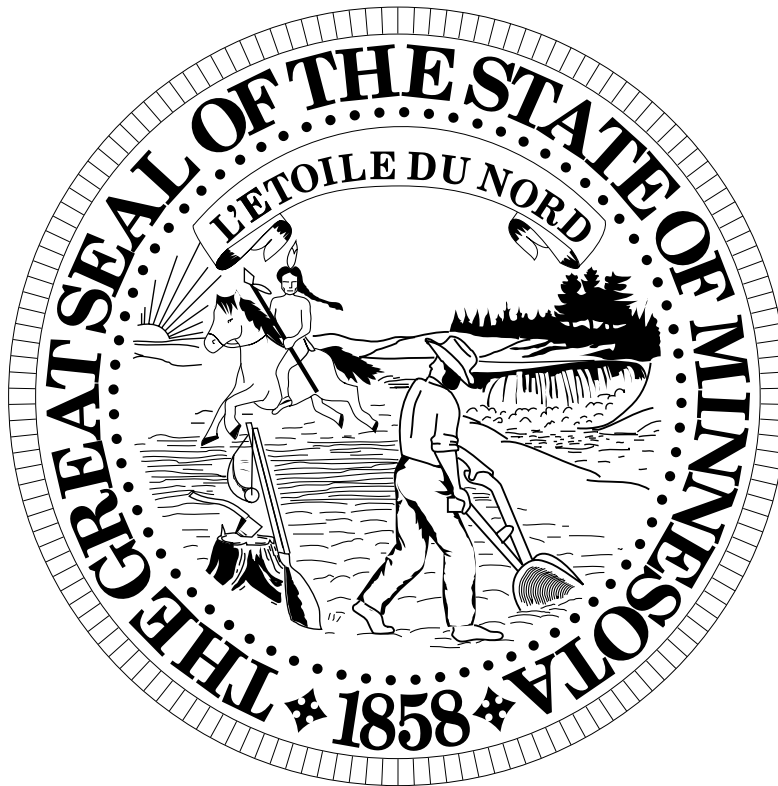


State of Minnesota

State Register

Rules and Official Notices Edition



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State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
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Vol. 26 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
#1	Monday 2 July	Noon Wednesday 20 June	Noon Tuesday 26 June
#2	Monday 9 July	Noon Wednesday 27 June	NOON MONDAY 2 July
#3	Monday 16 July	Noon TUESDAY 3 JULY (FY02)	Noon Tuesday 10 July
#4	Monday 23 July	Noon Wednesday 11 July	Noon Tuesday 17 July

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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.

Volume 26, Issue #1

Labor and Industry Department

5205.0010 (adopted) 9

Secretary of State

8280.0015; .0020; .0050; .0090; .0130; .0150; .0160; .0180; .0470
(adopted) 5

Adopted Rules

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

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

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

Expedited and Emergency Expedited Rules

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

Secretary of State

Adopted Expedited Permanent Rules Relating to Revised Article 9 of the Uniform Commercial Code

Adoption of Rules Governing the Establishment and Operation of the Central Filing System for the Uniform Commercial Code, Article 9, *Minnesota Statutes*, sections 336.9-501 to 336.9-530 and 336.9-701 to 336.9-709, *Minnesota Rules*, chapter 8280

WHEREAS:

1. All notice and procedural requirements in *Minnesota Statutes*, section 14.389 have been complied with.
2. The rules are being adopted without a public hearing because the rulemaking authority in *Laws 2000*, chapter 399, section 139 did not specifically refer to 14.389, Subdivision 5.
3. One individual requested notification of this rulemaking. That individual has not commented as of this date. No individuals requested notification of submission of the rulemaking to the Office of Administrative Hearings.
4. Comments were received from interested members of the public with respect to these rules.
5. Several modifications have been made to the proposed rules as set forth in paragraph 6 of this Order in response to those comments and the findings of the Office of Administrative Hearings.
6. The modifications to the originally proposed rules are as follows:

(Page and line references are to the Revisor's Rule Draft RD3234, as dated 4/12/01 and certified by the Office of the Revisor for publication in the *State Register* on April 30, 2001).

- a) In Part 8280.0015, subpart 15, on page 4, line 17, after the existing text, insert "A statement filed pursuant to *Minnesota Statutes* 336.9-706 is an initial financing statement and may be filed at any time."
- b) In Part 8280.0020, Subpart 4, page 7 at line 5 after the word "may" insert "if the service is available".
- c) In Part 8280.0050, Page 12, line 9, insert "If requested," before "a" at the start of the new sentence in that line.
- d) In Part 8280.0090, page 17 at line 6, strike "part 8280.0110" and insert "part 8280.0080".
- e) In Part 8280.0130, page 18, line 20, after the word "system" insert a period and strike the remainder of the text in that part.
- f) In Part 8280.0140, page 18, strike lines 22 to 25. The Office of the Secretary of State withdraws this entire part.
- g) In Part 8280.0150, clause F, on page 20, line 15, strike "*Minnesota Statutes*, section 336.9-102" and insert "*Minnesota Statutes*, section 336.9-515".

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.

Adopted Rules

- h) In Part 8280.0160, subpart A, page 20 at line 26, strike “part 8280.0330” and insert “part 8280.0340” at that point.
 - i) In Part 8280.0180, page 22, line 6, strike “part 8280.0150” and insert “part 8280.0160” at that point.
 - j) In Part 8280.0300, subpart E, page 31 at line 3, the new sentence beginning “If the financing...” should be a new paragraph within subpart E.
 - k) In Part 8280.0470, wherever the phrase “unofficial inquiry” appears change that phrase to the single word “inquiry”.
That phrase appears at the following locations:
 - Page 41, line 26
 - Page 42, lines 2, 4, 7, 10, 11, and 12
 - Page 44, line 14
 - Page 45, lines 1 and 6
 - l) In Part 8280.0470, subp. 4, page 45, line 2, strike “filing” and insert “filing”, and in that same subpart, page 45, line 3, strike “part 8280.0430, item C” and insert “part 8280.0440”.
7. These modifications are not substantial changes as defined in *Minnesota Statutes*, section 14.05, subsections (b) and (c) because:
- (a) the differences between the rule as proposed and the rule as adopted are within the scope of the matter announced in the notice of intent to adopt or notice of hearing and are in character with the issues raised in that notice;
 - (b) the differences are a logical outgrowth of the contents of the notice of intent to adopt or notice of hearing and the comments submitted in response to the notice; and
 - (c) the notice of intent to adopt or notice of hearing provided fair warning that the outcome of that rulemaking proceeding could be the rule in question, because:
 - (1) the persons affected by the rule should have understood that the rulemaking proceeding on which it is based could affect their interests;
 - (2) the subject matter of the rule or issues determined by the rule do not differ from the subject matter or issues contained in the notice of intent to adopt; and
 - (3) the effects of the rule do not differ from the effects of the proposed rule contained in the notice of intent to adopt.

