the Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, MN 55102 or an authorized agent, no later than 10:00 a.m. Central time, Monday, December 18, 2000. Bids must be submitted in a sealed envelope with the project name clearly written on the envelope. **Late bids will not be considered.**

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 of the 4th floor of the History Center. Bids may not be delivered to the information desk, to the guard or to any location or individual other than as specified above.

The Request for Bids is available by calling or writing Chris M. Bonnell, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. W., St. Paul, MN 55102. **Phone:** (651) 297-5863 **email:** chris.bonnell@mnhs.org

Complete specifications and details concerning submission requirements are included in the Request for Bids.

Minnesota State Colleges and Universities (MnSCU)

Request for Information for WEB Acceptance of Payments

Overview and Goal

The Minnesota State Colleges and Universities (MnSCU) is a public higher education system consisting of 35 institutions with 53 campuses located in 45 Minnesota communities with about 153,000 students. Administrative processing is done at four regional computer centers distributed throughout the state.

MnSCU is requesting information to assist in planning the processing capability to collect credit card payments via the World Wide Web. This is a highly visible function, with a great deal of benefit and convenience to the student, and therefore considered a valuable marketing tool.

Implementation of this function can be widened to include processing of credit card payments through a keyboard swipe at a cashier's terminal, eliminating the need for duplicate entry of some information to the Integrated Systemwide Record System (ISRS) and the card processor.

Tasks

- 1). A MnSCU Payment Gateway will be developed, which will take transactions initiated from a distributed database application running web and client server applications. The gateway will log all transactions for reconciliation and potential recovery, and connect to a payment processing product that will make the connection with the credit card processor. Transaction confirmation will be returned from the processor through the same path.

State Contracts

Acceptance of receipts for various types of charges from various sources would be addressed through a phased implementation. The greatest convenience for students will be to enable payment of existing charges as are currently recorded in the Accounts Receivable system.

- 2). Following this in the next phase would be such items as Application Fees, books, and tickets for athletic events. These charges would likely be generated from various screens, be collected in a "shopping cart" like many commercial web sites, and paid off from a common page.
- 3). A third phase would collect payments for non-ISRS payments, as in a privately owned bookstore. The initial phase of development would include plans to accommodate these additional functions.

Responders are encouraged to propose additional tasks, activities, or alternative suggestions if they will substantially improve the results of the project.

As a result of the information provided by this request, we will likely be drafting a Request for Proposal for the purpose of procuring a solution for the need to support credit card payment/authorization.

ISSUES FOR WEB ACCEPTANCE OF CREDIT CARD PAYMENTS

- Since higher education provides coursework in terms (i.e. summer, fall, spring) and charges/payments line up with those terms, there will be periods of significant requests for payment. For the majority of a year the volume will be minimal. A scalable solution will be required.
- System must be able to work with multiple Merchant Numbers - each institution has their own card processor.
- Each institution has it's own bank (and accounts) and their own credit card processing contracts. Would this solution work with and/or independently of those contracts?
- System should be able to accommodate payments from the web and from card-swipe on our cashier's terminals.
- Will it work best on a central server or on each of our four Regional servers?
- Does Engine need to run on the same box as our gateway?
- Platforms they can accommodate?
- Network Protocol?
- Parallel or Serial Processing?
- Security?
 - Encryption provided for Wide Area Network?
 - Fraud Protection?
 - Address Verification?
- Do they support either dedicated lease lines or Internet feed to processors?
- Balancing practices/support?

DEADLINE RFI: December 22, 2000

Please return information to the below address by the above deadline date.

Chuck Morris
Centennial Hall, Room 37
720 4th Ave South
St. Cloud, MN 56301

Department of Transportation

Program Support Group

Office of Maintenance

Notice of Availability of Contract for Work Management System for Operations

Management Work Planning

The Minnesota Department of Transportation (Mn/DOT) is requesting proposals for the purpose to continue development of the Work Management System (WMS) to include additional reports and planning functions to improve management of highway infrastructure operations and maintenance. Specifically, MnDOT is seeking information tools that integrate resource, output, outcome, weather environment and customer data into a work plan, such that the efficiency and effectiveness of products and services, as defined by the customer, can be measured.

Work is proposed to start after April 1, 2001.

A Request for Proposals will be available by mail from this office through December 29, 2000.

A written request (by direct mail or fax) is required to receive the Request for Proposal. After December 29, 2000, the Request for Proposal must be picked up in person.

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

John Tubbesing
Maintenance Management Coordinator
Office of Maintenance
395 John Ireland Boulevard, MS 700
St. Paul, Minnesota 55155
Phone: (651) 297-7576

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than January 5, 2001, 12:01 p.m. **Late proposals will not be considered.** No time extensions will be granted.

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.

