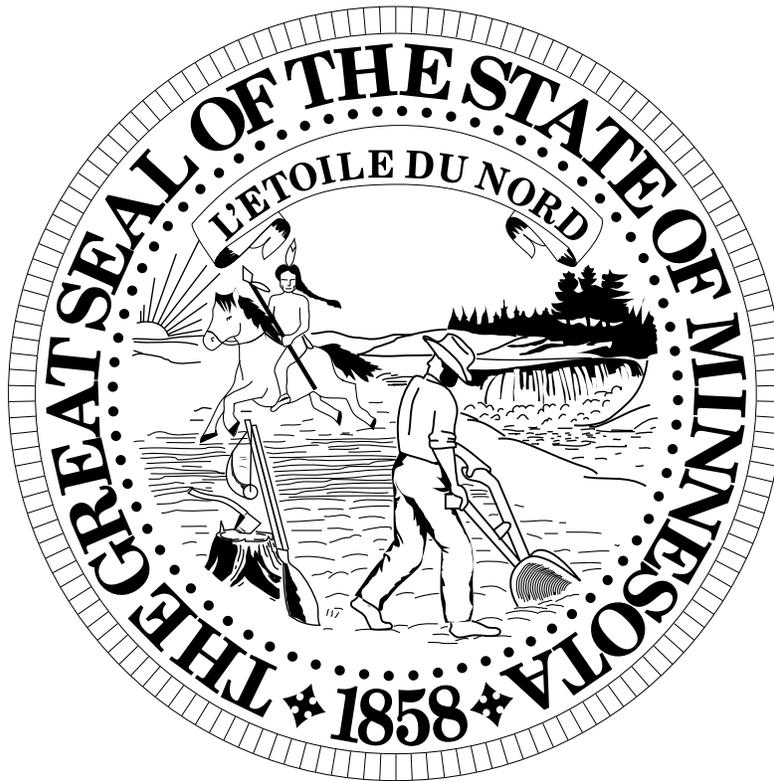


State of Minnesota

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- proposed, adopted, exempt, expedited emergency and withdrawn rules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 |
|----------------------------|-----------------------|--|---|
| #26 | Monday 17 December | Noon Wednesday 5 December | Noon Tuesday 11 December |
| #27 | Monday 24 December | Noon Wednesday 12 December | Noon Tuesday 18 December |
| #28 | Monday 31 December | Noon Wednesday 19 December | NOON FRIDAY 21 DECEMBER |
| #29 | Monday 7 January 2002 | Noon Wednesday 26 December | NOON FRIDAY 28 DECEMBER |

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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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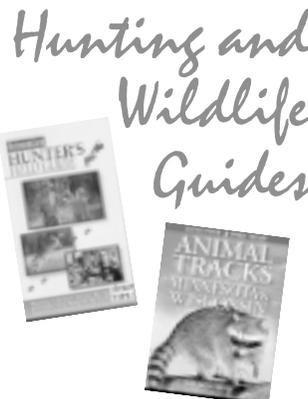
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Proposed Rules

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*.

State Arts Board

Proposed Permanent Rules Governing State Arts Funding Programs

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

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

Introduction. The Minnesota State Arts Board 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 by 4:30 p.m. on January 16, 2002, a public hearing will be held in Suite 200, Park Square Court, 400 Sibley Street, St. Paul, Minnesota 55101, starting at 10:00 a.m. on Friday, February 1, 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 16, 2002 and before February 1, 2002.

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: Cheryl Peterson-DeGeer at Minnesota State Arts Board, 400 Sibley Street, Suite 200, St. Paul, Minnesota 55101, **phone:** (651) 215-1600, **fax:** (651) 215-1602, and **email:** www.cheryl.peterson-degeer@arts.state.mn.us. **TTY** users may call the Minnesota State Arts Board at (651) 215-6235.

Subject of Rules and Statutory Authority. The proposed rules are about governing procedures for receiving and reviewing requests for, and standards for distribution of, grants and other forms of assistance. The statutory authority to adopt the rules is *Minnesota Statutes*, section 129D.04, subdivision 1, clauses (e) and (f). A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. A free copy of the rules is available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m. on Wednesday, January 16, 2002, 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 Wednesday January 16, 2002. 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 when 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 valid 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 February 1, 2002, 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) 215-1600 or (800) 866-2787 after January 16, 2002 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid 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 Allan Klein is assigned to conduct the hearing. Judge Allan Klein can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **phone:** (612) 341-7609 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 rebuttal 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 rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

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 the agency or at our **website** at: www.arts.state.mn.us

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 1-800-657-3889.

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.

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

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: 5 December 2001

Robert C. Booker
Executive Director, Minnesota State Arts Board

1900.1510 ADDITIONAL REQUIREMENTS AND PROCESSES FOR INSTITUTIONAL SUPPORT PROGRAM.

Subpart 1. **Definitions.**

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

C. "Organization" means an institution exempt from taxation under section 501(c)(3) of the Internal Revenue Code that ~~has been established~~ is authorized to do business in Minnesota and is either primarily engaged in producing arts activities; or is an artist service agency that works to maintain an independent operation dedicated solely to the arts. Organization does not include schools, universities, libraries, civic organizations, or other community service agencies.

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

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

Subp. 5. **Eligibility requirements.** Institutional support applicants must meet the additional eligibility requirements in items A to G to apply for funds.

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

C. The applicant must have ~~been in existence~~ provided services in Minnesota for two full fiscal years and ~~legally incorporated~~ must be authorized to do business in Minnesota ~~for at least six months prior to the application deadline.~~

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

[For text of subs 6 to 8, see M.R.]

1900.1910 ADDITIONAL REQUIREMENTS AND PROCESSES FOR ARTIST ASSISTANCE PROGRAMS.

Subpart 1. **Definitions.**

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

D. "Video documentation" means the documentation of the following artist's work: choreographers, dancers, actors, directors, performance artists, lighting, set or costume designers, conductors, and storytellers.

Subp. 2. **Purpose of program.** The purpose of the artist assistance program is to support ~~individual~~ artists at various stages in their careers. The program focuses on the specific purposes in items A to ~~E~~ D.

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

D. The video documentation program is designed to address the need for artists whose work is time- or to document their work.

Subp. 3. **Uses of grants.** The artist assistance program shall provide grants to fund time and costs related to continuing, documenting, or creating new work. Each program focuses on the specific activities in items A to ~~E~~ D.

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

D. The video documentation program provides funds to individual artists to have a video made of their work in order to improve their ability to represent themselves and their work in various contexts for uses which include: marketing their work, creating an archival record of their work, and using the video as a self-evaluation tool in order to improve their work.

Subp. 4. **Criteria used by advisory panel to make recommendations to board.** The primary review criterion by which an artist assistance application shall be evaluated by the advisory panel, with the exception of the career opportunity grant application, to make recommendations to the board is artistic quality of work, as demonstrated by an artist's work sample. For video documentation applicants, the panel must take into consideration videotapes of lesser quality if the individual artist's work demonstrates artistic quality. For the cultural collaborations program, the work sample of the collaborating organization may also be considered. In addition, the secondary criteria stated in items A to ~~E~~ D apply to specific program areas.

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

D. For a video documentation award, merit and feasibility must be demonstrated by:

(1) the anticipated impact on the development of an applicant's career as demonstrated by a description of how the video will be used;

(2) the feasibility of the proposed documentation activity as demonstrated by a budget and plan that realistically reflect the costs and logistics of the project; and

(3) a description of the artist's plan to improve the quality of the documentation, including the professional qualifications of the videographer, the demonstration of a plan between the artist and the videographer which takes into account unique aspects of the work that will be documented on the video, and a clear description of the format of the finished product.