All of the above is true because:

The modification described in paragraph 6 (a) of this order is a mere clarification of the status of the “in lieu of continuation” filing as an initial financing statement that simply makes more plain the meaning of the original proposed rule. This possible misunderstanding by readers was brought to the attention of the Office of the Secretary of State as part of the comment of Professor Linda Rusch.

The modification described in paragraph 6 (b) of this order merely clarifies the interaction of this rule part with rule part 8280.0270, subp. 1 which allows the Secretary the discretion whether to provide this service.

The modification described in paragraph 6 (c) of this order merely clarifies the interaction of this rule part with rule part 8280.0090 which provides that the customer is entitled to a refund upon request.

The modification described in paragraph 6 (d) of this order corrects an error in cross-referencing to another rule part in these proposed rules. The proper reference is to part 8280.0080, (regarding rejection of filings) not 8280.0110 (regarding effectiveness). The corrected part number is consistent with the rest of the sentence in which the reference was made, while the erroneous reference was clearly not consistent with that sentence.

The modification described in paragraph 6 (e) of this order is intended to make this part consistent with the statute governing liability, section 336.9-5291 (see *Laws 2001*, chapter 195, section 14)

The modification described in paragraph 6 (f) of this order is intended to withdraw proposed part 8280.0140. Under rulemaking procedures, an agency may withdraw a rule part at any time in the process, if there are no other sections which are substantially changed by the withdrawal. This rule part is a standalone provision and none of the other rules are affected by the withdrawal of this part, 8280.0140.

The modification described in paragraph 6 (g) of this order was a cross-reference mistake. The section listed in the proposed rule is the general definition section for Uniform Commercial Code, Article 9, but the lapse period to which it refers is actually set forth in the section listed in the modification.

The modification described in paragraph 6 (h) of this order corrects an error in cross-referencing to another rule part in these proposed rules. The proper reference is to part 8280.0340, (regarding data entry and name fields) not 8280.0330 (regarding

filer errors). The corrected part number is consistent with the rest of the sentence in which the reference was made, while the erroneous reference was clearly not consistent with that sentence.

The modification described in paragraph 6 (i) of this order corrects an error in cross-referencing to another rule part in these proposed rules. The proper reference is to part 8280.0160, (regarding the names of individual debtors) not 8280.0150 (regarding primary data elements). The corrected part number is consistent with the rest of the sentence in which the reference was made, while the erroneous reference was clearly not consistent with that sentence.

The modification described in paragraph 6 (j) of this order is simply a formatting change to make it clear that the paragraph in question applies to both subpart E (1) and subpart E (2) of part 8280.0300

The modification described in paragraph 6 (k) of this order is merely a change in name of a particular information output from “unofficial inquiry” to “inquiry.” Inasmuch as this product is being defined in rule, the use of the word “unofficial” in the title seems inappropriate.

The modifications described in paragraph 6 (l) of this order are simply a change from singular to plural to correct a grammatical error in drafting and to correct an error in cross-referencing to another rule part in these proposed rules. The proper reference is to part 8280.0440, (regarding search logic used in fulfilling information requests) not 8280.0430, item C (regarding fees). The corrected part number is consistent with the rest of the sentence in which the reference was made, while the erroneous reference was clearly not consistent with that sentence.

8. These rules are needed and reasonable.

9. This Order and the text of these changes as certified by the Revisor of Statutes will be published in the *State Register*.

IT IS ORDERED that the above-captioned rules, in the form set out in the *State Register* on April 30, 2001, with the modifications as indicated above and printed with or attached to this Order are adopted pursuant to the authority vested in me by Laws 2000, chapter 399, section 139.

Dated: 19 June 2001

Mary Kiffmeyer
Secretary of State

The rules proposed and published at *State Register*, Volume 25, Number 44, pages 1698-1717, April 30, 2001 (25 SR 1698), are adopted with the following modifications:

8280.0015 DEFINITIONS.

Subp. 15. **Initial financing statement.** “Initial financing statement” means a financing statement containing the information required by *Minnesota Statutes*, section 336.9-502, which, when filed, creates the initial record in the Uniform Commercial Code information management system. A statement filed pursuant to *Minnesota Statutes*, section 336.9-706, is an initial financing statement and may be filed at any time.

8280.0020 ESTABLISHING DATE AND TIME OF FILING.

Subp. 4. **Web page data entry delivery.** Financing statements may, if the service is available, be entered on-line after July 1, 2002, as described in part 8280.0270. The time of filing of a financing statement delivered by Web page data entry is the time that the financing statement has been accepted by the filing office computer system for filing and at which that acceptance is acknowledged by that system and the data is confirmed by the submitter.

8280.0050 UNDERPAYMENT POLICIES.

On receipt of a document with an insufficient fee, the filing officer must return the financing statement to the submitter as provided in part 8280.0090. If requested, a refund of a partial payment ~~may~~ must be included with the document or delivered under separate cover.

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

Adopted Rules

8280.0090 PROCEDURE UPON REFUSAL.

If the filing officer finds grounds under part ~~8280.0110~~ 8280.0080 to refuse acceptance of a financing statement, the filing officer must return an image of the document to the submitter and must refund the filing fee upon request. The filing office must provide notice containing a brief description of the reason for refusal to accept the document under part 8280.0080. The notice must be provided to a secured party or the submitter as provided in parts 8280.0300, item E, or 8280.0310, item E. A refund may be delivered with the notice or under separate cover. The notice must be provided no later than the second business day after the determination to refuse the document.

8280.0130 LIABILITY FOR INFORMATION ERRORS.

The state, the secretary of state, counties, county recorders, filing officers, filing offices, and their employees and agents are immune from liability that occurs as a result of errors in or omissions from information provided from the UCC information management system ~~or any other errors or omissions with respect to financing statement filings or search requests.~~

~~8280.0140 ADMINISTRATIVE DETERMINATIONS.~~

~~Administrative determinations made in compliance with this chapter are not considered to be final agency actions for purposes of chapter 14.~~

8280.0150 PRIMARY DATA ELEMENTS.

The primary data elements used in the UCC information management system are contained in items A to F.

F. An indicator is maintained by which the UCC information management system identifies whether or not a financing statement will lapse and when it will lapse. The lapse date is determined as defined in *Minnesota Statutes*, section ~~336.9-102~~ 336.9-515.

8280.0160 NAMES OF DEBTORS OR SECURED PARTIES WHO ARE INDIVIDUALS.

When the name of a debtor or a secured party on a financing statement is that of an individual, items A to E apply.

