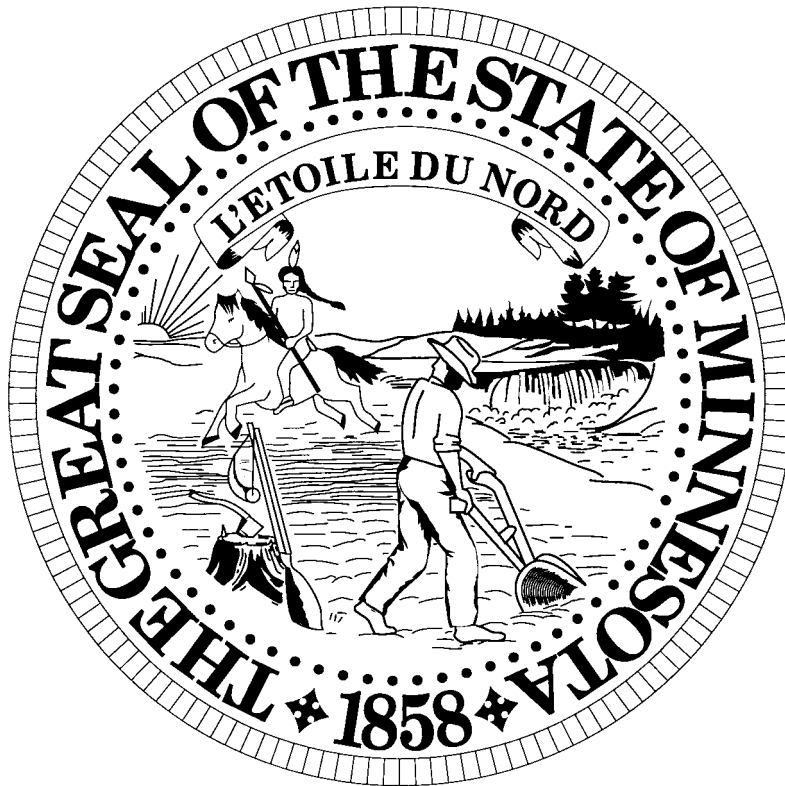


State of Minnesota

State Register

Rules and Official Notices Edition



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Monday 8 March 2004

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State Register

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

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

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- certificates of assumed name, registration of insignia and marks

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Printing Schedule and Submission Deadlines

Vol. 28 Issue Number	PUBLISH DATE	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	Deadline for Both Adopted and Proposed RULES
#36	Monday 8 March	Noon Tuesday 2 March	Noon Wednesday 25 February
#37	Monday 15 March	Noon Tuesday 9 March	Noon Wednesday 3 March
#38	Monday 22 March	Noon Tuesday 16 March	Noon Wednesday 10 March
#39	Monday 29 March	Noon Tuesday 23 March	Noon Wednesday 17 March

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House Information Office (651) 296-2146: State Office Building, Room 175,
Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
Website: www.house.leg.state.mn.us/hinfo/hinfo.htm

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U.S. Government Printing Office – Fax: (202) 512-1262
Website: http://www.access.gpo.gov/su_docs/aces/aces140.html

Minnesota State Court System

Court Information Office (651) 296-6043
Minnesota Judicial Center, Room 135, 25 Rev. Dr. Martin Luther King Jr Blvd.,
St. Paul, MN 55155 **Website:** www.courts.state.mn.us

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Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

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

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

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Proposed Rules

Comments on Planned Rules or Amendments

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

Department of Agricultural

Agricultural Chemical Response Compensation Board

Proposed Permanent Rules Relating to Agricultural Chemical Responses

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendments to Rules Governing Agricultural Chemical Response and Reimbursement, *Minnesota Rules*, 1512.0200, subp. 1; 1512.0600, subp. 2; and 1512.1000, subp. 4

Introduction. The Agricultural Chemical Response Compensation Board intends to amend rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. You may submit written comments on the proposed amendments to rules and may also submit a written request that a hearing be held on the rules until April 7, 2004.

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

Subject of Rules and Statutory Authority. The proposed rules are about board meeting procedures and financial compensation. The statutory authority to adopt the rules is *Minnesota Statutes*, section 18E.05, subd. 1. A copy of the proposed amendments to rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on April 7, 2004 to submit written comment in support of or in opposition to the proposed amendments and any part or subpart of the amendments. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed amendments addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed amendments must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the amendments. 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 April 7, 2004. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed amendments to which you object or state that you oppose the entire set of amendments. 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 amendments.

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

Proposed Rules

Modifications. The proposed amendments may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed amendments to rules unless the procedure under part 1400.2110 has been followed. If the proposed amendments affect you in any way, you are encouraged to participate in the rulemaking process.

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

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

Dated: 18 February 2004

Victoria Cook
Executive Director

1512.0200 BOARD MEETINGS.

Subpart 1. **Regular meetings.** At least ~~six~~ four regular meetings of the board must be scheduled a year. A scheduled meeting may be canceled due to insufficient funds in the account or if there is insufficient business.

Subp. 2. **Special meetings.** A special meeting of the board may be called by the chair or by written request of three board members.

1512.0600 REIMBURSEMENT OR PAYMENT OF COSTS.

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

Subp. 2. **Conditions.** A reimbursement or payment may not be made unless the board determines that the commissioner of agriculture has determined that the corrective action has adequately addressed, or will adequately address, the incident so as to eliminate unreasonable adverse effects on the environment.

An eligible person must seek and report to the board any and all other cost coverage or recovery when making an application for reimbursement or payment from the agricultural chemical response and reimbursement account.

~~A reimbursement~~ Financial compensation may not be made before the applicant receives approval from the commissioner of agriculture for a corrective action design:

~~A payment may not be made before the applicant receives the commissioner's approval~~ or for additional necessary corrective actions.

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

REPEALER. Minnesota Rules, part 1512.1000, subpart 4, is repealed.