Subp. 5. **Additional requirements.** Artist assistance applicants must meet the additional program specific eligibility requirements in items A to ~~E~~ D to receive a grant.

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

D. Video documentation grant proposals may not be used for:

(1) production of videos intended for sale;

(2) production of videos where the video itself is the artistic discipline;

(3) video copies of a film; or

(4) videos intended solely for educational purposes.

[For text of subs 6 and 7, see M.R.]

1900.2010 ADDITIONAL REQUIREMENTS AND PROCESSES FOR ARTS IN EDUCATION PROGRAMS.

[For text of subs 1 to 3, see M.R.]

Subp. 4. **Criteria used by advisory panel to make recommendations to board.** The criteria apply to the specific programs in items A and B.

~~A. For arts in education school support, the five review criteria by which an applicant shall be evaluated by the advisory panel to make recommendations to the board for an arts in education school support grant are listed in subitems (1) to (5). Artistic quality and merit shall be the primary criteria and equally important. Ability of the school applicant to accomplish the residency, demand or need for the residency, impact of the proposed residency on school curricula, and growth in and increased local commitment to school arts programming shall be secondary criteria and equally important. The fifth criterion, growth in and increased local commitment to school arts programming, shall be only for previous grant recipients of the board's arts in education school support program. For arts in education school support, the review criteria by which an applicant is evaluated by the advisory panel to make recommendations to the board for an arts in education grant are listed in subitems (1) to (4). All applicants must provide a written description of the proposed project that addresses the criteria listed in subitems (1), (2), and (3). Previous grant recipients of the arts in education school support grant program must address all four criteria.~~

Artistic quality and merit are the primary criteria and are equally important. Applicants must provide a written description that addresses the artistic quality and merit of the proposed project as listed in subitems (1) and (2).

The secondary criteria are described in subitems (3) and (4). All applicants must provide a written explanation that describes the impact of the proposed residency project listed in subitem (3).

Previous grant recipients to the arts in education school support program must provide a written description that addresses the criteria listed in subitems (1), (2), and (3). Previous grant recipients to the arts in education school support program must also provide a written description of the growth and increased local commitment for the proposed project as described in the criteria listed in subitem (4). The criteria are:

(1) artistic quality and merit of the proposed residency, as demonstrated by:

(a) artistic quality of the work of the artist in the residency;

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Proposed Rules

- (b) ~~merit of~~ the residency plan, including an overall schedule ~~listing of~~ what activities the artist will ~~actually do~~ provide and the grade level of the students being served;
- (c) the artistic goals of the school and how the residency fulfills those goals and meets the curricular objectives; ~~and~~
- (d) involvement of parents and community in the residency; and
- (e) demand or need for the residency and how it complements rather than replaces the existing arts resources in the school;
- (2) ability of the school applicant to accomplish the residency, as demonstrated by:
- (a) the makeup of the school planning team members and the planning process;
- (b) how the school, students, staff, and community will be prepared for and involved in the residency;
- (c) ~~how the school will finance the residency; and the financial commitment to the residency by the school and the community;~~
- (d) how the residency will be publicized, documented, and evaluated; and
- (e) the depth and breadth of the partnership between the artist and the educators;
- (3) ~~demand or need for the residency, as demonstrated by:~~
- (a) ~~the existing arts resources in the school's community and how the residency complements, rather than replaces, those existing resources;~~
- (b) ~~the partnership between educators and artists;~~
- (c) ~~the variety of arts experiences available throughout the state; and~~
- (d) ~~a strong cash commitment to the residency program;~~
- (4) impact of the proposed residency on school curricula, as demonstrated by:
- (a) ~~use of artist teacher contact time;~~
- (b) ~~the school's progress toward a comprehensive education in the arts for all students; and~~
- (c) ~~(b) program enhancement by an art critic/historian/aesthetician; and~~
- (d) the use of artist/teacher contact time, including teacher in-service; and
- (5) (4) growth in and increased local commitment to school arts programming, as demonstrated by one or more of the following:
- (a) ~~greater~~ the level of financial commitment by the applicant;
- (b) increased length of residency;
- (c) innovative residency plan for instruction; and/or
- (d) ~~artists' collaboration with increased community involvement.~~

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

[For text of subs 5 and 6, see M.R.]

1900.2610 ELIGIBILITY FOR ALLOCATION.

Subpart 1. **Year one of biennium.** To receive a regional arts council block allocation in year one of a biennium, the council must submit a ~~preliminary~~ biennial plan to the regional arts advisory committee by ~~June~~ May 15 ~~for review and feedback. After review, the council must submit a biennial plan to the board by June 30. This plan may be identical to the preliminary biennial plan.~~ In addition, the council must meet the requirements of part 1900.4110, subparts 3 and 4.

Subp. 2. **Year two of biennium.** To receive a regional arts council block allocation in the second year of the biennium, the council must submit to the board, by ~~June~~ May 15, an annual plan update ~~which that~~ outlines anticipated changes to the biennial plan for the coming year. In addition, the council must meet the requirements of part 1900.4110, subparts 2 and 3.

Board of Teaching

Proposed Permanent Rules Relating to Teacher Licensure Requirement of Reading Instruction Skills

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

In The Matter of Proposed Permanent Rules Relating to Additional Teacher Licensure Renewal Requirement Regarding Reading Instruction Skills for All Teachers (Proposed Addition to Minnesota Rules 8710.7200, Subpart 2)

Introduction. The Board of Teaching 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 4:00 p.m. on Wednesday, January 23, 2002, a public hearing will be held in Conference Center Room 13/14, Department of Children, Families, and Learning Building, 1500 Highway 36 West, Roseville, Minnesota 55113, starting at 9:30 a.m. on Tuesday, February 5, 2002. 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 23, 2002, and before February 5, 2002.

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: Michael Tillmann at The Minnesota Board of Teaching, 1500 Highway 36 West, Roseville, Minnesota 55113. His **phone** number is: (651) 582-8835. **TTY** users may call the Board of Teaching at (651) 582-8201.

Subject of Rules and Statutory Authority. The proposed rules would require that teachers whose licenses expire on June 30, 2004, and thereafter must include in their 125 clock hours instruction or other professional development activities which demonstrate further reading preparation. This would make the rule consistent with this requirement adopted by the 2001 Minnesota State Legislature. The statutory authority to adopt the rules is *Minnesota Statutes*, 122A.09 and 122A.18. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:00 p.m. on Wednesday, January 23, 2002, 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 4:00 p.m. on Wednesday, January 23, 2002. 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.

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Proposed Rules

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 Tuesday, February 5, 2002, 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) 582-8835 after January 23, 2002, 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 Barbara Neilson is assigned to conduct the hearing. Judge Neilson can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **phone:** (612) 341-7604, 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 4:00 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.

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 State Campaign Finance and Public Disclosure Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, phone: (651) 296-5148 or 1-800-657-3889.