A. The names of individuals are stored separately from the names of organizations. Separate fields are established for first, middle, and last names (surnames or family names) of individuals. The filing officer assumes no responsibility for the accurate designation of the components of a name but will enter the data according to the filer's designations as required by part ~~8280.0330~~ 8280.0340.

8280.0180 ESTATES.

Although estates are not natural persons, estate names are stored in the UCC information management system as if the decedent were the debtor under part ~~8280.0150~~ 8280.0160.

8280.0470 UNOFFICIAL INQUIRY.

Subpart 1. **Generally.** A request may ask for a report to be known as an "unofficial inquiry." This is not an information request and does not use the search logic of part 8280.0440. A request for an unofficial inquiry requires that the filing officer response to such a request contain the following statement:

"An unofficial inquiry has no legal force and effect and may not reveal all filings against the debtor searched, or may reveal filings against other debtors, and the filer or submitter of the unofficial inquiry bears the risk of relying on the unofficial inquiry."

Subp. 2. **Search logic guidelines.** The unofficial inquiry must use the following search logic guidelines:

Subp. 3. **Content of reports.** Reports created in response to an unofficial inquiry request not using the standard information request logic in part 8280.0440 must include the following:

Subp. 4. **Relevant debtor names.** The filing officer shall also mention as part of the response to an unofficial inquiry ~~filings~~ filings under debtor names that do not match the criteria listed in part ~~8280.0430, item C~~ 8280.0440, but that are relevant in the opinion of the filing officer. The filing officer is not liable for mentioning or failing to mention any particular debtor names in an unofficial inquiry.

Exempt Rules

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

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

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

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

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

Department of Labor and Industry Occupational Safety and Health Division

Proposed Exempt Permanent Rules Relating to Occupational Safety and Health; Adopting Federal Standards by Reference; Exposure to Cotton Dust and Bloodborne Pathogens; Needlestick and Other Sharps Injuries

Proposed Revisions to the Occupational Safety and Health Standards and Request for Comments

NOTICE IS HEREBY GIVEN that the Department of Labor and Industry, Occupational Safety and Health Division (Minnesota OSHA) proposes to adopt the following revisions to the Department of Labor and Industry, Occupational Safety and Health Rules, as authorized under *Minnesota Statutes* § 182.655 (2000). This notice proposes the adoption by reference of corrections and amendments to Occupational Safety and Health Standards that have already been proposed and adopted by the Federal Occupational Safety and Health Administration (Federal OSHA).

All interested or affected persons have 30 days from the date this notice is published in the *State Register* to submit, in writing, data and views on the proposed amendments to the rule. Comments in support of or in opposition to the proposed amendments are encouraged. Each comment should identify the portion of the proposed amendment addressed, the reason for the comment, and any proposed change.

Any person may file with the Commissioner written objections to the proposed amendments stating the grounds for those objections and may request a public hearing. A public hearing will be held if 25 or more persons submit written requests for a public hearing on the proposed amendments within the 30-day comment period. Requests for hearing must include the name and address of the person submitting the request, define the reasons for the request, and discuss any proposed changes. If a public hearing is required, the Department will proceed according to the provisions of *Minnesota Statutes* § 182.655 and *Minnesota Rules* 5210.0010 to 5210.0100.

Written comments or requests for a public hearing should be sent to: Occupational Safety and Health Division, Department of Labor and Industry, 443 Lafayette Road, St. Paul, Minnesota 55155-4307. A complete copy of the standards proposed for adoption is available at www.osha.gov, click on "*Federal Register*."

Gretchen B. Maglich
Commissioner

SUMMARY OF CHANGES

The following is a brief summary of the proposed amendments. Persons interested in reviewing the complete *Federal Register* notices referenced below may find them at www.osha.gov, click on "*Federal Register*."

(A) "Occupational Exposure to Cotton Dust; Direct Final Rule, request for comments."

On December 7, 2000, federal OSHA published in the *Federal Register* a direct final rule amending its occupational health standard for Cotton Dust, which was issued in 1978 and amended in 1985, to add cotton washed in a batch kier system to

Exempt Rules

the types of washed cotton partially exempt from the cotton dust standard. Having received no comments on the proposal, the new final rule was effective on the federal level on April 6, 2001.

By this notice, Minnesota OSHA proposes to adopt the final rule as published in the *Federal Register* on December 7, 2000.

(B) “Occupational Exposure to Bloodborne Pathogens; Needlestick and Other Sharps Injuries; Final Rule.”

On January 18, 2001, Federal OSHA published in the *Federal Register* revisions to the Bloodborne Pathogens standard in conformance with the requirements of the Needlestick Safety and Prevention Act. This Act directs OSHA to revise the Bloodborne Pathogens standard to include new examples in the definition of engineering controls along with two new definitions; to require that Exposure Control Plans reflect how employers implement new developments in control technology; to require employers to solicit input from employees responsible for direct patient care in the identification, evaluation, and selection of engineering and work practice controls; and to require certain employers to establish and maintain a log of percutaneous injuries from contaminated sharps. The effective date at the federal level was April 18, 2001.

By this notice, Minnesota OSHA proposes to adopt the final rule as published in the *Federal Register* on January 18, 2001.

(C) “Occupational Exposure to Cotton Dust; Direct Final Rule; confirmation of effective date.”

On April 6, 2001, Federal OSHA published in the *Federal Register* a confirmation of effective date, re-affirming the April 6, 2001 effective date, after no comments were received on the proposal published December 7, 2000.

By this notice, Minnesota OSHA proposes to adopt the confirmation of effective date as published in the *Federal Register* on April 6, 2001.

Rules as Proposed (See Revisor’s Copy - Attached)

5205.0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE.

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

Subp. 2. **Part 1910.** Part 1910: Occupational Safety and Health Standards as published in Volume 43, No. 206 of the *Federal Register* on October 24, 1978, and corrected in Volume 43, No. 216 on November 7, 1978, which incorporates changes, additions, deletions, and corrections made up to November 7, 1978; and subsequent changes as follows:

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

V. *Federal Register*, ~~Vol.~~ Volume 64:

[For text of subitems (1) to (4), see M.R.]

W. *Federal Register*, Volume 65:

(1) *Federal Register*, Vol. 65, No. 236, page 76563, dated December 7, 2000: “Occupational Exposure to Cotton Dust; Direct Final Rule; Request for Comments.”

X. *Federal Register*, Volume 66:

(1) *Federal Register*, Vol. 66, No. 12, page 5318, dated January 18, 2001: “Occupational Exposure to Bloodborne Pathogens; Needlestick and Other Sharps Injuries; Final Rule; Request for Comment on the Information Collection (Paperwork) Requirements.”

(2) *Federal Register*, Vol. 66, No. 67, page 18191, dated April 6, 2001: “Occupational Exposure to Cotton Dust; Direct Final Rule; Confirmation of Effective Date.”