Department of Public Safety

Driver and Vehicle Services Division

Proposed Permanent Rules Relating to Deputy Registrars

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 a Hearing are Received

In the Matter of Proposed Permanent Rules Relating to Deputy Registrars, *Minnesota Rules* Chapter 7406 and Repeal of Parts 7406.0100, subpart 20; 7406.0350, subpart 5; and 7406.0500, subpart 3

Introduction. The Minnesota Department of Public Safety intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedures Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on April 7, 2004, a public hearing will be held in the North Central Tower Conference Center Training Room, Skyway Level Town Square, 445 Minnesota Street, St. Paul, Minnesota starting at 9 a.m. on Wednesday, April 21, 2004. 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 April 7, 2004 and before April 21, 2004.

Proposed Rules

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 Jane Ann Nelson at the Minnesota Department of Public Safety, Driver and Vehicle Services Division, 445 Minnesota Street, Suite 195, St. Paul, Minnesota 55101-5196. **Phone:** (651) 296-2608, **FAX:** (651) 296-3141. TTY users may call the Department of Public Safety at (651) 282-6555.

Subject of Rules and Statutory Authority. The proposed rules address standards for the appointment of motor vehicle deputy registrars who are agents of the Commissioner of Public Safety responsible for the titling and registration of motor vehicles and collection of motor vehicle sales and registration taxes. These deputy registrars conduct business in city, county and private offices. Existing rules governing deputy registrars are found in *Minnesota Rules*, chapter 7406. Changes proposed:

- Provide for public interest considerations when making an appointment rather than automatically making an appointment based solely on distance from another office and projected transaction numbers;
- Establish criteria for a bond to cover state taxes and fees collected in excess of the \$10,000 minimum set in statute. The bond would be based on a portion of daily receipts taken in by a private deputy;
- Amend part 7406.0450 to facilitate the electronic reporting of transactions and the electronic deposit of state taxes and fees; and
- Provide criteria under part 7406.0475 for audits.

A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. A free copy of the notice, proposed rules and Statement of Need and Reasonableness giving the rationale for the proposed rules are available from the agency contact person. This notice and the proposed rules and Statement of Need and Reasonableness are available through the department's **Web site** at <http://www.dps.state.mn.us/DVS>. The notice and proposed rules may also be accessed directly from the *State Register* at <http://www.comm.media.state.mn.us>.

The proposed rules are authorized by *Minnesota Statutes*, section 14.06; section 168.33 and section 299A.01, subdivision 7.

Comments. You have until 4:30 p.m. on April 7, 2004, 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 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 April 7, 2004. Your written request for a public hearing must include your name and mailing 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 or 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 without a public hearing or as a result of the rule hearing process. Modifications must be supported by data and views submitted by the agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules, unless the procedure under *Minnesota Rules*, part 1400.2110 has been followed. 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 April 21, 2004, will be cancelled 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) 296-2608 after April 7, 2004 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 Beverly Jones Heydinger is assigned to conduct the hearing. Judge Heydinger can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **telephone** (612) 341-7606, and **FAX** (612) 349-2665.

Proposed Rules

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 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 rebuttal period. All comments or responses received will be available for review at the Office of Administrative Hearings. The hearing is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about hearing procedures 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. The Statement of Need and Reasonableness is also available through the department's **Web site** at <http://www.dps.state.mn.us/DVS>. 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 be reviewed and copies obtained at the cost of reproduction from the agency.

Lobbyist registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions about this requirement may be directed to the board at Suite 190 Centennial Building, 658 Cedar Street, St. Paul, Minnesota, 55155, **telephone** (651) 296-5148 or 1 (800) 657-3889.

Adoption Procedures if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period on April 7, 2004. 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 of Administrative Hearings. 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 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 the rules are filed 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: February 24, 2004

Richard W. Stanek, Commissioner
Minnesota Department of Public Safety

7406.0100 DEFINITIONS.

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

[For text of subs 7 and 8, see M.R.]

Subp. 8a. City. "City" means a statutory or home rule charter city.

Subp. 9. Collected or collection. "Collected" or "collection" means the:

A. receipt of the payment of motor vehicle registration fees and taxes paid by the customer;

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

Subp. 9a. Commissioner. "Commissioner" means the commissioner of public safety.

[For text of subs 10 and 11, see M.R.]

Subp. 12. Conviction of crime or crimes. "Conviction of crime" or "conviction of crimes" means convictions of felonies, gross misdemeanors, and misdemeanors ~~for which a jail sentence may be imposed~~ reasonably related to the function of a deputy registrar.

Subp. 13. Deputy registrar. "Deputy registrar" means ~~a county auditor or registrar appointed~~ an individual, governmental entity, government clerk or official, American Automobile Association, or corporation appointed by the commissioner.

[For text of subs 14 to 19, see M.R.]

Subp. 20. [See repealer.]

[For text of subs 21 and 22, see M.R.]

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Subp. 23. **Proposed office location.** “Proposed office location” means a location that has been submitted to the registrar for consideration as a deputy registrar ~~existing~~ office under ~~part~~ parts 7406.0300 and 7406.0310, or a move under part 7406.0330.

[For text of subps 24 and 25, see M.R.]

7406.0300 ESTABLISHING LOCATION OF PROPOSING DEPUTY REGISTRAR OFFICE LOCATION.

Subpart 1. ~~Hennepin and Ramsey counties~~ **Metropolitan county.** The conditions listed in ~~items A to E~~ this subpart must be met before a proposed deputy registrar office location ~~is approved~~ may be considered in ~~Ramsey or Hennepin~~ a metropolitan county.

A. The proposed office location must not be located within a ~~five-mile~~ ten-mile radius of an existing office.

B. The estimated number of transactions that a proposed office ~~will process~~ processes annually must be at least 35,000. The commissioner shall estimate the number of transactions will be estimated as 30 percent of the transactions processed within the preceding calendar year by existing offices located within a radius of the proposed office location of over ~~five~~ ten miles and less than ~~9-1/2~~ 19 miles.

C. The commissioner shall not consider the proposed office location ~~may not be established~~ if the use of the percentage of transactions processed by an existing office to establish a proposed office would reduce the number of transactions to less than:

- (1) ~~35,000~~ 70,000 for an existing office located in ~~Hennepin or Ramsey~~ a metropolitan county;
- (2) ~~20,000~~ 40,000 for an existing office located in an area under subpart 1a; or
- (3) 4,000 for an existing office located in an area under subpart 2.