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: 10 December 2001

Michael L. Tillmann
Executive Director
Minnesota Board of Teaching

8710.7200 CLOCK HOURS; REQUIREMENTS FOR RENEWAL OF PROFESSIONAL LICENSES.

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

Subp. 2. **Renewal clock hours.** Verification by the local continuing education/relicensure committee that the applicant has completed 125 approved clock hours is required for renewal. Instruction and professional development activities meet requirements to renew licenses only if they address one or more of the standards in part 8710.2000. Effective for renewal of ~~continuing professional~~ licenses which expire on June 30, 2001, and after, applicants must include in their 125 clock hours instruction or other professional development activities which address positive behavioral intervention strategies and accommodation, modification, and adaptation of curriculum, materials, and instruction to appropriately meet the needs of varied students in achieving graduation standards. Effective for renewal of professional licenses which expire on June 30, 2004, and after, applicants must also include in their 125 clock hours instruction or other professional development activities which evidence further reading preparation, consistent with Minnesota Statutes, section 122A.06, subdivision 4.

[For text of subs 3 to 11, see M.R.]

Adopted Rules

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

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

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

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.

Department of Health

Adopted Permanent Rules Relating to Merit System Rules

The rules proposed and published at *State Register*, Volume 26, Number 7, pages 148-151, August 13, 2001 (26 SR 148), are adopted as proposed.

Department of Human Services

Adopted Permanent Rules Relating to Merit System Rules

The rules proposed and published at *State Register*, Volume 26, Number 7, pages 143-148, August 13, 2001 (26 SR 143), are adopted as proposed.

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Adopted Rules

Department of Public Safety

Adopted Permanent Rules Relating to Merit System Rules

The rules proposed and published at *State Register*, Volume 26, Number 7, pages 152-153, August 13, 2001 (26 SR 152), are adopted as proposed.

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.

Office of the Governor

Executive Order # 01-13: Workplace Mediation Program; Rescinding Executive Order 99-5

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, workplace disputes disrupt the ability of agencies to fulfill their missions; and

WHEREAS, unresolved disputes can undercut workplace morale, interpersonal relationships, and hence, productivity; and

WHEREAS, many disputes fall outside of established grievance procedures and could be resolved before rising to the level of a formal complaint; and

WHEREAS, the best resolution to a dispute is often one fashioned by the disputants; and

WHEREAS, mediation assists the disputants in finding a resolution to their dispute in a non-adversarial setting; and

WHEREAS, a mediation program that uses trained state employees to help resolve disputes within state agencies would be easily accessible and economic; and

WHEREAS, the use of mediation can mitigate or reduce the reliance on or trend toward litigation as a means of resolving employee disputes; and

WHEREAS, the Division of Alternative Dispute Resolution has developed and administered mediation programs for state agencies; and

WHEREAS, the departments of Employee Relations and Finance, the Minnesota Association of Professional Employees, Association of Federal, State, County and Municipal Employees, Middle Managers Association, Minnesota Government Engineers' Council, and Minnesota Nurses Association have all worked with the Bureau of Mediation Services and Division of Alternative Dispute Resolution to fashion a shared neutrals mediation program for state agencies and MNSCU campus';

NOW, THEREFORE, I hereby order that:

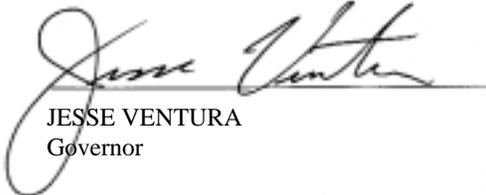
1. State agencies and MNSCU Campuses are encouraged to make use of the workplace mediation program offered by the Bureau of Mediation Services, through its Division of Alternative Dispute Resolution.
2. The Division of Alternative Dispute Resolution has the following responsibilities:
 - A. Coordinate the recruitment, selection and training of mediators.
 - B. Assist agencies and campuses in publicizing the workplace mediation program.
 - C. Administer the program, which includes, but is not limited to, these duties:
 - 1) Maintain phone access during normal working hours;
 - 2) Contact parties requesting mediation or are requested to mediate their disputes;

- 3) Contact mediators, assign them to cases and provide them with relevant information;
 - 4) Provide appropriate materials, and collect, evaluate and summarize evaluation forms; and
 - 5) Debrief mediators.
- D. Maintain a base of available mediators sufficiently large to accommodate the requests for mediation.
 - E. Maintain and conduct regular mediator training updates as needed.
 - F. Supervise the professional department of the mediators and implement corrective action as needed.
 - G. Provide technical assistance to parties inquiring about the workplace mediation program project and consult with appropriate state employees and bargaining units.
3. Executive branch agencies and MNSCU campuses assume the following responsibilities:
- A. Encourage managers, supervisors and employees to use the program and guarantee release time for employees to participate in mediations through the program.
 - B. Recommend potential mediators to the Division of Alternative Dispute Resolution.
 - C. Pay for the training and approve release time for training as needed and up to 20 hours a year to conduct mediation for those chosen for the roster.
 - D. Appoint a workplace mediation program coordinator to work with the Division of Alternative Dispute Resolution, employees and bargaining units.
 - E. Participate in evaluation of the program.

This Order shall be bi-annually reviewed by the Governor, in consultation with the affected agency or agencies, in order to assess its reasonableness and need.

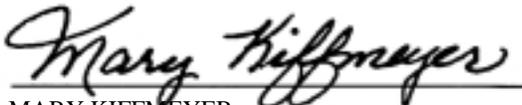
Pursuant to *Minnesota Statutes* 2000, section 4.035, subd. 2, this Order shall be effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes* 1998, section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this Tenth day of December 2001.



JESSE VENTURA
Governor

Filed According to Law:



MARY KIFFMEYER
Secretary of State

Commissioners' Orders

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

Department of Natural Resources

Commissioner's Scientific and Natural Area Order No. 170: Sandpiper Prairie Scientific and Natural Area; Superseding Scientific and Natural Area Order No. 148

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

Parcel 1

The Southwest Quarter (SW 1/4) of Section Thirty-three (33), Township One Hundred Forty-four (144) North, Range Forty-five (45) West, Norman County, Minnesota,

AND

Parcel 2

The Northwest Quarter (NW 1/4) of Section Thirty-three (33), Township One Hundred Forty-four (144) North, Range Forty-five (45) West,

AND

The South 1980 feet of the East 1780 feet of the Southeast Quarter (SE 1/4) of Section Thirty-two (32) Township One Hundred Forty-four (144) North, Range Forty-five (45) West,

AND

Parcel 3

Government Lots Three (3) and Four (4) and the South Half of the Northwest Quarter (S 1/2 NW 1/4), (being the fractional NW 1/4) of Section Four (4), Township One Hundred Forty-three (143) North, Range Forty-five (45) West,

the above-described lands contain 563.07 acres, more or less;

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

WHEREAS, such lands contain undisturbed examples of wet-mesic and mesic blacksoil prairie as well as the following rare, threatened or endangered plant and animal species: upland sandpiper (*Bartramia longicauda*), greater prairie chicken (*Tympanuchus cupido*), bunch spear grass (*Poa arida*), and alkali cord-grass (*Spartina gracilis*); and

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

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

IT IS FURTHER ORDERED that the provisions of *Minnesota Rules* 6136.0100 through 6136.0600 shall apply to the above-designated area.

IT IS FURTHER ORDERED that Scientific and Natural Area Order No. 148 is hereby superseded.