[For text of subps 3 to 7, see M.R.]

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

The governor has the authority to issue written statements of orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes* 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

Executive Orders

Office of the Governor

Emergency Executive Order # 01-08 Providing for Assistance to Southern Minnesota Law Enforcement

I, **JESSE VENTURA, GOVERNOR OF THE STATE OF MINNESOTA**, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, on the evening of June 11, 2001, severe weather lashed through the southern half of Minnesota causing heavy damage; and

WHEREAS, the fast-moving storm, accompanied by heavy rains, straight-line winds and large hail, caused injuries, damaged homes and businesses, closed roads and caused power outages; and

WHEREAS, the local authorities do not have adequate local resources for providing security and traffic control; and

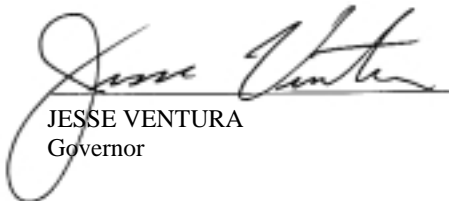
WHEREAS, the Minnesota National Guard received requests for assistance in providing security and traffic control;

NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to state active duty on or about June 11, 2001, in the service of the State, such personnel and equipment of the military forces of the State as required, and for such period of time as necessary to assist with security and traffic control in the damaged area.
2. The Adjutant General is authorized to purchase, lease or contract goods or services necessary to accomplish the mission.
3. The cost of subsistence, transportation, fuel, pay and allowances of said individuals shall be defrayed from the general fund of the State, as provided for in *Minnesota Statutes* 2000, Sections 192.49, subd. 1; 192.51 and 192.52.

Pursuant to *Minnesota Statutes* 2000, Section 4.035, subd. 2, this Order is effective immediately and shall remain in effect until such date as elements of the military forces of the State are no longer required.

IN TESTIMONY WHEREOF, I have set my hand this twelfth day of June, 2001.



JESSE VENTURA
Governor

Filed According to Law:



MARY KIFFMEYER
Secretary of State

Executive Orders

Executive Orders

Office of the Governor

Emergency Executive Order # 01-09 Providing for Assistance to Northern Minnesota Law Enforcement

I, **JESSE VENTURA, GOVERNOR OF THE STATE OF MINNESOTA**, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, on the evening of June 13, 2001, severe weather swept through north central Minnesota; and

WHEREAS, the fast-moving storm, accompanied by heavy rains, straight-line winds and a tornado, damaged homes and businesses, closed roads and caused power outages; and

WHEREAS, the cities and counties do not have adequate local resources for providing security, traffic control, and debris clearance; and

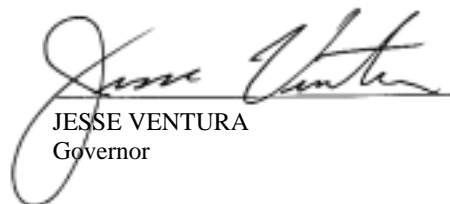
WHEREAS, the Minnesota National Guard received requests for assistance in providing security and traffic control;

NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to state active duty on or about June 14, 2001, in the service of the State, such personnel and equipment of the military forces of the State as required, and for such period of time as necessary to assist with security, traffic control and debris clearance in the damaged area.
2. The Adjutant General is authorized to purchase, lease or contract goods or services necessary to accomplish the mission.
3. The cost of subsistence, transportation, fuel, pay and allowances of said individuals shall be defrayed from the general fund of the State, as provided for in *Minnesota Statutes* 2000, Sections 192.49, subd. 1; 192.51 and 192.52.

Pursuant to *Minnesota Statutes* 2000, Section 4.035, subd. 2, this Order is effective immediately and shall remain in effect until such date as elements of the military forces of the State are no longer required.

IN TESTIMONY WHEREOF, I have set my hand this fourteenth day of June, 2001.



JESSE VENTURA
Governor

Filed According to Law:



MARY KIFFMEYER
Secretary of State

Official Notices

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

Department of Children, Families and Learning Office of Community Services

Updated Child Care Fund Sliding Fee Copayment Schedule

Pursuant to *Minnesota Statutes* section 119B, and *Minnesota Rules*, part 3400.0100, Subp. 5 (Family Copayment Schedule), the Department of Children, Families and Learning hereby gives notice of the updated Sliding Fee Copayment Schedule. This revised schedule is based on the FY 2002 state median income as published in the March 22, 2001 *Federal Register*. The schedule published is for family sizes of two through six and is effective July 1, 2001 until further notice. Please contact the Child Care Assistance Program for the schedule for larger families. This revised fee schedule replaces the schedule published June 22, 2000. This revised schedule may be republished if program changes occur as a result of Legislative action.

Any questions about the new schedule should be directed to:

Child Care Assistance Program
Department of Children, Families and Learning
Office of Community Services
1500 Highway 36 West
Roseville, MN 55113
Phone: (651) 582-8562

Child Care Assistance Program SFY2002 Copayment Schedule

Two Person Household

State Median Income \$ 45,340
Poverty Threshold \$ 11,610

<u>Gross Income Range</u>		<u>Monthly Copayment</u>
\$ 8,708	\$ 11,610	\$ 5
11,611	15,873	29
15,874	19,046	43
19,047	19,500	61
19,501	19,953	67
19,954	20,407	72
20,408	20,860	78
20,861	21,313	84
21,314	21,767	91
21,768	22,220	97
22,221	22,674	104
22,675	22,900	110
22,901	23,127	116
23,128	23,354	122
23,355	23,580	128
23,581	23,807	134
23,808	24,034	140
24,035	24,260	147
24,261	24,487	153
24,488	24,714	160
24,715	24,941	166

Three Person Household

State Median Income \$ 56,009
Poverty Threshold \$ 14,630

<u>Gross Income Range</u>		<u>Monthly Copayment</u>
\$ 10,973	\$ 14,630	\$ 5
14,631	19,608	36
19,609	23,528	53
23,529	24,088	75
24,089	24,649	82
24,650	25,209	89
25,210	25,769	97
25,770	26,329	104
26,330	26,889	112
26,890	27,449	120
27,450	28,009	128
28,010	28,289	136
28,290	28,569	143
28,570	28,849	150
28,850	29,129	158
29,130	29,409	165
29,410	29,689	173
29,690	29,969	181
29,970	30,249	189
30,250	30,530	197
30,531	30,810	205