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

E. The commissioner shall not consider a proposed office location ~~may not be considered~~ if the proposed office location is within a ~~ten-mile~~ 20-mile radius of an existing office that was established within the last two years. The two-year period starts from the date the deputy registrar was appointed.

Subp. 1a. ~~Other metropolitan counties; Municipalities with over 50,000 population.~~ The conditions listed in ~~items A to E~~ this subpart must be met before the commissioner considers a proposed office location ~~is approved in a metropolitan county, not including Hennepin and Ramsey counties, or~~ in a municipality with a population exceeding 50,000, not including municipalities in ~~Hennepin and Ramsey counties~~ a metropolitan county.

A. The proposed office location must not be located within a ~~five-mile~~ ten-mile radius of an existing office.

B. A maximum of two offices may exist in any municipality with a population exceeding 50,000.

C. The estimated number of transactions that a proposed office location ~~will process~~ processes annually must be at least ~~20,000~~ 40,000. The commissioner shall estimate the number of transactions ~~will be estimated~~ as the largest number computed in subitem (1), (2), or (3):

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

~~C. D.~~ The commissioner shall not consider a proposed office location ~~may not be established~~ if the use of a percentage of transactions processed by an existing office to establish a proposed office would reduce the number of transactions to less than:

- (1) ~~35,000~~ 70,000 for an existing office located in an area under subpart 1;
- (2) ~~20,000~~ 40,000 for an existing office located in an area under this subpart; or
- (3) 4,000 for an existing office located in an area under subpart 2.

~~D. E.~~ If a percentage of transactions processed by an existing office was used to establish a new office, that percentage may not be used again in consideration of another proposed office within a two-year period. The two-year period starts from the date the deputy registrar was appointed.

~~E. F.~~ The commissioner shall not consider a proposed office location ~~may not be considered~~ if the proposed office location is within a ~~ten-mile~~ 20-mile radius of ~~the an~~ existing office that was established within the last two years. The two-year period starts from the date the deputy registrar was appointed.

Subp. 2. **Other areas.** In all other municipalities not included in subpart 1 or 1a, the conditions listed in items A to E must be met before a proposed office location is ~~approved~~ considered.

A. The proposed office location must not be located within a 15-mile radius of an existing office, except that:

(1) in municipalities having a population of 25,000 to 50,000, a maximum of two ~~existing~~ offices ~~may be established~~ exist, and the proposed office ~~location~~ must not be located within a three-mile radius of an existing office in that municipality; and

(2) the proposed office location must not be located in a municipality of less than 25,000 population if there is an existing office in that municipality.

B. The estimated number of transactions ~~that~~ a proposed office location ~~will process~~ processes annually must be at least 4,000. The number of transactions must be estimated as follows:

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

C. The ~~commissioner shall not consider~~ a proposed office location ~~may not be established~~ if the use of the percentage of transactions processed by an existing office, to establish a proposed office, would reduce the number of transactions to less than:

- (1) ~~35,000~~ 70,000 for an existing office located in an area under subpart 1;
- (2) ~~20,000~~ 40,000 for an existing office located in an area under subpart 1a; or
- (3) 4,000 for an existing office located in an area under this subpart.

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

E. ~~The commissioner shall not consider~~ a proposed office location ~~may not be considered~~ if the proposed office location is within a 30-mile radius of an existing office that was established within the last two years. The two-year period starts from the date the deputy registrar was appointed.

7406.0310 OFFICE LOCATION CONSIDERATIONS.

Subpart 1. Factors considered. Before appointing a deputy registrar, the commissioner must approve a proposed location for a deputy registrar office. In addition to the information and conditions specified in part 7406.0300, the commissioner shall consider the factors described in this part when considering a proposed office location:

- A. the accessibility of the office location to the public;
- B. the cost to the state to audit, monitor, and train the deputy registrar and staff at the office; and
- C. whether the office location will best serve the public convenience.

Subp. 2. Disapproval of proposed office location. If a request for an office location is not approved, the commissioner shall notify the individual proposing the office location in writing and provide a statement of the reason for the disapproval. The statement must notify the individual that, within 30 days from the day the notice was mailed, the individual may appeal the disapproval to the Office of Administrative Hearings for a contested case hearing under *Minnesota Statutes*, chapter 14, if a factor in subpart 1 was cited for disapproval and disapproval was not due to a failure to meet the distance or transaction requirements for office location.

7406.0330 MOVE OF EXISTING OFFICE LOCATION.

Subpart 1. **In general.** A deputy registrar appointment is for the operation of an existing office in ~~the~~ a specific location approved by the ~~registrar commissioner~~ and specified in the certificate of appointment. A move of an existing office must ~~meet the requirements of part~~ be considered under parts 7406.0300 and 7406.0310, be within the same county, and be approved by the ~~registrar commissioner~~ before the move may occur.

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

7406.0350 COUNTY AUDITOR OFFICIAL AS DEPUTY REGISTRAR; PROCEDURE.

Subpart 1. **In general.** ~~Upon request by an applicant that has met the location requirements under part 7406.0300~~ When a proposed office location is approved by the commissioner, the ~~registrar commissioner~~ shall begin the ~~appointment~~ process of ~~appointing a deputy registrar for an~~ the approved office location. ~~The commissioner shall refer the request for an appointment must be referred first to the county auditor in the same county as the approved office location and the county auditor shall choose one of the options listed in subpart 2 regarding the appointment.~~

Subp. 2. **County auditor appointment action.** ~~When the registrar refers the appointment of deputy registrar to the county auditor in which the approved office location is located, the county auditor shall choose one of the options listed in items A to E:~~

~~A. if not previously appointed a deputy registrar, accept the appointment as the deputy registrar for the approved office location and operate the approved office location as county auditor;~~

~~B. if not previously appointed a deputy registrar, accept the deputy registrar appointment and agree to appoint The county auditor, with the approval of the county board, may designate a clerk or equivalent officer of a statutory or home rule charter city or any other person within the county to be appointed by the commissioner as a deputy registrar for the approved office location;~~

~~B. If the county auditor does not accept the appointment, the county board may designate the director of the county licensing bureau established under *Minnesota Statutes*, section 373.33, as the deputy registrar or, if the licensing bureau director is already a deputy registrar, make the licensing bureau director responsible for the administration of the new office location.~~

~~C. if previously appointed as a deputy registrar, operate the approved office location as county auditor;~~

~~D. if previously appointed as a deputy registrar, agree to appoint a clerk or equivalent officer of a statutory or home rule charter city or any other person as deputy registrar for the approved office location; or~~

~~E. C.~~ Regardless of whether the county auditor or licensing bureau director has been previously appointed a deputy registrar, the county board may decline ~~the~~ to designate a deputy registrar ~~appointment~~ for the approved office location.