Allen Garber, Commissioner
Department of Natural Resources

Department of Natural Resources

Commissioner's Scientific and Natural Area Order No. 171: Iona's Beach Scientific and Natural Area

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

That part of Government Lot 1 of Section 13, Township 54 North, Range 9 West, Lake County, Minnesota, described as follows:

Commencing at a point on the centerline of Minnesota Trunk Highway No. 61 which is 25 feet southwest-erly of the intersection of said highway centerline and the north line of said Government Lot 1; thence southeasterly at right angles to said highway centerline 100 feet to a point 25 feet southeasterly from the southeasterly right-of-way line of said highway and hereinafter referred to as "Point A"; thence continuing southeasterly at right angles to said highway centerline 175 feet, more or less, to the water's edge of Lake Superior and the point of beginning; thence northwesterly along the last described line to "Point A"; thence southwesterly parallel with and 25 feet distant southeasterly from said southeasterly right-of-way line 660 feet; thence SOUTH 460 feet; thence South 50 degrees West 110 feet; thence SOUTH 95 feet; thence South 45 degrees East 55 feet to a point 25 feet northerly of the centerline of an existing trail; thence South 71 degrees East 56 feet; thence South 82 degrees East 116 feet; thence South 87 degrees East 66 feet; thence South 71 degrees East 300 feet, more or less, to the water's edge of Lake Superior; thence northerly 1400 feet, more or less, along the water's edge of Lake Superior to the point of beginning;

containing 10 acres, more or less, as shown on the attached photo marked Exhibit A; the above description has not been surveyed;

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

WHEREAS, such lands contain a unique culturally undisturbed geological feature that represents the dynamic interface between the land and the waves of Lake Superior. This beach is composed nearly entirely of somewhat flattened cobbles and pebbles of pink rhyolite or felsite that has its origin in the long shore cliff to the north of the beach; and

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

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

IT IS FURTHER ORDERED that the provisions of *Minnesota Rules* 6136.0100 through 6136.0600 shall apply to the above-designated area except that unsupervised swimming is permitted.

Allen Garber, Commissioner
Department of Natural Resources

Commissioner's Orders

Department of Natural Resources

Commissioner's Scientific and Natural Area Order No. 172: Mound Spring Prairie Scientific and Natural Area

WHEREAS, certain lands in Yellow Medicine County, Minnesota, described as:

The Northwest Quarter (NW 1/4) of Section Seventeen (17) and Government Lots 1 and 2 and the Northeast Quarter (NE 1/4) of Section Eighteen (18), Township One Hundred Fifteen (115) North, Range Forty-six (46) West, Yellow Medicine County, Minnesota,

AND

That part of the Northeast Quarter (NE 1/4) and that part of Government Lot 1 of Section Nineteen (19), Township 115 North, Range 46 West, Yellow Medicine County, Minnesota, lying northerly of the following described line:

Commencing at the northeast corner of said Northeast Quarter; thence on a bearing based on the 1983 Yellow Medicine County Coordinate System (1996 Adjustment), of South 00 degrees 19 minutes 15 seconds West 1661.23 feet along the east line of said Northeast Quarter to a 3/4 inch by 24 inch rebar with a plastic cap stamped "MN DNR LS17003" (DNR MON) and the point of beginning; thence South 88 degrees 14 minutes 33 seconds West 2882.02 feet to the west line of said Section 19 and a DNR MON and there terminating, containing 465.95 acres, more or less, as shown on Exhibit A,

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

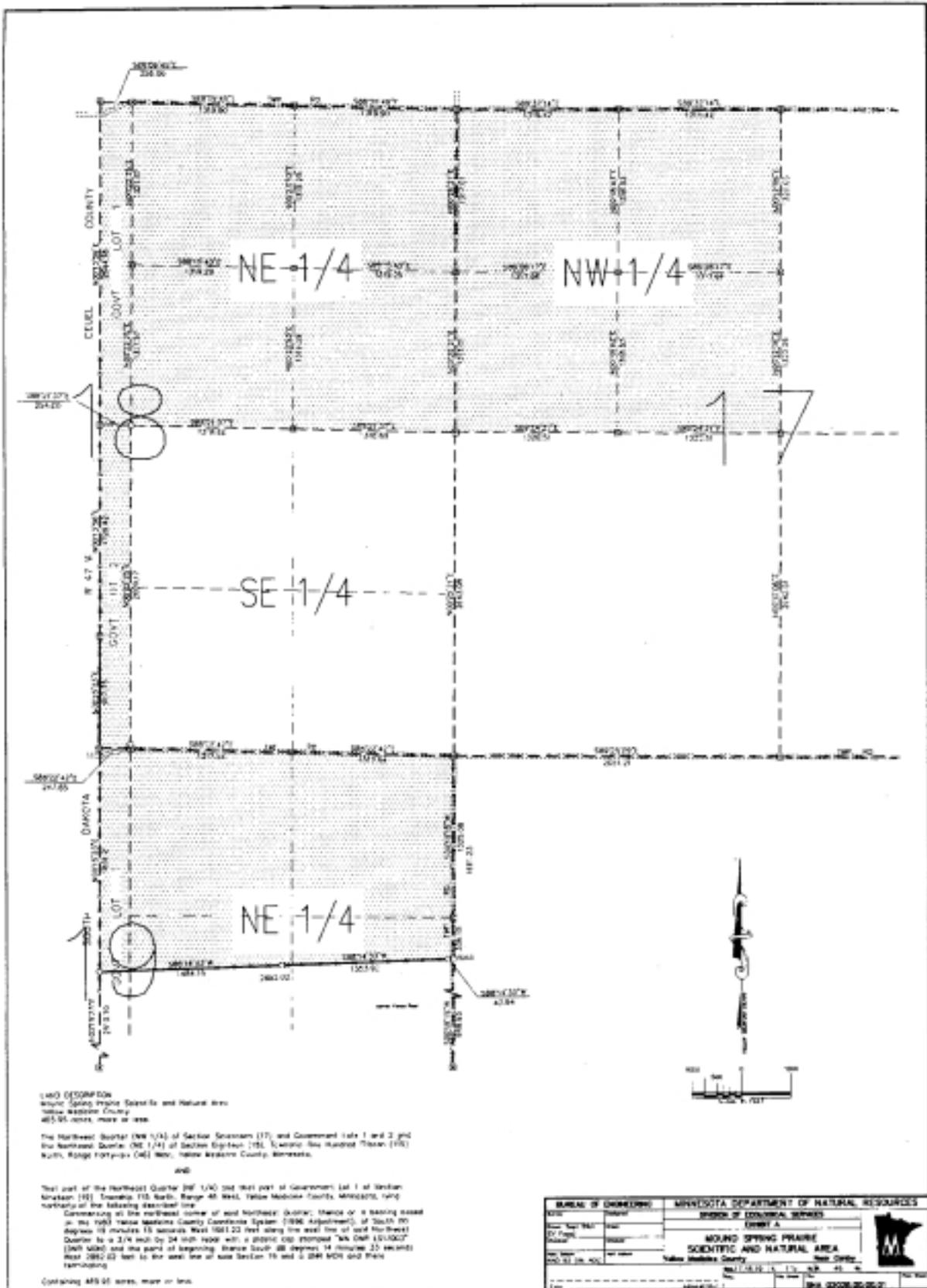
WHEREAS, such lands contain high quality native hill prairie and provide habitat for western white prairie clover (*Dalea candida* var. *oligophylla*); and

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

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

IT IS FURTHER ORDERED that the provisions of *Minnesota Rules* 6136.0100 through 6136.0600 shall apply to the above-designated area.

Allen Garber, Commissioner
Department of Natural Resources



Revenue Notices

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

Department of Revenue

Revenue Notice # 01-10: Individual Income Tax - Assignability of Income Recognized on Employer Provided Stock Options; Revocation of Revenue Notice #96-21

Income from employee stock options treated as wages for federal withholding tax purposes is assignable to Minnesota if the income is recognized in the year in which the taxpayer is a full or part year resident of Minnesota.