Official Notices

24,942	25,167	174	30,811	31,090	215
25,168	25,394	182	31,091	31,370	225
25,395	25,621	190	31,371	31,650	235
25,622	25,847	198	31,651	31,930	245
25,848	26,074	206	31,931	32,210	255
26,075	26,301	215	32,211	32,490	265
26,302	26,527	223	32,491	32,770	276
26,528	26,754	232	32,771	33,050	286
26,755	26,981	241	33,051	33,330	297
26,982	27,208	249	33,331	33,610	308
27,209	27,434	258	33,611	33,890	319
27,435	27,661	267	33,891	34,170	330
27,662	27,888	277	34,171	34,450	342
27,889	28,114	286	34,451	34,730	353
28,115	28,341	295	34,731	35,010	365
28,342	28,568	305	35,011	35,290	376
28,569	28,794	314	35,291	35,570	388
28,795	29,021	324	35,571	35,850	400
29,022	29,248	334	35,851	36,130	412
29,249	29,475	344	36,131	36,410	425
29,476	29,701	354	36,411	36,690	437
29,702	29,928	364	36,691	36,971	450
29,929	30,155	374	36,972	37,251	463
30,156	30,381	385	37,252	37,531	475
30,382	30,608	395	37,532	37,811	488
30,609	30,835	406	37,812	38,091	502
30,836	31,061	417	38,092	38,371	515
31,062	31,288	428	38,372	38,651	528
31,289	31,515	439	38,652	38,931	542
31,516	31,742	450	38,932	39,211	555
31,743	31,968	461	39,212	39,491	569
31,969	32,195	472	39,492	39,771	583
32,196	32,422	484	39,772	40,051	597
32,423	32,648	495	40,052	40,331	612
32,649	32,875	507	40,332	40,611	626
32,876	33,102	519	40,612	40,891	641
33,103	33,328	530	40,892	41,171	655
33,329	33,555	542	41,172	41,451	670
33,556	33,782	555	41,452	41,731	685
33,783	34,009	567	41,732	42,011	700
34,010	INELIGIBLE		42,012	INELIGIBLE	

Child Care Assistance Program SFY2002 Copayment Schedule

Four Person Household

State Median Income	\$	66,677
Poverty Threshold	\$	17,650

<u>Gross Income Range</u>		<u>Monthly Copayment</u>
\$ 13,238	\$ 17,650	\$ 5
17,651	23,343	43
23,344	28,010	63
28,011	28,677	90
28,678	29,344	98
29,345	30,010	106

Five Person Household

State Median Income	\$	77,345
Poverty Threshold	\$	20,670

<u>Gross Income Range</u>		<u>Monthly Copayment</u>
\$ 15,503	\$ 20,670	\$ 5
20,671	27,077	50
27,078	32,492	73
32,493	33,265	104
33,266	34,039	113
34,040	34,812	123

30,011	30,677	115	34,813	35,585	133
30,678	31,344	124	35,586	36,359	144
31,345	32,011	133	36,360	37,132	155
32,012	32,677	143	37,133	37,906	166
32,678	33,344	153	37,907	38,679	177
33,345	33,678	161	38,680	39,066	187
33,679	34,011	170	39,067	39,453	197
34,012	34,344	179	39,454	39,839	207
34,345	34,678	188	39,840	40,226	218
34,679	35,011	197	40,227	40,613	228
35,012	35,344	206	40,614	41,000	239
35,345	35,678	216	41,001	41,386	250
35,679	36,011	225	41,387	41,773	261
36,012	36,345	235	41,774	42,160	272
36,346	36,678	245	42,161	42,546	284
36,679	37,011	256	42,547	42,933	297
37,012	37,345	268	42,934	43,320	310
37,346	37,678	279	43,321	43,707	324
37,679	38,012	291	43,708	44,093	338
38,013	38,345	304	44,094	44,480	352
38,346	38,678	316	44,481	44,867	366
38,679	39,012	328	44,868	45,254	381
39,013	39,345	341	45,255	45,640	396
39,346	39,678	354	45,641	46,027	410
39,679	40,012	367	46,028	46,414	425
40,013	40,345	380	46,415	46,800	441
40,346	40,679	393	46,801	47,187	456
40,680	41,012	407	47,188	47,574	472
41,013	41,345	420	47,575	47,961	488
41,346	41,679	434	47,962	48,347	504
41,680	42,012	448	48,348	48,734	520
42,013	42,346	462	48,735	49,121	536
42,347	42,679	477	49,122	49,508	553
42,680	43,012	491	49,509	49,894	570
43,013	43,346	506	49,895	50,281	587
43,347	43,679	521	50,282	50,668	604
43,680	44,012	535	50,669	51,054	621
44,013	44,346	551	51,055	51,441	639
44,347	44,679	566	51,442	51,828	656
44,680	45,013	581	51,829	52,215	674
45,014	45,346	597	52,216	52,601	693
45,347	45,679	613	52,602	52,988	711
45,680	46,013	629	52,989	53,375	729,
46,014	46,346	645	53,376	53,762	748
46,347	46,680	661	53,763	54,148	767
46,681	47,013	678	54,149	54,535	786
47,014	47,346	694	54,536	54,922	806
47,347	47,680	711	54,923	55,308	825
47,681	48,013	728	55,309	55,695	845
48,014	48,346	745	55,696	56,082	865
48,347	48,680	763	56,083	56,469	885
48,681	49,013	780	56,470	56,855	905
49,014	49,347	798	56,856	57,242	925
49,348	49,680	816	57,243	57,629	946
49,681	50,013	834	57,630	58,015	967
50,014	INELIGIBLE		58,016	INELIGIBLE	

Child Care Assistance Program SFY2002 Copayment Schedule

			51,057	51,496	433
Six Person Household			51,497	51,936	450
			51,937	52,376	467
State Median Income	\$	88,014	52,377	52,816	484
Poverty Threshold	\$	23,690	52,817	53,256	501
			53,257	53,696	519
			53,697	54,136	537
			54,137	54,576	555
			54,577	55,017	573
			55,018	55,457	592
			55,458	55,897	610
			55,898	56,337	629
			56,338	56,777	648
			56,778	57,217	668
			57,218	57,657	687
			57,658	58,097	707
			58,098	58,537	727
			58,538	58,977	747
			58,978	59,417	767
			59,418	59,857	788
			59,858	60,297	809
			60,298	60,737	830
			60,738	61,178	851
			61,179	61,618	873
			61,619	62,058	895
			62,059	62,498	917
			62,499	62,938	939
			62,939	63,378	961
			63,379	63,818	984
			63,819	64,258	1,007
			64,259	64,698	1,030
			64,699	65,138	1,053
			65,139	65,578	1,077
			65,579	66,018	1,100
			66,019		INELIGIBLE

Metropolitan Council

Notice of Public Hearing on Adoption of Housing Agency Plan

The Metropolitan Council’s Livable Communities Committee will conduct a public hearing to discuss the Public Housing Agency Plans and receive public comment.