Subp. 3. **Notice to registrar commissioner required.** The county auditor shall notify the ~~registrar commissioner~~, in writing, of the option ~~that is~~ chosen under subpart 2 regarding the ~~appointment~~ designation of a deputy registrar for the approved office location.

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tion. The ~~notification~~ notice of the county board's decision must be received by the ~~registrar~~ commissioner within ~~30~~ 60 days of the ~~offer~~ referral to ~~appoint~~ the county auditor by the ~~registrar~~ commissioner.

Subp. 4. **Failure to notify registrar commissioner; consequences.** If the county auditor ~~declines the appointment or~~ fails to notify the ~~registrar commissioner~~ within ~~30~~ 60 days ~~that the county auditor will personally accept the appointment and serve as a deputy registrar, or will accept the appointment and appoint another person to serve as the deputy registrar,~~ the commissioner shall ~~implement~~ the appointment of ~~the~~ a deputy registrar ~~must be considered by the registrar for the approved office location~~ under ~~part~~ parts 7406.0355 and 7406.0360.

Subp. 5. [See repealer.]

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

Subp. 7. **Transfer of county ~~auditor~~ appointments.**

~~A. The commissioner shall transfer a deputy registrar appointments made by appointment of a county auditor are transferred official to either the successor county auditor or to the registrar depending on the applicable circumstances set forth in item A or B. official~~

~~A. if the position of the county auditor official is taken or assumed by another individual, the successor county auditor automatically assumes:~~

- ~~(1) the appointment, responsibility, and authority of deputy registrar for the county; and~~
- ~~(2) the deputy registrar appointments made during the term of any previous county auditor.~~

~~The deputy registrar appointments are automatically transferred to the successor county auditor when the successor takes or assumes the position of county auditor the county board verifies to the commissioner that the proposed successor deputy registrar meets the qualifications for a deputy registrar as specified in this chapter and Minnesota Statutes, section 168.33.~~

~~B. A successor deputy registrar must not be appointed without certification of the appointment by the commissioner.~~

~~All C. A deputy registrar appointments appointment in a county are is transferred to the registrar commissioner if:~~

~~(1) the county auditor's official's appointment as a deputy registrar in that county is discontinued by the registrar under parts 7406.0800 to 7406.1000; or~~

~~(2) the county auditor for that county relinquishes the deputy registrar appointment and any deputy registrar appointments made by present or former county auditors for that county board notifies the commissioner that a successor official will not be designated upon the retirement, resignation, death, or discontinuance of the county official designated as the deputy registrar.~~

7406.0355 CITY OFFICIAL AS DEPUTY REGISTRAR.

Subpart 1. In general. If the county board declines to designate a deputy registrar for appointment to administer the approved office location under part 7405.0350, subpart 2, or the county auditor fails to provide timely notice to the commissioner under part 7406.0350, subpart 3, the commissioner shall extend the next consideration for appointment of a deputy registrar at an approved office location to the city where the approved office location is located.

Subp. 2. City designation. If the commissioner offers a deputy registrar appointment for an approved office location to a city, the city's governing authority shall, within 60 days of the date of the offer:

A. designate a clerk or official of the city to be appointed by the commissioner and verify to the commissioner that the individual meets the requirements for a deputy registrar in this chapter and Minnesota Statutes, section 168.33; or

B. decline the offer and notify the commissioner.

Subp. 3. Transfer of city appointment. The commissioner shall transfer the appointment of a city clerk or city official as a deputy registrar to another clerk or official of the city if the city's governing authority notifies the commissioner that the position has been assumed by another individual and verifies to the commissioner that the proposed successor deputy meets the qualifications for a deputy registrar as specified in this chapter and Minnesota Statutes, section 168.33.

A. If the appointment of the city clerk or city official had been previously made by the county auditor, the commissioner shall assume the responsibility for the appointment.

B. A successor deputy registrar must not be appointed without certification from the commissioner.

C. A deputy registrar appointment for a city reverts to the commissioner if:

- (1) the governing authority of the city decides to discontinue or relinquish the appointment; or
- (2) the commissioner discontinues the appointment.

Subp. 4. Failure to notify commissioner. If the city's governing authority declines the appointment or fails to notify the commissioner within 60 days, the commissioner shall implement the appointment of a deputy registrar for the approved location under part 7406.0360.

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7406.0360 DEPUTY REGISTRAR APPOINTMENT BY COUNTY AUDITOR OR REGISTRAR COMMISSIONER.

Subpart 1. **In general.** ~~Except for appointments under part 7406.0700, A deputy registrar appointment can only be made for an approved office location that qualifies under part 7406.0300. The appointment procedures in this part apply to appointments made by the registrar and those appointments made by the county auditor, excluding the appointment of a county auditor or an appointment made by a county auditor of a county clerk or county officer under part 7406.0350.~~

A. Only the commissioner has the authority to make a deputy registrar appointment.

B. The commissioner shall appoint a deputy registrar for a county or city when the government entity accepts an offer for appointment of a deputy registrar and verifies to the commissioner that the individual to be appointed meets the qualifications for a deputy registrar specified in this chapter and *Minnesota Statutes*, section 168.33.

C. When the county board and the city both decline to have a deputy registrar appointed, and the commissioner believes the appointment is in the public interest, the commissioner shall proceed to appoint a deputy registrar at an approved office location as specified in this part.