- If the income from the option is recognized while the taxpayer is a resident of Minnesota all of the income is assignable to Minnesota.
- If the income from the option is recognized while the taxpayer is a non-resident of Minnesota in a year when the taxpayer is a part year resident of Minnesota, the amount assignable to Minnesota is the income recognized for federal purposes multiplied by the ratio of the days worked in Minnesota during the contract period granting the option over the total days worked under the contract.
- If the income from the option is recognized in a year when the taxpayer was not a resident of Minnesota for any portion of the year none of the income from the option is assignable to Minnesota.

Income from employee stock options which is *not* defined as wages for federal withholding tax purposes under IRC 3401 (a) or (f) are assigned to the taxpayer's state of residence at the time the income is recognized for federal purposes.

This Revenue Notice revokes Revenue Notice #96-21 and is effective for income recognized after May 15, 2000.

Jennifer L. Engh
Assistant Commissioner for Tax Policy

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 Labor and Industry

Labor Standards Unit

Notice of Prevailing Wage Determinations for Commercial Projects

On December 17, 2001, the commissioner determined and certified prevailing wage rates for Commercial construction projects in each of 87 counties statewide.

Copies may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306 or **phone** at: (651) 284-5091. The charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

Shirley L. Chase
Commissioner

Office of the Ombudsman for Mental Health and Mental Retardation

Notice of Meeting

The Ombudsman for MH/MR Committee will hold a meeting from 9:00 a.m., to 1:00 p.m., on Thursday, December 20, 2001. The meeting will be held in Suite 420 of the Metro Square Building on 7th and Robert Street, St. Paul, MN.

Minnesota Pollution Control Agency

Majors and Remediation Division

Minnesota Department of Agriculture

Agronomy and Plant Protection Division

Notice of Proposed Update of the Permanent List of Priorities Among Releases or Threatened Releases of Hazardous Substances or Pollutants or Contaminants

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA), and the Minnesota Department of Agriculture (MDA), is publishing for public comment a proposed addition to and deletions from the Permanent List of Priorities (PLP) which lists releases or threatened releases of hazardous substances, pollutants, or contaminants for which the MPCA or MDA may take removal or remedial actions under the Minnesota Environmental Response and Liability Act (MERLA), *Minnesota Statutes* chapter 115B.

Pursuant to *Minnesota Statute* § 115B.17 (2000) and *Minnesota Rule* 7044.0950 (1999), the MPCA and MDA are proposing the following changes to the PLP.

The MPCA is proposing to delete the following five sites from the PLP: Ironwood Sanitary Landfill, Fillmore County; Union Scrap II and III, Minneapolis; Ashland Refinery, St. Paul Park; BJ Carney Company, Minneapolis; H.S. Kaplan Scrap Iron & Metal Company, St. Paul.

MPCA has determined that either all MERLA Response Actions have been completed at these sites or that the sites do not pose a threat to public health or the environment.

The Ironwood Sanitary Landfill in Fillmore County is a "qualified facility" under the Landfill Cleanup Act of 1994, as amended (Act). Under authority of the Act, the state of Minnesota, through the MPCA, will assume responsibility for any necessary response actions at a "qualified facility," and will be responsible for long-term maintenance of the facility. The MPCA assumes this responsibility after issuance of a Notice of Compliance (NOC) by the Commissioner of the MPCA. A NOC has been issued for this "qualified facility," therefore MERLA funded response actions would no longer be necessary at this particular site, and deletion of the site from the PLP is appropriate.

At the Ashland Refinery site, Ashland will continue long term monitoring activities with oversight provided by the MPCA's Large Above Ground Storage Tank Program. Thus MERLA funded response actions are not necessary and deletion of this site from the PLP is also appropriate.

In addition, the MPCA is proposing to delete portions of two sites listed on the PLP. Those sites are the Westling Manufacturing Company Site in Princeton and the Former Northwest Refinery Site in New Brighton. The MPCA is proposing to delete Operable Unit 1 of the Westling Manufacturing site. Operable Unit 1 was the on-site area of contaminated ground water and soil, and at which all appropriate MERLA response actions have been completed. Operable Unit 2 for the site is the plume of contaminated ground water downgradient of the site and will remain on the PLP. The MPCA is also proposing to delist that portion of the Former Northwest Refinery site that had soil contamination and at which all MERLA response actions have been completed. This portion of the site is now Ramsey County parkland. That portion of the site in which there still is soil and ground water contamination, and which is privately owned, will remain on the PLP.

The MDA is proposing to add the following site to the PLP (Hazard Ranking Score assigned pursuant to *Minnesota Rules* 7044.0350 follows the site): CMC Heartland Lite Yard Site, Hiawatha and East 28th Street, Minneapolis, Hennepin County (50.25). This site has been assigned to Response Action Classes C and D (see *Minnesota Rules* 7044.0450). The four response action classes are defined as follows: Class A - Declared Emergency; Class B - Response Actions Completed and Operation and Maintenance/Long-Term Monitoring Ongoing; Class C - Response Actions Necessary or in Progress or First Year Operation and Maintenance at a Site; and Class D - Remedial Investigations and Feasibility Studies (RI/FS) Necessary or in Progress.

Official Notices

The MPCA and MDA invite members of the public to submit written comments on these proposed changes to the PLP. All written comments with regard to these proposed changes must be received no later than 4:30 p.m., January 17, 2002.

Written comments regarding the proposed MPCA deletions should be submitted to: Gary L. Krueger, Superfund Section, Majors and Remediation Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

Written comments regarding the proposed MDA addition should be submitted to:

Teresa McDill, Incident Response Unit
Agronomy and Plant Protection Division
Minnesota Department of Agriculture
90 West Plato Boulevard
St. Paul, Minnesota 55107-2094

Any interested person may submit a petition to the Commissioner of the MPCA requesting that the MPCA Board make the decision on whether to adopt the addition to and deletions from the PLP that have been proposed by the MPCA and MDA. To be considered timely, the petition must be received by the MPCA contact person, Gary L. Krueger, by 4:30 p.m. on January 17, 2002. The decision whether to adopt the proposed addition to and deletions from the PLP will be made by the MPCA Board if: (1) the Commissioner grants the petition requesting the matter to be presented to the MPCA Board; or (2) a MPCA Board member requests to hear the matter prior to the time the Commissioner makes a final decision on the proposed addition to and deletions from the PLP.

Requests for a complete updated PLP or information on a specific site currently listed on the PLP can be directed to the MPCA's Public Information Office at the above address, or by **phone:** (651) 296-6300 or **toll free** at (800) 657-3864.

All written comments received by the above deadline will be considered by the MPCA and MDA in establishing the updated PLP.

Karen A. Studders, Commissioner
Minnesota Pollution Control Agency

Gene Hugoson, Commissioner
Minnesota Department of Agriculture

Department of Transportation State Aid for Local Transportation Group

Notice of Appointment and Meeting of a State Aid Variance Committee

NOTICE IS HEREBY GIVEN that the Commissioner of Transportation has appointed a State Aid Variance Committee who will conduct a meeting on Thursday, December 20, 2001 at 10:00 a.m. at the Arden Hills Training Center, located at 900 West County Road I, in Shoreview, Minnesota, 55126.

This notice is given pursuant to *Minnesota Statute* 47k.705.