The Public Housing Agency Plan is required by the U. S. Department of Housing and Urban Development (HUD). The Plan includes basic housing agency policies, rules and requirements concerning its operations, programs and services. The Plan is intended to be a convenient source of information for public housing residents, participants in the tenant-based assistance programs and other members of the public. The Plan includes one-year program goals such as new program development and implementation. The five-year plan includes long-term goals of the agency such as new program development and implementation. To the extent practicable, the PHA plans will eventually consolidate all PHA information that is required to be submitted under existing HUD planning and reporting requirements into one document.

The public hearing will be held:

3:30 p.m., Monday, August 20, 2001
 Metropolitan Council
 Room 1A, Mears Park Centre Building
 230 East Fifth St.
 St. Paul, MN 55101

The Housing Agency Plan is available for public review at the HRA administrative offices located at 230 East Fifth Street in St. Paul, and on the Metropolitan Council's website at www.metrocouncil.org. All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak by calling Mary Ahern at (651) 602-1605 or TTY at (651) 291-0904. Upon request, the Council will provide a reasonable accommodation to persons with disabilities. In addition to speaking at the hearing, comments may be made in the following ways: Written, faxed, email and voice mail comments to:

Mary Ahern
Metro HRA
230 East Fifth St.
St. Paul, MN 55101
Phone: (651) 602-1605
Fax: (651) 602-1313
Email: mary.ahern@metc.state.mn.us

Comments must be received by Friday, August 17, 2001

Metropolitan Council

Notice of Public Hearings on Riverview Corridor Transit Project

The Metropolitan Council will hold public hearings on July 31 and August 1, 2001 to receive public comment on proposed alignments for the Riverview Corridor Transit Project.

Project goals are to improve access and mobility in the Corridor and the region; support the economic and housing revitalization within the Corridor; contribute to positive environmental conditions; and provide effective and efficient transportation options.

Proposals include four principal alignment alternatives. All extend from the Mall of America to the Trunk Highway 5 Mississippi River Bridge along 24th Avenue, I-94, and TH5; and from downtown St. Paul to Arcade Street along East 7th Street. Between the TH5 bridge and downtown St. Paul, alignment alternatives generally proceed:

- A. on West 7th, CP Railway right-of-way, Toronto Street, West 7th, Smith, 5th (eastbound) or 8th (westbound), Wall to East 7th.
- B. on West 7th, Smith, 5th Street (eastbound) or 8th Street (westbound), Wall to East 7th.
- C. on West 7th, Shepard Road or Norfolk Street, Shepard Road, Sibley Street and 5th (eastbound) or 6th and Jackson Street (westbound) Wall to East 7th.
- D. on West 7th, Shepard Road or Norfolk Street, Shepard Road I-35E or Randolph, I-35E, Grand, Smith, 5th (eastbound) or 6th (westbound), Wall to East 7th.

Design options include bus-only lanes along the CP Railway right-of-way, bus-only or High Occupancy Vehicle lanes along roadways, shoulder bus-only lanes along I-35E, and mixed-flow along roadways with transit priority measures at key locations. NOTE: Design options may vary along segments of each alternative. Additionally, modifications to interchanges on Shepard Road at the TH5 bridge and at I-35E are under consideration as traffic mitigation measures.

Comments, which must be received by Monday, August 13, 2001, can be conveyed to Metro Transit, attention: Molly Grove, as follows:

Written comments to Metro Transit, 560 6th Ave. N., Minneapolis, MN 55411
Fax: (612) 349-7675
Email: data.center@metc.state.mn.us
Record comments on the Metropolitan Council's Public Comment Line at (651) 602-1500
TTY: (612) 349-7439

Copies of the proposals may be picked up at the Metropolitan Council Data Center, 230 E. 5th St., St. Paul, or by calling (651) 602-1140 or by email at data.center@metc.state.mn.us. Copies will also be placed at West 7th Library, 265 Oneida Street (W. 7th Community Center), and the Highland Park Library, 1947 Ford Parkway.

Official Notices

The public hearings will be held

- Tuesday, July 31, 6 - 8 p.m.
Metro State University – Atrium to the Auditorium
700 East 7th Street, St. Paul
- Wednesday, August 1, 6 - 8 p.m.
W. 7th Community Center Gym
265 Oneida, St. Paul

All interested persons are encouraged to attend the hearing and offer comments. Upon request the Council will provide reasonable accommodations to persons with disabilities. Please contact Molly Grove at least 48 hours in advance at (612) 349-7533 or use the TTY number to request needed accommodations.

Metropolitan Council

Public Hearing on the Proposed 2002-2004 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area

The Transportation Advisory Board (TAB) of the Metropolitan Council will hold a public hearing in July, 2001 to receive public reaction to the proposed 2002-2004 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area. The program will include highway, transit, bikeway and pedestrian enhancements and air quality projects that are proposed for federal funding in the seven-county metropolitan area in the next three years. The program is prepared annually in accordance with federal requirements and must contain all projects that are to be implemented with federal transportation funding assistance.

- **Public Hearing for Comments on TIP**
Thursday, July 26, 2001 – 4:00 p.m.
Metropolitan Council Chambers
Mears Park Centre, 230 E. Fifth Street
St. Paul, Minnesota

The TIP is prepared jointly by the Metropolitan Council and the Minnesota Department of Transportation. Projects contained in the TIP reflect the region's priorities and help implement the region's transportation plan. Projects will be analyzed to determine impact on regional air quality. The program will be adopted by the Transportation Advisory Board and approved by the Metropolitan Council. Progress made on implementing the region's transportation plan will be reported in the TIP and at the public hearing.

Upon request, the Council will provide reasonable accommodations to persons with disabilities. In addition to providing oral or written comments at the public hearing, comments may be made several ways:

- Written comments to: Kevin Roggenbuck, Metropolitan Council, 230 East Fifth Street, St. Paul, MN 55101
- Fax comment to Kevin Roggenbuck, (651) 602-1739
- Record comments on the Council's Public Information Line: (651) 602-1500
- **Email:** data.center@metc.state.mn.us

Comments must be received by **4:00 p.m., Friday, August 17, 2001**. Free copies of the draft 2002-2004 Transportation Improvement Program will be available on June 28, 2001, at the Council's Regional Data Center. **Phone:** (651) 602-1140 or **TTY:** (651) 291-0904 to request a copy. A summary is available for review at the Metropolitan Council's **website:** www.metrocouncil.org. Other background materials describing the Council's transportation planning and programming efforts also are available.

Questions about the hearings or transportation assumption and technical materials may be directed to Kevin Roggenbuck, (651) 602-1728, or Carl Ohrn (651) 602-1719, Metropolitan Council, 230 E. Fifth Street, St. Paul, MN 55101.