Department of Transportation

Program Support Division

Office of Technical Support

Notice of Availability of Contract for Detail Design Services

The Minnesota Department of Transportation (Mn/DOT) is requesting proposals from Contractors who are qualified to provide preliminary detail design services for the reconstruction of the segment of Trunk Highway (T.H.) 100 from just south of Duluth Street to 29th Avenue North in Golden Valley and Crystal (Segment 5).

Work is proposed to start after January 1, 2001.

The Request for Proposal will be available by mail from this office through December 11, 2000. **A written request (direct mail or FAX) or an email request is required to receive the Request for Proposal.** After December 11, 2000, the Request for Proposal must be picked up in person.

This document is available in alternative formats for persons with disabilities by calling the Agreement Administrator, Mark Hagen, at (651) 297-1197, or for persons who are hearing or speech impaired by calling the Minnesota Relay Service at 1-800-627-3529.

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

State Contracts

Mark Hagen
Consultant Services Unit - 7th Floor North
Minnesota Department of Transportation
395 John Ireland Boulevard, MailStop 680
St. Paul, MN 55155
Fax: (651) 282-5127
Email: mark.hagen@dot.state.mn.us

Proposals in response to the Request for Proposals in this advertisement must be received at the above address no later than 2:00 p.m. CST on December 22, 2000. **Late proposals will not be considered.**

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

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 Council

Proposals Sought for Mason and Brick Work for Incinerator, Waste Heat Refractory, Stack and Duct Equipment and Structures Preventive and Emergency Service

Sealed bids for Mason and Brick Work, both preventive and emergency services, will be received at the offices of the Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota, 55101, on Tuesday, December 19, 2000, at 200 p.m., at which time and place they will be publicly opened.

Copies of specifications and bid instructions may be obtained from the offices of the Metropolitan Council or **phone:** (651) 602-1499 or **fax:** (651) 602-1083.

Interested Bidders are urged to attend a **Pre-Bid Information Meeting** that will be held on December 13, 2000, at 10:00 a.m., at the Metro Wastewater Treatment Plant, 2400 Childs Road, St. Paul, Minnesota 55106. For further information and to confirm attendance please call (651) 602-1499 or (651) 602-1770.

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

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 – Directories and Education Tools

Order form on back page



MN Directory of Manufacturers 2000

Lists companies alphabetically, by community, and by type of product manufactured. Includes name, address, phone and fax number, sales volume, market products, area sales, marketing and purchasing data. Hardbound, 906pp. **Stock No. 40-2 \$117.00**

Motor Vehicle Tax Manual 2000

This manual is used to determine registration tax for passenger vehicles, trucks, trailers and buses. Looseleaf, 202pp. **Stock No. 10-87 \$15.95**

Base Value Guide 2000

Stock No. 10-2000 \$6.00 *Prior years available as far back as 1990. Call for information.*

Disaster Happens: Are You Covered?

Consumer education brochure reviews insurance policies and how best to be prepared for a natural disaster. 12pp. **Stock No. 10-26 \$10.95/pkg. of 50**

A Basic Guide to Exporting

Learn the costs and risks associated with exporting and 10 keys to success. Guide walks you through strategy, market research methods, channels of distribution, and more. Extensive listing of resources included. Softcover, 132pp. **Stock No. 16-5 \$16.00**

Exporter's Guide to Federal Resources for Small Business

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Importing into the United States

This U.S. Customs Service publication provides an overview of the importing process. Issues such as "informed compliance" are addressed as is the assessment of duty, invoicing, classification and value, marking, fraud, foreign trade zones and special requirements. Softcover, 109pp. **Stock No. 16-7 \$9.00**

Education & Community Service Directory

1999-2000 directory lists public schools, non-public schools, vo-techs, colleges and more. More detail is provided regarding districts and community services, than in prior editions. Looseleaf, 8.5" x 11" format, 420pp. **Stock No. 1-93 \$9.95**

School District Profiles 1998-99

The most currently available review of trends and patterns in education in Minnesota. Extensive tables/charts list school districts, number of students by region/county and extensive analysis of expenditures per ADM. Softcover, 61pp. **Stock No. 5-6 \$9.95**

Pupil Fair Dismissal Act

This book reviews the state Pupil Fair Dismissal Act and other laws related to student discipline. Designed for use by schools, parents, and students. Softcover, 23pp. **Stock No. 10-4 \$1.00**

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A Legislative Study Guide

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This balanced, up-to-date educational tool will help you empower your students with a sense the tropical deforestation issue isn't hopeless! The 25 minute color video and 42-page teacher's guide follows the Minnesota K-12 Science Framework and the American Association for the Advancement of Science's Benchmarks for Science Literacy. Science teachers guided the development of the curriculum to ensure its usefulness. **Stock No. 4-17 \$30.00**

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