The purpose of this open meeting is to investigate and determine recommendations for variance requests from minimum State Aid roadway standards and administrative procedures as governed by *Minnesota Rules* for State Aid Operations 8820.3300 adopted pursuant to *Minnesota Statutes* Chapters 161 and 162.

The agenda will be limited to the following:

- Petition of the City of Minnetrista** for a variance from *Minnesota Rules* 8820.9920, as they apply to the proposed "Enchanted Island Bridge" No. L-8853 replacement project, located on Tuxedo Road over Zimmerman's Pass in the City of Minnetrista, Minnesota, Hennepin County, so as to allow a bridge width of 22', traffic lane widths of 10', and 1' shoulder widths; in lieu of the minimum 36' bridge width, 12' traffic lane width, and 4' shoulder width required by standards; and to allow less than the required minimum 1:4 in-slope ratio, 25' recovery area width, and 30 mph design speed required by standards.
- Petition of Carver County** for a variance from *Minnesota Rules* 8820.9936, as they apply to the reconstruction projects located in Norwood Young America in Carver County, Minnesota, located on County State Aid Highway No. 31 (Elm Street), between the West City Limits and Morse Street; and on County State Aid Highway No. 33 (Morse Street, Elm Street, and Oak Street), between Railroad Street and the South City Limits; so as to allow five vertical curves on County State Aid Highway No. 31 (Elm Street) with a variable design speed ranging from 20.0 to 29.8 mph, and to allow a 27.7 mph vertical curve on Morse Street, between Railroad Street and Elm Street; in lieu of the minimum 30 mph required by standards.

- 3. Petition of Lincoln County** for a variance from *Minnesota Rules* 8820.9936, as they apply to the proposed reconstruction of County State Aid Highway No. 7 (Tyler Street), from the junction with Trunk Highway No. 14 to the South City Limits of Tyler, Minnesota in Lincoln County, so as to allow a seven-foot parallel parking lane width on both sides of the roadway; in lieu of the minimum eight-foot width required by standards.

The local government agencies listed previously are requested to adhere to the following time schedule when appearing before the Variance Committee:

| | |
|------------|---|
| 10:00 a.m. | City of Minnetrista (Hennepin County) |
| 10:30 a.m. | Carver County (City of Norwood Young America) |
| 11:00 a.m. | Lincoln County (City of Tyler) |

Dated: 11 December 2001

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

Department of Transportation

State Aid for Local Transportation Group

Petition of the City of Minnetrista for a Variance from Minimum State Aid Requirements for BRIDGE, TRAFFIC LANE, SHOULDER, AND RECOVERY AREA WIDTHS, IN-SLOPES, AND DESIGN SPEED

NOTICE IS HEREBY GIVEN that the Minnetrista 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 the proposed "Enchanted Island" bridge replacement project (existing Bridge No. L-8853), located on Tuxedo Road over Zimmerman's Pass, in the City of Minnetrista, Minnesota in Hennepin County.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9920, adopted pursuant to *Minnesota Statutes* Chapters 161 and 162, as they apply to the proposed Enchanted Island bridge replacement project on Tuxedo Road over Zimmerman's Pass in the City of Minnetrista, so as to allow two 10-foot wide traffic lanes with one foot wide shoulders; in lieu of the minimum 12' traffic lane width and four foot shoulder width; to allow a bridge width of 22', in lieu of the minimum 36' width required; to allow an in-slope ratio less than the minimum 1:4 required; to allow a recovery area width less than the 25' width required; and to allow a vertical and horizontal design speed less than the minimum 30 mph required.

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: 11 December 2001

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

Department of Transportation

State Aid for Local Transportation Group

Petition of Carver County for a Variance from Minimum State Aid Requirements for VERTICAL DESIGN SPEED

NOTICE IS HEREBY GIVEN that the Carver County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300, for a variance from rules as they apply to the proposed reconstruction projects located in

Official Notices

the City of Norwood Young America, Minnesota on Carver County State Aid Highway No. 31 (Elm Street), between the West City Limits and the junction with Morse Street (County State Aid Highway No. 33); and on Carver County State Aid Highway No. 33 (Morse Street, Elm Street, and Oak Street), between Railroad Street and the South City Limits in Carver County.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9936, adopted pursuant to *Minnesota Statutes* Chapters 161 and 162, as they apply to the proposed reconstruction of County State Aid Highway Nos. 31 and 33 in Norwood Young America, so as to allow a variable vertical design speed ranging from 20.0 to 29.8 mph at five curves on Elm Street (County State Aid Highway No. 31) between the West City Limits and the junction with Morse Street (County State Aid Highway No. 33); and to allow a 27.7 mph vertical curve on Morse Street (County State Aid Highway No. 33), between Railroad Street and the junction with Elm Street (County State Aid Highway Nos. 31 and 33); in lieu of the minimum 30 mph required by standards.

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: 11 December 2001

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

Department of Transportation State Aid for Local Transportation Group

Petition of Lincoln County for a Variance from State Aid Requirements for PARKING LANE WIDTH

NOTICE IS HEREBY GIVEN that the Lincoln County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300, for a variance from rules as they apply to a proposed reconstruction project located in Lincoln County, on County State Aid Highway No. 7 (Tyler Street), between the junction with Trunk Highway No. 14 in Tyler and the South City Limits of Tyler, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9936, adopted pursuant to *Minnesota Statutes* Chapters 161 and 162, as they apply to the proposed reconstruction of Tyler Street in the City of Tyler, between the junction with Trunk Highway No. 14 and the South City Limits, so as to allow parallel parking on both sides of the roadway with a seven-foot parking lane width; in lieu of the minimum eight-foot width required by standards.

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: 11 December 2001

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.

Department of Commerce

Request for Proposals for Grants to Fund Telecommunications Projects

The Minnesota Department of Commerce (herein "Department") seeks proposals from qualified schools, libraries, and non-profit health care facilities for grants to fund telecommunications projects. Projects must primarily benefit Qwest customers located in Qwest local service territory. Qualified respondents must show their projects involve telecommunications applications that can be continued when the one-time grant monies are exhausted. The total amount of funding available is expected to be \$1,870,900. For a copy of the complete Request for Proposals please access the Department's **website** at: <http://www.commerce.state.mn.us>, then click on "Telecommunications," or contact Michelle Rebholz **phone** at: (651) 296-1255. **Proposals are due no later than 4:30 p.m., February 15, 2002.**

Department of Health

Community Health Division/Tobacco Prevention and Control

Requests for Proposals for Community-based Prevention Programs for Local Partnership Projects

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health (MDH), Tobacco Prevention and Control (TP&C) Program is issuing a Request for Proposal (RFP) to public, private, and nonprofit groups to apply for a grant from the Minnesota Youth Tobacco Prevention Initiative (MYTPI). MYTPI is looking for proposals capable of giving Minnesota youth the power to be tobacco free. This will happen by creating a statewide social environment in which tobacco use becomes undesirable, unacceptable, and inaccessible. Applicants will work with MYTPI to reduce tobacco use among Minnesota youth by 30 percent by the year 2005.

Local Partnership Projects will focus their tobacco-prevention applications on these funding categories: 1) implementing comprehensive school-based, tobacco-prevention programs; 2) assuring access to the treatment of tobacco addiction; 3) reducing exposure to secondhand smoke; 4) reducing youth access through ordinance development and enforcement; and 5) encouraging youth anti-tobacco advocacy through youth coalitions. Applicants will be asked to demonstrate the involvement of three local partners-local community health services agencies, school districts, and law enforcement agencies.