Minnesota Pollution Control Agency

Policy and Planning Division

REQUEST FOR COMMENTS on Planned Amendments to the Minnesota Pollution Control Agency's Procedural Rules, *Minnesota Rules*, Parts 7000.0050 to 7000.9100

Subject of Rule: The Minnesota Pollution Control Agency (MPCA or Agency) requests comments on its planned rule amendments governing the MPCA's procedural rules. The procedural rules contain the procedures and standards of conduct the Agency and Citizens' Board must follow in making decisions. These rules were revised in 1994 and since that time a limited number of circumstances have arisen which have called for a second look at the procedural rules. The role of the MPCA Citizens' Board, for example, has become defined, necessitating the procedures the Board must follow to be more clear and explicit. The MPCA will review the ex parte communication prohibition rule part and possibly add some new language for clarification. In addition, newly enacted legislation relating to the MPCA has made a number of the rules provisions, such as delegations, redundant. The MPCA will propose to delete parts of the rule currently ineffective and clarify existing procedures.

Persons Affected: The rule amendments would likely affect the MPCA Citizens' Board and commissioner, the public, or any person or interested person as described in *Minnesota Rules*, Part 7000.0100.

Statutory Authority: *Minnesota Statutes*, Section 116.07, subdivision 3, authorizes the MPCA to adopt, amend, and rescind rules governing its own administration and procedure and its staff and employees.

Public Comment: Interested persons or groups may submit comments or information on this planned rule in writing or orally until 4:30 p.m., on August 1, 2001. The MPCA does not contemplate appointing an advisory committee to comment on the planned rule amendments.

Rule Drafts: The MPCA is in the process of preparing a draft of the planned rule amendments.

Agency Contact Person: Written or oral comments, questions, requests to receive a draft of the rules when it becomes available, and requests for more information on the planned rule amendments should be addressed to: Norma Coleman, Minnesota Pollution Control Agency, Policy and Planning Division, 520 Lafayette Road North, St. Paul, Minnesota, 55155-4194. **Phone:** (651) 296-7712, **fax:** (651) 297-8676, **email:** norma.coleman@pca.state.mn.us

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.

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

Karen A. Studders
Commissioner

State Grants & Loans

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

Department of Children, Families and Learning Office of Teaching and Learning

Request for Proposal for a Grant Contract - English Language and Civics Education Grant Program

The Minnesota Department of Children, Families and Learning is seeking proposals from eligible applicants to provide English Language and Civics Education (EL/Civics) instruction for adults. Civics is defined by the *Federal Register* as content relating to the rights and responsibilities of citizenship, naturalization, civic participation, and U.S. history and government. Proposals must simultaneously address English literacy and civics education. Eligible applicants include adult basic education programs, school districts, community action agencies, libraries and nonprofit or community based organizations. Applicants must have documented experience in providing literacy and/or civics programs designed for immigrant and refugee populations. As previously announced, continuing EL/Civics projects were required to resubmit proposals by June 25, 2001. The proposal due date for new applicants is July 31, 2001.

For further information or to request a copy of the Request for Proposal, please contact:

Laurie Rheault, Grant Specialist
Minnesota Department of Children, Families and Learning
Adult Basic Education Unit
1500 Highway 36 W.
Roseville, MN 55113
Phone: (651) 582-8432
Email: laurie.rheault@state.mn.us

Department of Children, Families and Learning Office of Teaching and Learning

Request for Proposal for a Grant Contract - Intensive English as a Second Language (ESL) Grant Program

The Minnesota Department of Children, Families and Learning is seeking proposals from eligible applicants to provide English as a Second Language (ESL) intensive services for Temporary Assistance to needy Families (TANF) eligible adults who are participating in the Minnesota Family Investment Program (MFIP). Intensive ESL programming must be focused on participant literacy skills necessary to achieve self-sufficiency through employment. Eligible applicants include adult basic education programs, school districts, post-secondary institutions, and nonprofit or community based organizations. Applicants must have experience in providing English instruction to non-English speaking immigrants and refugees. Applicants must document experience in literacy programming, describe fiscal and accounting systems and reporting capacity, and ensure that administrative expenses do not exceed five percent of the grant funds. Grant funds will be paid to programs on a reimbursement basis. As previously announced, continuing Intensive ESL projects were required to resubmit proposals by June 25, 2001. The proposal due date for new applicants is July 31, 2001.

For information or to request a copy of the Request for Proposal, please contact:

Laurie Rheault, Grant Specialist
Minnesota Department of Children, Families and Learning
Adult Basic Education Unit
1500 Highway 36 W.
Roseville, MN 55113
Phone: (651) 582-8432
Email: laurie.rheault@state.mn.us

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.]

Minnesota State Colleges and Universities

NetWORK for Customized Training, Education & Development

Correction to the Request for proposals for NetWORK Market Research

The deadline for receipt of proposals was listed as **3 p.m., Thursday, July 10, 2001**. It should have been **Tuesday, July 10, 2001**.

Richard Tvedten
System Director, Customized Training/Continuing Career Education
Minnesota State Colleges & Universities
500 World Trade Ctr, 30 E. 7th Street
St. Paul, MN 55101

Stephanie McConnell
Project Manager
Minnesota State Colleges & Universities
500 World Trade Ctr, 30 E 7th Street
St Paul, MN 55101
Phone: (651) 282-5514

Itasca Community College

Computer Services Department

Request for Bids for 24 Laptop Computers and Cart

Itasca Community College is accepting sealed bids for 24 laptop computers and a cart for storing and moving the computers as a mobile lab. A copy of the bid specifications may be obtained by contacting the Director of Computer Services, or downloaded via the College's **web site:** www.itasca.mnscu.edu/quotes/mobilelab.asp. Sealed Bids must be received by **3:00 p.m., on Tuesday, July 17, 2001** in the Office of the Dean of Student Affairs and Administration, 1851 East Highway 169, Grand Rapids, MN 55744. The bid must indicate clearly on the face of the envelope the following text "BID: Mobile Lab Laptops." Questions regarding this request for bids may be addressed to Chad Haatvedt, Director of Computer Services, at **phone:** (218) 327-4440. Itasca Community College reserves the right to reject any and all bids.

Department of Health

Center for Health Promotion

Corrected Phone Number for Availability of Contract for Populations of Color, Fetal Alcohol Syndrome Prevention Campaign

The correct phone number for the contract listed above is (651) 281-9850. Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address: 85 East Seventh Place, Suite 400, St. Paul, MN 55101, no later than **4:00 p.m., Central Daylight Savings Time, July 25, 2001**, as indicated by a notation made by the Receptionist, 3rd Floor, 85 Seventh Place, Suite 300, St. Paul, MN 55101

Department of Natural Resources

Division of Fisheries

Notice of Request for Proposals for a Hydroacoustic Survey of Mille Lacs Lake

NOTICE IS HEREBY GIVEN THAT the Department of Natural Resources (DNR), through its Division of Fisheries, requests proposals to study the utility of hydroacoustic technology for forage fish and walleye population assessments at Mille Lacs Lake, Minnesota, August 6 - 17, 2001. Identifying large changes in forage abundance may enable lake managers to forecast correlated angler harvest success.