Subp. 2. **Publication of vacancy.** ~~After approval of a~~ When (1) an office location under part 7406.0300, either the county auditor or is approved by the commissioner, (2) the county board and city both decline the appointment of a clerk or official as a deputy registrar, and (3) the registrar commissioner still approves the office location and wants to appoint a deputy registrar, then the commissioner, as the appointing authority, is responsible for publishing shall publish notice of the deputy registrar vacancy for the approved office location.

A. The notice must be published for two successive weeks in a qualified newspaper in the county where the approved office location is located.

~~For an appointment being made by the county auditor, the notice must be published within 30 days after the date of notification to the registrar of the option to appoint under part 7406.0350, subpart 2. For an appointment being made by the registrar,~~

B. The notice must be published within 30 days after refusal of both the county auditor to appoint and city decline the appointment of a deputy registrar under part 7406.0300.

C. The notice must be in a format prescribed by the registrar and must contain at least the following information:

~~A. (1) the geographic location of the municipality that qualifies based on a field survey conducted by the registrar approved office location;~~

~~B. (2) information on how to obtain an application for the appointment; and~~

~~C. (3) the deadline for submitting the application to the registrar commissioner.~~

Subp. 3. **Restriction on processing proposed office locations.** Once a request for approval of a proposed office location has been submitted to the registrar commissioner for consideration, no other requests for approval of a proposed office location may be made for that proposed office location or a location within a 15-mile radius of that proposed office location until:

A. the registrar determines that the proposed office location does not meet the requirements of part 7406.0300 commissioner either approves the proposed office location or all appeals associated with a disapproval have been resolved; or and

B. the appointment process for the approved office location under this chapter is completed.

[For text of subs 4 and 5, see M.R.]

Subp. 6. **Change in deputy registrar conditions.** A deputy registrar shall report changes or anticipated changes of the information in subpart 4 to the commissioner.

A. The changes must be reported to the registrar, on in a form format prescribed by the registrar commissioner, within ten days of the date the change is to occur or within ten days of the date the deputy registrar learns that the changes will occur, whichever occurs first.

B. Changes are subject to approval by the registrar commissioner.

C. A change may be without prior approval of the commissioner is cause for discontinuance of an appointment if the change violates this chapter or *Minnesota Statutes*, section 168.33.

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

7406.0370 CERTIFICATE OF APPOINTMENT OF DEPUTY REGISTRAR.

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

Subp. 2. **Certificate of appointment.** In connection with the appointment as a deputy registrar, the individual, public ~~entity~~ official, or ~~corporation~~ corporate officer shall execute a certificate of appointment with the commissioner.

A. The certificate must include specify the person individual, public official, or corporate officer appointed as deputy registrar, the location of the approved office, and other information relating to the responsibility of the deputy registrar appointment.

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B. The certificate of appointment must be signed by the appropriate person as follows:

A. (1) when an individual is appointed, by the individual appointed;

B. (2) when a government entity ~~is appointed~~ designates a public official, by ~~a~~ the public official ~~authorized to sign on behalf of~~ designated by the government entity; and

C. (3) when a corporation is appointed, by an officer of the corporation.

C. When the designation of a deputy registrar is transferred by a county or city to another officer or clerk, a new certificate of appointment must be completed by the commissioner.

D. The commissioner shall withdraw an offer of appointment if the appointed deputy registrar fails to provide an operational office that meets the requirements of this chapter within 12 months of the date of initial appointment by the commissioner.

Subp. 3. County appointment of private party.

A. If a county auditor has appointed, previous to the adoption of this subpart, a deputy registrar who is a private party, the county auditor shall maintain responsibility for the operation and administration of that deputy registrar.

B. If a deputy appointed by a county auditor dies or discontinues service, or if the county auditor or board discontinues the appointment, the appointment of the deputy registrar reverts to the commissioner.

7406.0380 BOND.

If a deputy registrar appointed under this chapter is not an official or clerk of a county or city, the deputy registrar must provide a continuous surety bond to the state to cover the motor vehicle taxes and fees collected on behalf of the commissioner.

A. The bond must be conditioned upon the faithful discharge of duties as a deputy registrar.

B. If a deputy registrar is also a driver's license agent, a separate bond must be maintained by the deputy registrar in addition to the bond required to be held to cover the state taxes and fees collected as a driver's license agent.

C. If the deputy registrar is also an agent for the Minnesota Department of Natural Resources, the deputy's bond with the commissioner must specify that it only covers motor vehicle transactions under *Minnesota Statutes*, chapters 168, 168A, 168C, and 297B.

D. Beginning July 1, 2004, the bond for all motor vehicle transactions of the Department of Public Safety:

(1) for an initial deputy registrar appointment must be either \$10,000 or the projected amount of motor vehicle taxes and fees estimated to be collected in a two-day period based on the transaction estimates under part 7406.0300, whichever amount is greater; or

(2) for an existing office must be either \$10,000 or an amount sufficient to cover two days of average daily receipts of motor vehicle taxes and fees collected during the previous state fiscal year, whichever amount is greater.

E. The bond must be rounded up to the nearest \$5,000 increment.

F. For an initial appointment, the bond must be adjusted after the first 24 months of office operation and must be based on the two-day average amount of motor vehicle taxes and fees collected during the previous year of operation.

G. All bonds must be adjusted every five years, starting with the date of initial issuance for an existing office, or starting with the date after the 24th month adjustment for a new office. The five-year adjustment must reflect the two-day average daily amount of motor vehicle taxes and fees during the previous two calendar years.

7406.0450 REPORTING AND DEPOSITING PRACTICES.

Subpart 1. **Definition.** For purposes of this part, the words "next working day" mean the 24-hour period following the daily close of the ~~deputy registrar's office's~~ records.

A. A working day does not include Saturdays, Sundays, or legal holidays listed in *Minnesota Statutes*, section 645.44, subdivision 5; nonbanking days of approved state depositories; holidays authorized under *Minnesota Statutes*, section 373.052, subdivision 1, for ~~deputies who are~~ county officers or employees; or days that an office is not open for business, upon approval from the ~~registrar~~ commissioner.

~~The deputy registrar shall provide~~

B. At the time of appointment, written notification must be made by the deputy registrar to the ~~registrar~~ commissioner of the days that the office will be open and the time of the daily close of the office records.