Approximately \$5,783,000 will be available in this category for the eighteen-month grant period. Eligible organizations for Local Partnership grants include, but are not limited to: Community Health Boards; Schools, Colleges and Universities; Non-profit Groups; Health Care Organizations; Professional Organizations and Associations; and other interested organizations.

The grants for the Local Partnership Programs will be awarded for a period of up to 18 months, July 1, 2002 through December 31, 2003. It is anticipated that future Local Partnership grants will be funded on the same timeframe as local four-year Community Health Plans. Opportunity for renewal will depend on the availability of funds and on grantee's successful completion of duties. Funding availability may vary depending on the value of the tobacco endowment fund.

To request a complete copy of the RFP, please contact TP&C by **phone**: (651) 215-8952; or **email**: <tpc@kids.health.state.mn.us> Copies are available either by mail or for pick-up (between 8:00 a.m., and 4:30 p.m., at MDH). A complete copy of the RFP is available on the department's **web site** at: <www.health.state.mn.us>

Questions regarding the RFP should be directed to Cindy Borgen at (651) 281-9807.

To be considered for funding, completed proposals must be **post-marked on or before Monday, March 4, 2002**, and mailed to:

Minnesota Department of Health
Tobacco Prevention and Control
PO Box 64882
St. Paul, MN 55164-0882

State Grants & Loans

Proposals may also be hand-delivered or sent by alternate carrier (e.g., FedEx or private courier). They must be delivered by **3:30 p.m., CST, Monday, March 4, 2002**. Please deliver them to:

Minnesota Department of Health
Golden Rule Building
85 East Seventh Place, Suite 300
St. Paul, MN 55101

Late proposals will not be considered.

Minnesota Historical Society

Historic Reservation Grant Application Deadline

The application deadline for the Minnesota Historical Society's F.Y. 2002 federal Certified Local Government (CLG) matching grants program is 4:30 p.m., Friday, February 22, 2002. Cities with local historic preservation ordinances, commissions, and programs certified by the State Historic Preservation Office and the National Park Service are eligible applicants. It is anticipated that at least \$80,000 will be awarded.

There are six areas of eligible program activity for this grants cycle. They are: 1.) Comprehensive Planning; 2.) Survey; 3.) Evaluation; 4.) Local Designation Forms; 5.) National Register Nomination Forms; and 6.) Public Education. Projects that will receive special priority are those that: promote surveys in areas of known development activity in order to reduce project delays; promote continuing development of data for planning use; reflect the goals and strategies in the 2000 statewide preservation plan; result in local designations; and involve properties associated with the history of heretofore under-documented groups or communities (ethnic or racial minorities for example, but also other groups defining themselves as communities).

Instructions regarding the full range of eligible activities and information on the project selection process and selection criteria are found in the F.Y. 2002 CLG Grants Manual. To request a complete application package or for further information contact Mandy Skypala at (651) 296-5478, E-mail the Grants Office - mandy.skypala@mnhs.org, or write to the Grants Office, Minnesota Historical Society, 345 West Kellogg Blvd., St. Paul, MN 55102-1906.

This program receives Federal funds from the National Park Service. Regulations of the U.S. Department of the Interior strictly prohibit unlawful discrimination in departmental Federally assisted programs on the basis of race, color, national origin, age, or disability. Any person who believes he or she has been discriminated against in any program, activity, or facility operated by a recipient of Federal assistance should write to: Director, Equal Opportunity Program, U.S. Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127.

Minnesota Housing Finance Agency

Request for Proposals for Home Rental Rehabilitation Program

The Minnesota Housing Finance Agency (MHFA) is pleased to announce that it is accepting applications for local administration of its 2002 HOME Rental Rehabilitation Program. The Home Improvement Partnership Program (HOME) was created under the National Affordable Housing Act of 1990 (NAHA). The Program provides MHFA with federal funds to be used in a variety of ways to meet affordable housing needs in the state.

In 2002, MHFA will make available approximately \$5,800,000 for projects and administrative fees in the MHFA HOME Rental Rehabilitation Program. The HOME Rental Rehabilitation Program provides deferred loans to rehabilitate privately owned residential rental properties to provide affordable, decent, safe and energy efficient housing for low-income families and individuals. The program is undergoing reviews and modification, but the following terms and conditions are expected for the HOME Rental Rehabilitation Program:

- All HOME developments needing \$100,000 or more in HOME funds will receive a 0% deferred loan that will be coterminous with the existing first mortgage. These larger developments would no longer have to provide a 25% match; they could obtain 100% financing as long as the development does not exceed \$14,000 per unit in financing. The properties will be monitored for 5 years; however, repayment will be due upon sale or upon maturity of the first mortgage loan.

- All HOME developments needing less than \$100,000 will receive a 5-year forgivable grant. Please note that developments consisting of more than 1 building under the same ownership entity will not be able to obtain grant funds for each building. The Agency will consider the development as one whole project.
- All developments receiving project-based rental assistance will have restrictive covenants placed against the property requiring the owner to continue to participate in the rental assistance program for as long as the original mortgage term.

Applicants are required to demonstrate their qualifications to administer the program, discuss other resources that they may be able to use to assist projects, and identify the geographic areas in which they propose to offer the program.

NOTE: The program is not available in areas, which receive their own HOME funds. Those areas are the cities of Minneapolis, St. Paul, and Duluth and the counties of Anoka, Dakota, Ramsey, Washington, Hennepin, St. Louis, Cook, Itasca, Koochiching, and Lake.

Applicants are required to prepare in writing costs they would charge the property owner to deliver the program. If selected, administrators will be responsible for monitoring their developments during the five (5) year compliance period. MHFA will select administrators primarily on their administrative capabilities rather than the cost to deliver the program. Administrators will also be required to attend the 2002 HOME Rental Rehabilitation Training Workshop scheduled for February 12, 2002, in St. Cloud, Minnesota.

Interested applicants should request an Application for Administrative Authority or direct any questions concerning the application process to the following:

Minnesota Housing Finance Agency
Crystal Carlson
400 Sibley Street
St. Paul, MN 55101
Phone: (651) 296-8064 or
Toll Free: 1-800-657-3701

Applications must be received by MHFA **no later than 4:30 p.m., January 4, 2002. No faxes will be accepted and no deliveries will be accepted after 4:30 p.m., of the deadline date.**

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

State Contracts

Informal Solicitations

Effective December 1, 2001, informal solicitations for all contracting opportunities for professional/technical (consultant) contracts with values estimated to be over \$5,000 and under \$50,000 must be posted on the Department of Administration's, Materials Management Division's web page (www.mmd.admin.state.mn.us).

Formal Requests for Proposals

Department of Administration procedures require that formal notice of any professional/technical (consultant service) contract which has an estimated value over \$50,000 must be printed in the *State Register*. Certain quasi-state agencies and Minnesota State Colleges and Universities institutions are by law exempt from these requirements.

Department of Administration

Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP)

Notice of Availability of Contract for Pharmaceutical Products

The Department of Administration, on behalf of the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) is requesting proposals for pharmaceutical products.

MMCAP is a voluntary group purchasing organization made up of governmental entities which contracts for pharmaceuticals. MMCAP is currently made up of 39 participating states and approximately 3000 participating facilities purchasing over \$600 million per year.

State Contracts

It is MMCAP's preference to make the request for proposals available electronically by contacting *dick.doering@state.mn.us*.