The overall objectives of this study are to initiate a forage assessment data set for long trend monitoring and to evaluate acoustic technology for enumerating walleye in Mille Lacs Lake. The specific objectives are:

1. To estimate biomass, density, size structure, and distribution patterns of pelagic forage species lakewide;
2. To conduct sampling over various bottom features (i.e. habitat types) during a diel cycle to assess walleye behavior and vertical movement in the water column (a prerequisite to population enumeration); and
3. To characterize bottom substrate types over the areas sampled.

The contractor will provide all necessary acoustic sampling equipment and a trained operator capable of providing interpretation to interested staff during field operation. The contractor will provide a strategy for mounting and deploying the transducer from the survey boat provided by the agency. Contractor will also conduct data collection, analysis, and report preparation (including laboratory and field calibration results), and provide raw data and analysis files (algorithms, databases, and spreadsheets used in the analysis process) on CDS or other approved storage media for agency archiving. This data will become the property of, and shall not be used without the consent of, the Minnesota Department of Natural Resources.

The contract will begin August 1, 2001, and will be completed December 7, 2001.

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

Michael C. Duval, Project Coordinator
Regional Fisheries Office
1601 Minnesota Drive
Brainerd, MN 56401
Phone: (218) 828-2271

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

In accordance with *Minnesota Rules*, part 1230.1810, subpart B, and *Minnesota Rules*, part 1230.1830, certified targeted group businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal, and certified Economically Disadvantaged Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 4% preference in the evaluation of their proposal. For information regarding certification, contact the Materials Management Helpline at, **phone:** (651) 296-2600 **TTY:** (651) 282-5799.

In compliance with *Minnesota Statutes* § 16C.07, the availability of this work is being offered to state employees. The State will evaluate the responses of any state employee, along with other responses to this Request for Proposals.

All proposals must be received or post-marked not later than **2:30 p.m. on Friday, July 20, 2001.**

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.

Dakota County Community Services Division

Notice of Request for Proposal for Drug Testing for Adult and Juvenile Offenders Served by the Community Corrections Department

NOTICE IS HEREBY GIVEN that the Dakota County Community Corrections Department is seeking qualified vendors to provide drug testing services. This contract will be in effect January 1, 2002 through December 31, 2004 pending annual approval by the Dakota County Board of Commissioners.

Qualified vendors will be considered who have:

- Ability to furnish results on a 24/7 basis
- Provision of testimony and validation of results
- Capacity to provide services at designated locations throughout Dakota County
- CLIA certification; CAP laboratory accreditation a plus

For a copy of the full Request for Proposal, or additional information, contact:

Therese J. Branby, Contract Manager
Dakota County Community Services Division
60 East Marie, Suite 214
West St. Paul, MN 55118
Phone: (651) 450-2878
Email: therese.branby@co.dakota.mn.us

Deadline for proposals is **4:30 p.m. CDT on Wednesday, August 15, 2001.**

Metropolitan Airports Commission

Notice of Call for Proposals for Humphrey Auto Rental Shuttle

Sealed proposals will be received by the Metropolitan Airports Commission at its office at 6040 28th Avenue South, Minneapolis, MN 55450-2799, until **5:00 p.m., Local Time, Tuesday, July 10, 2001**, for the procurement of **HUMPHREY AUTO RENTAL SHUTTLE**. If mailed the Commission's mailing address is 6040 28th Avenue South, Minneapolis, MN 55450-2799, and **proposals to be considered must be received by the Commission by the date and hour due for the proposals.**

MANDATORY PRE-PROPOSAL CONFERENCE: A mandatory Pre-Proposal Conference will be conducted on June 29, 2001, 10:00 a.m., for Auto Rental Shuttle Service, at the MAC General Office located at 6040 28th Avenue South, Minneapolis, MN 55450-2799.

The purpose of this meeting is for MAC staff to receive and review comments on this specification from all prospective vendors.

A site tour will be conducted at 12 noon. Interested vendors must call JoAnn Brown, **phone:** (612) 726-8146, if they will be attending so adequate transportation can be arranged, no later than June 26, 2001.

Copies of the Specifications may be obtained at the office of the Commission, 6040 28th Avenue South, Minneapolis, MN 55450-2799, **phone:** (612) 726-8146.

Dated: 20 June 2001

Metropolitan Airports Commission
JoAnn Brown/Buyer-Administrator

Non-State Contracts & Grants

Metropolitan Council

Notice of Request for Proposals (RFP) Professional/Technical Implementation Partners Metropolitan Contract Number 01P067

The Metropolitan Council is seeking proposals to assist in the installation and implementation of PeopleSoft Human Resources Information System (HRIS) throughout the organization. The project scope for this system includes Applicant Tracking, Workflow, Human Resources, Benefits Administration, Payroll, and Employee Portal. The Council implemented the PeopleSoft Financial System in 1999, and intends to execute a licensing agreement with PeopleSoft for their HRIS software product prior to the start of work described in this RFP.

A tentative Schedule for the project is shown below:

<i>Issue Request for Proposals</i>	June 25, 2001
<i>Proposals Due</i>	July 26, 2001
<i>Start of Implementation Project</i>	September 2001
<i>Completion of Implementation Project</i>	December 2002

All firms interested in being considered for this project and desiring to receive an RFP package are invited to contact:

Amanda Petersen
MetropolitanCouncil
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1585
Fax: (651) 602-1138
Email: amanda.petersen@METC.state.mn.us

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

Metropolitan Council

Communication Links to Transit Control Center

The Metropolitan Council is soliciting sealed bids for providing and installing communication links to its new Transit Control Center, located at 519 Tenth Avenue North, Minneapolis. The work consists of providing and installing fiberoptic cable, low voltage wiring to work stations, and camera equipment. A complete set of specifications are available from the Purchasing Department listed below. **Bids are due at 2:00 p.m., on July 17, 2001.**

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

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

Metropolitan Council

Purchase of Data Radios

The Metropolitan Council is soliciting sealed bids for the purchase of Data Radios for use in Metro Transit buses. **Bids are due at 2:00 p.m., on July 20, 2001.**

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

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

Metropolitan Council

Reroof of Metro Transit Nicollet Offices

The Metropolitan Council is soliciting sealed bids for Reroof of Metro Transit Nicollet Offices. **Bids are due at 2:00 p.m., on July 19, 2001.**

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

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

University of Minnesota

Notice of Bid Information Service (BIS) Available for All Potential Vendors

The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at bidinfo.umn.edu or call the BIS Coordinator at (612) 625-5534.

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



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