C. The time of the daily close of office records may not be changed by the ~~deputy registrar~~ without prior written notification to the ~~registrar~~ commissioner at least 15 days before the effective date of the change.

Subp. 2. **Reporting registrations, fees, and taxes.** ~~Deputy registrars shall~~ A report of the motor vehicle fees and taxes collected and the motor vehicle transactions collected for the department each working day must be transmitted by the deputy registrar to the ~~registrar, on a summary report form~~ commissioner according to the procedures specified in this part and in an electronic format

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or other alternative means prescribed or approved by the registrar, a summary of the motor vehicle transactions collected each day commissioner. The summary report must contain include:

A. a list of the names of the transferees or registrants, excluding the names of parties applying solely for renewal parties of the collected transactions;

B. the type of transaction required;

C. the listing of motor vehicle fees and taxes that were collected for the department on that day;

D. the supporting completed motor vehicle documents and required information for the transactions as specified by the registrar commissioner; and

E. a report to the registrar and to the Minnesota state treasurer, on forms supplied by the Department of Finance, or approved by the registrar, showing financial statement listing the total amount of registration motor vehicle fees and taxes collected and deposited, and reported under subpart subparts 3 and 3a. On

(1) The financial report submitted to the registrar, the deputy registrar shall statement must provide the time of the daily close of the deputy registrar office, and the date and time that the deposit was made in the state depository or by other approved method. The deputy registrar must also provide the validated bank deposit slip or other written verification by the bank of the time of deposit office location identification number, report number, report date, and the total amount of the deposit for that report.

(2) All transactions, motor vehicle fees, and taxes collected in an office must be included on the summary report for the day the transaction was, motor vehicle fees, and taxes were collected in the office.

(3) A minimum of one summary report must be completed for all transactions, motor vehicle fees, and taxes collected during each working day.

(4) More than one summary report may be submitted for one a working day with prior approval from the registrar commissioner.

(5) If an office does not collect any transactions, motor vehicle fees, or taxes on a working day the office is scheduled to be open, a summary report must still be filed with the registrar commissioner indicating that no transactions, motor vehicle fees, or taxes were collected for that day.

(6) Deputy registrars shall deliver the summary report The report must be transmitted or delivered to the registrar and the Minnesota state treasurer commissioner before the end of the next working day following the receipt of the documents, motor vehicle fees, and taxes by one of the following methods: electronic transfer or other alternative means approved by the commissioner.

(7) Supporting documents for transactions listed on the report must be delivered either by (1) United States mail; (2) by a package delivery services; (3) electronic transfer; (4) by hand delivery; or (5) by other methods means approved by the registrar commissioner.

If the United States mail is used to deliver the summary report to the registrar, the date of delivery by United States mail is the actual day on which the delivery is deposited in a United States mail receptacle, regardless of whether the date is the same as the date the summary report is postmarked.

Subp. 2a. **Processing and reporting incomplete motor vehicle documents transactions.** The processing and reporting requirements listed in items A to G specified in this subpart must be met if a deputy registrar receives an incomplete motor vehicle transactions transaction is received by a deputy registrar.

A. The transactions are not considered accepted and incomplete transaction must not be listed on the summary daily report by the deputy registrar for the office until the collection of all motor vehicle fees and taxes are collected for the transaction.

B. State inventory must not be released to the customer by the deputy registrar before the time of the collection of until all motor vehicle fees and taxes are collected for the transaction.

C. Registration State fees and taxes must not be deposited or reported before the time of the collection of for the transaction.

D. Incomplete transactions that for which motor vehicle fees and taxes cannot be collected the same working day that they the transactions were received by the deputy registrar must be dated with the date that they the transactions were received by the deputy registrar and placed in the incomplete processing area that is required under part 7406.0400, subpart 2, item B.

E. In the case of motor vehicle transactions, state fees and taxes, the deputy registrar shall collect all motor vehicle fees and taxes for the transaction or return the incomplete transaction to the customer within two working days following receipt of the transaction.

F. In the case of an incomplete transaction that is accepted, the deputy registrar shall inform the customer that the motor vehicle transaction will not be considered accepted by the deputy registrar and stamped with a paid stamp until the collection of the transaction is completed and all motor vehicle fees and taxes are collected.

G. The A deputy registrar must notify the registrar commissioner if the deputy registrar's office intends to receive incomplete

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motor vehicle transactions and submit to the ~~registrar~~ commissioner a floor plan of the office space as required under part 7406.0360, subpart 4. If the deputy registrar ceases to accept incomplete motor vehicle transactions, the deputy registrar shall notify the ~~registrar~~ commissioner within ten days of the change.

Subp. 3. **Depositing motor vehicle fees and taxes.** Before the end of each working day, ~~each deputy registrar~~ registrar shall deposit an amount equal to the total of all motor vehicle fees and taxes collected the previous working day, ~~excluding the filing fees collected under Minnesota Statutes, section 168.33, subdivision 2. Deputy registrars shall make the deposits in approved state depositories to the credit of the state, in accordance with Minnesota Statutes, section 168.33, subdivision 2.~~ The date of deposit is the actual day on which the deposit is made regardless of whether that date is the same as the date the deposit is recorded by the state depository. Deposit may be made by any method acceptable to the state depository including wire transfer according to the requirements in subpart 3a. The amount listed for the total of all motor vehicle fees and taxes collected must cover any shortages for any transactions collected and stamped as paid.

Subp. 3a. Reporting deposits to commissioner. On the date the deposit of motor vehicle fees and taxes are due, the deputy registrar shall ensure that a financial statement of the deposits made are reported to the commissioner according to the procedures and in a format specified in this part.

A. All deposits must be made in a depository that meets the requirements in this subpart.

B. The depository must be authorized by the deputy registrar to allow the state to electronically withdraw funds from the deputy registrar's account in an amount equal to the motor vehicle taxes and fees reported to the state.

C. Any depository used for the deposit of taxes or fees due and owing the state must either:

(1) be a state-designated depository; or

(2) meet the depository and collateral requirements in Minnesota Statutes, section 9.031.

D. Any funds collected on a working day in excess of the total motor vehicle taxes and fees listed on the report, minus filing fees and imprest cash, must be deposited as motor vehicle registration tax.