However, if necessary, a hard copy of the Request for Proposals (with a CD of required software) is available by written request directed to:

Richard Doering,
MMCAP RFP Request
50 Sherburne Avenue, #112
St. Paul, MN 55155

Proposals submitted in response to the Request for Proposals in this notice must be received at the address specified in the Request for Proposals **no later than February 1, 2002. Late proposals will not be considered.**

The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Department of Economic Security

Notice of Availability of Request for Proposal (RFP) for Unemployment Insurance Technology Initiatives Project Phase I

The Minnesota Department of Economic Security is requesting proposals for the purpose of securing planning, assessment and quality assurance services needed for the Unemployment Insurance (UI) Technology Initiatives Project Phase I. The Project involves creating a five to six year strategic plan for UI. The strategic plan will include reengineering and redesign of all unemployment insurance business processes and technical systems.

The goal of this redesign/modernization project is to redefine the unemployment insurance business model to support the needs of our customers in today's environment, while anticipating future growth and change. The new business model must also result in greater staff efficiencies that will ameliorate funding shortfalls. The new business model would create a new service delivery strategy, whereby the customer (be it an applicant or employer) can manage their own account that would encompass all aspects of the UI experience, tax, benefits, appeals and overpayment activity. We are looking to change procedures and introduce new technologies and organizational practices to better serve the needs of our customers. One of the major goals of this project is to provide a consistent and hassle-free experience from the customer's perspective. Another goal is to unite functions and information systems in order to achieve operational efficiencies, cost reductions and substantial improvement in customer service. This will be accomplished by creating innovative and streamlined work processes using knowledge management rather than task management, as the design core.

The contract period is March 1, 2002 to September 30, 2003.

The complete RFP is available online at <http://www.mnwfc.org/rfps>

A single hard copy of the Request for Proposal can be obtained from:

Minnesota Department of Economic Security
390 No Robert St
St. Paul, MN 55101
Attn: Kathy Nelson
Fax: (651) 297-4546

Proposals submitted in response to the Request for Proposal in this advertisement must be received at the address above no later than 3:00 p.m., January 18, 2002. **Late proposals will not be considered.** Fax or emailed proposals will not be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State 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 Group

Project Delivery Streamlining Team

Request for Qualifications for a Design-build Contract on Minnesota State Trunk Highway 14/52 in Rochester, Minnesota

The Minnesota Department of Transportation (“Mn/DOT”) is requesting statements of qualifications for the State Trunk Highway 14/52 Design-Build project, S.P. 5502-67, 5507-45, and 5508-78, (“Project”) in Rochester, Minnesota.

Mn/DOT has completed a preliminary engineering design of roadway and bridge improvements for the Project. The project is located in Olmsted County, city of Rochester, Minnesota, extending from approximately 3000 ft north of 55th St NW to Trunk Highway 63 (Broadway), a distance of approximately 14.13 km (8.78 mi). Mn/DOT will use the best value design-build method of project delivery, as defined in *Minnesota Statutes* Section 161.3426, Subdivision 1(b). The current project cost estimate is \$214 million.

The Request for Qualifications (“RFQ”) document provides information about the Project scope, schedule, and weighted criteria that Mn/DOT will use to establish a short list. The RFQ invites each interested design-build Proposer to submit a statement of qualifications (“SOQ”) that demonstrates how that Proposer satisfies certain criteria relevant to the Project, including but not limited to the following items: construction experience, design experience, design-build team organizational structure, project approach, project management, project administration, and preliminary quality control plan.

Mn/DOT will evaluate and score all SOQs and compile a short list of at least three but not more than five Proposers. Mn/DOT intends to issue a Request for Proposals (“RFP”) after establishing the short list. Only short-listed Proposers will be eligible to respond to the RFP, although other interested individuals may purchase copies of the RFP for information. Mn/DOT will offer a stipend of approximately 0.2% of Mn/DOT’s final Project design and construction estimated cost to each unsuccessful short-listed Proposer that submits technical and price proposals that Mn/DOT considers responsive.

Mn/DOT has established a Disadvantaged Business Enterprise (DBE) goal for this Project. Please refer to the RFQ for further details.

Proposers must request an RFQ in writing by mail, fax, or e-mail. With each request, Proposers must also provide a contact name, mailing address, fax number, phone number, and e-mail address (if available). There is no charge for the RFQ. **ALL REQUESTS FOR AN RFQ** must be sent to Paul Huston, Mn/DOT Design-Build Engineer, at one of the following addresses:

Mail: MS 670, 395 John Ireland Boulevard, St. Paul, MN 55155.

Fax: (651) 296-1805

Email: paul.huston@dot.state.mn.us

Other than requests for an RFQ, **ALL QUESTIONS AND COMMENTS ABOUT THE PROJECT** must be submitted in writing to Jon Chiglo, Mn/DOT Project Manager, by mail, fax, or e-mail:

Mail: 2900 48th Street NW, Rochester, MN 55903

Fax: (507) 285-7355

Email: jon.chiglo@dot.state.mn.us

Mn/DOT will only accept written questions or comments.

All SOQs will be considered any time up to 4:30 p.m. Central Standard Time, Friday, February 15, 2002, and must be addressed to Paul Huston, Project Delivery Streamlining Team, MS 670, 6th Floor South, 395 John Ireland Boulevard, St. Paul, MN 55155. Any SOQ that **fails to meet the February 15, 2002**, deadline will be returned, unopened, to the sender.

Mn/DOT’s design-build website is frequently updated with Project information: www.dot.state.mn.us/designbuild

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.

Mower County

Department of Human Services

Request for Proposals to Operate Transit System

Mower County is seeking proposals from providers interested in contracting to operate Mower County Transit, (MCT), beginning April 1, 2002 and continuing through December 31, 2003 with an option for 2004.

MCT is a countywide state subsidized public transportation system, utilizing small buses and volunteer drivers to transport passengers. The annual budget is approximately \$700,000. However, this proposal does not obligate the agency to spend this dollar amount.

Call or write for the full RFP, which will be sent free of charge to interested vendors by contacting:

Bruce Henricks, Director
Mower County Human Services
1005 North Main Street
Austin, MN 55912
Phone: (507) 437-9729

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

All proposals must be postmarked **on or before January 25, 2002**.

Mower County reserves the right to reject any and all proposals.

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

Order form on back page

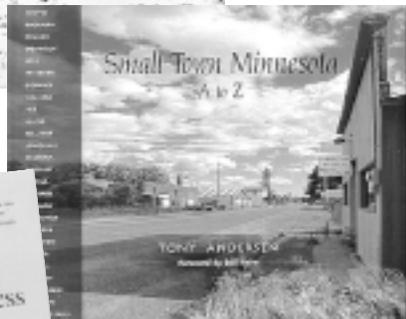
Celebrating our Rural Heritage



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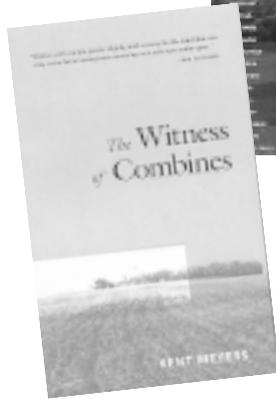
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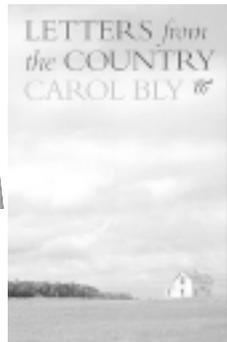
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