Subp. 3b. Reconciling reported excess. If a deputy registrar documents the need for a refund of a reported payment of excess funds, the commissioner may refund the reported excess funds if the submitted documentation substantiates the reported excess.

Subp. 4. **Maintaining records.** At the deputy registrar's office, the deputy registrar ~~shall~~ must keep complete records for deposits made to approved state depositories and the daily ~~summary~~ reports prepared under subpart 2 for motor vehicle registrations and motor vehicle fees and taxes collected.

A. The records must be maintained for three years.

B. Once the records and the corresponding motor vehicle documents are received by the deputy registrar, the records, documents, and information contained on the records and documents become the property of the state of Minnesota and are subject to the terms of the Data Practices Act under Minnesota Statutes, chapter 13. The records, documents, and information contained on the records and documents may not be released by the deputy registrar without prior approval from the ~~registrar~~ commissioner, except when authorized by statute for law enforcement personnel and by court order.

Subp. 4a. Destroying private or confidential data. Storage or destruction of any document with private or confidential information must be done in such a way that the information is irretrievable and cannot be revealed to anyone not entitled to see it.

Subp. 5. **Late payment charge.** On discovering a violation of subpart 3 or 3a, the ~~registrar~~ commissioner must send a ~~warning~~ notice to the deputy registrar warning of the violation. The notice must be in either written or electronic format.

A. The notice must identify the violation and tell the deputy registrar that if the deputy registrar violates subpart 3 or 3a again in the following month within 180 days, a late payment charge will be imposed.

B. For each month immediately following a month for which the deputy registrar is warned or issued a late payment charge, in which the deputy registrar violates subsequent violation of subpart 3 again or 3a after a warning notice has been issued, the ~~registrar~~ commissioner shall impose a late payment charge of \$30 or an amount computed by the following formula, whichever is greater.

(1) The number of calendar days for which payment is late begins on the date the deputy registrar is electronically notified that payment is late. The notice must contain the information specified in subpart 6.

(2) Calendar Days Late x Delinquent Amount x Daily Rate = Late payment charge where:

(a) Calendar Days Late = Actual number of calendar days each deposit or report is delinquent;

(b) Delinquent Amount = Actual amount each deposit or report is delinquent.

(3) Daily Rate = Interest on all state funds without authority to be invested separately, as determined by the Minnesota Department of Finance, for the month the deposit or report was due, divided by 365 days.

(4) In determining the number of calendar days a deposit or report is late, weekends and holidays must be included only

Proposed Rules

if the deposit or report is determined to be already at least two calendar days late.

(5) The registrar commissioner shall continue to impose ~~monthly~~ the late payment charges until the deputy registrar is no longer in violation of this part.

Subp. 6. **Notice of late payment charge.** In addition to the electronic notice in subpart 5, the registrar commissioner shall send a written notice of a late payment charge to the deputy registrar by certified mail.

A. The notice must identify the violations of *Minnesota Statutes*, section 168.33, and subpart 3 or 3a for which the late payment charge is imposed.

B. The notice must also tell the deputy registrar when the late payment charge is due, how the late payment charge must be paid, and how to obtain a review of the late payment charge.

[For text of subs 7 to 9, see M.R.]

7406.0475 AUDIT.

Subpart 1. **Biennial audit.** At the request of the commissioner, a deputy registrar shall make available for audit all motor vehicle fee and tax records for all transactions occurring during the state's biennial fiscal cycle for each office location of a deputy registrar. If the commissioner has reasonable cause to believe another audit is necessary in addition to the biennial audit, the commissioner may order that another audit be conducted at cost to the deputy registrar.

Subp. 2. **Scope of audit.** The audit must cover the motor vehicle transaction fees and taxes collected by the deputy registrar for the previous two years. The audit report must include:

- A. the auditor's opinion as described in subpart 3;
- B. a report on internal controls as described in subpart 4;
- C. a verification of imprest cash as required by subpart 5;
- D. any material weaknesses as described in subpart 6;
- E. a response to the auditor's report by the deputy registrar; and
- F. other information as noted by the auditor.

Subp. 3. **Auditor's opinion; compliance and corrective action; administrative sanctions.** The auditor's opinion must describe areas of compliance, noncompliance, and corrective action and show a timetable for corrective action. Failure to undertake corrective action or to meet timelines is cause for subsequent administrative action, including suspension or revocation.

Subp. 4. **Internal controls.** The internal controls are the internal procedures of the deputy registrar designed to ensure compliance with the reporting and depositing requirements of this chapter. The audit of internal controls must assess whether:

- A. transactions have been properly recorded and accounted for;
- B. reliable state reports have been prepared; and
- C. control measures are in place that assure that accountability over all motor vehicle fees and taxes is maintained by the deputy registrar.

Subp. 5. **Verify imprest cash.** The audit must include a verification of the proper use of imprest cash as specified in part 7406.0500, subpart 7, and report any discrepancies.

Subp. 6. **Material weaknesses.** The audit report must state whether any material weaknesses were detected. Material weaknesses include:

- A. inadequate safeguarding of state inventory, fees and taxes, or other state assets;
- B. repeated overages or shortages;
- C. delinquent fees, taxes, or reports due to the state;
- D. failure to maintain proper reports and records;
- E. material underreporting or overreporting of transactions or motor vehicle fees or taxes;
- F. failure to report the loss of inventory, motor vehicle fees, or taxes; and
- G. inattention to or lack of correction to previously reported material weaknesses.

7406.0500 GENERAL OPERATING RULES FOR DEPUTY REGISTRARS.

Subpart 1. **Management of office.** In managing the office, a deputy registrar ~~must manage the office in accordance with the following:~~

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

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

Subp. 3. [See repealer.]

[For text of subs 5 to 11, see M.R.]

7406.0700 EXEMPTION EXCEPTION TO VOLUME AND DISTANCE REQUIREMENTS.

~~Notwithstanding part 7406.0300,~~ A new deputy registrar may be appointed ~~for an existing office location~~ upon the death, resignation, revocation, or retirement of an existing deputy registrar whose office does not comply with the requirements for distance or number of applications for registration processed in part 7406.0300 if the provisions in this part are met. ~~However,~~

A. The new deputy registrar must locate the office in the same city.

B. ~~The existing office location must meet the office requirements under part 7406.0400 before an appointment can be made under this part and must have all equipment necessary to process and report transactions and collect and report state taxes and fees. If, within six months, a new deputy registrar appointment is not accepted by the person to be appointed or if the office is not established by the appropriate local government, then part 7406.0300 applies.~~

C. If the commissioner approves the exception, the commissioner shall use the appointment process specified in parts 7406.0350 to 7406.0360.

7406.0900 IMMEDIATE SUSPENSION OF APPOINTMENT.

Subpart 1. **Grounds.** The ~~registrar~~ commissioner may immediately suspend a deputy registrar appointment if the ~~registrar commissioner~~ has sufficient cause to believe that an immediate suspension is necessary to ensure the security of the monies of the state or the public, or to the operation of the deputy registrar office. In making the determination to immediately suspend, the ~~registrar commissioner~~ shall consider:

A. whether grounds exist for the revocation of an appointment;

B. whether the deputy registrar's failure to comply with an applicable law or rule has placed in imminent danger the monies of the state ~~or~~ the public, or the operation of the deputy registrar office; and

C. whether the risk of harm to the monies of the state ~~or~~ the public, or ~~to~~ the operation of the deputy registrar office, outweighs the harm to the deputy registrar of discontinuing the operation of the office during the pendency of a hearing.

[For text of subs 2 and 3, see M.R.]

7406.1000 DEPUTY APPOINTMENT SUSPENSION, REVOCATION.

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

Subp. 2. **Grounds for suspension or revocation.** The ~~following~~ violations specified in this subpart are grounds for revocation or suspension of a deputy registrar appointment:

A. conviction ~~for~~ of a felony;

B. conviction ~~for~~ of any crime:

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

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

E. misappropriation, conversion, or illegal withholding of state fees and taxes required to be deposited or reported in accordance with this chapter ~~and~~ or Minnesota Statutes, chapter 84, 86B, 168, 168A, 168D, 297B, or 296A;

F. failure or refusal to provide the ~~registrar commissioner~~ access to the office, documents, persons served, or employees;

G. immediate suspension of an appointment under part 7406.0900; ~~or~~

H. grounds for denial of an appointment under part 7406.0360, subpart 7; or

I. loss of an appointment as a driver's license agent under chapter 7404 or Minnesota Statutes, section 171.061.

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

7406.2700 INDEMNIFICATION.

The deputy registrar and any agency or employee of the deputy registrar shall hold the commissioner harmless from any and all claims or causes of action against the deputy registrar or any employee or agent of the registrar, including all attorney fees incurred, arising from performance or actions in accordance with this chapter or Minnesota Statutes, section 168.33.

REVISOR INSTRUCTION. The revisor of statutes shall change "registrar of motor vehicles" and "registrar," when referring to the registrar of motor vehicles, to "commissioner" wherever found in Minnesota Rules, chapter 7406.

REPEALER. Minnesota Rules, parts 7406.0100, subpart 20; 7406.0350, subpart 5; and 7406.0500, subpart 3, are repealed.

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 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 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 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.

Pollution Control Agency

Adopted Permanent Rules Relating to Beneficial Use of Solid Waste

The rules proposed and published at *State Register*, Volume 27, Number 51, pages 1810-1819, June 16, 2003 (27 SR 1810), are adopted with the following modifications:

7035.0300 DEFINITIONS.

[For text of subs 32 to ~~87~~ 62, see M.R.]

Subp. 62a. **Manufactured product.** "Manufactured product" means an item that through processing becomes chemically and physically stable and remains so during its intended use. Examples of manufactured products include wallboard, ceiling tile, plywood, lumber, office furniture, containers, and bricks. Items that are not considered manufactured products include materials used in bulk in direct contact with the environment such as flowable fill, lightweight fill, clean fill, and aggregate, and materials used in bulk that are intended to be chemically active such as agricultural soil amendments and fertilizers.

Subp. 62b. **Maximum leachable contaminant levels.** "Maximum leachable contaminant levels" means the numerical standards for the levels in leachate of substances listed in part 7035.2885, subpart 5. They are used to determine design and operational requirements which apply to a municipal solid waste combustor ash land disposal facility.

[For text of subs 63 to 87, see M.R.]

Subp. 96a. **Secondary materials market.** ~~"Secondary materials market" refers to the sale, trade, or exchange of recyclable materials that are suitable for use in manufactured products.~~

Subp. 96b. **Segregated household hazardous waste.**

"Segregated household hazardous waste" means household hazardous waste that is separated from other solid waste or arrives at a solid waste management facility separated from other solid waste.

Subp. 111b. **Unadulterated wood.** "Unadulterated wood" means wood that does not contain contaminants present as a result of manufacturing or use of the wood. Examples of contaminants include, ~~but are not limited to,~~ paints, varnishes, stains, glues, resins, or chemicals used to prevent rotting.

7035.0450 DEMONSTRATION/RESEARCH PROJECTS.

Subp. 2. **Information submittal.** A proposal for a demonstration/research project must be submitted to the agency for review and receive written approval prior to its initiation. At a minimum, the following items must be addressed in any proposal submitted for review and approval:

~~K. a listing of potentially affected or interested parties that have been notified about the proposed demonstration/research project and a description of the method used for notification. These parties must receive information on whom they can contact at the agency to provide comments on the project if desired~~ verification that residents within a one-mile radius of the demonstration/research project have been notified prior to submitting the proposal to the agency. The verification must consist of a copy of a notice placed in the local paper or a copy of any letter mailed to these residents. The notice or letter must include a brief description of the demonstration/research project and information on how to contact the agency to provide input or comments on the project; and

Subp. 3. **Agency actions and approval.** Upon completing review of the proposal, the agency shall accept or reject the proposal based on the ~~projects~~ project's potential to impact human health and the environment and whether the project will result in development of useful information related to solid waste management. The agency shall give priority to proposals that have the potential to prevent pollution or that reduce or utilize solid wastes.

Upon agency approval of a demonstration/research project, the agency shall take one of the following actions:

B. prepare an agreement that must be signed by the proposer before the project may be initiated. The agreement must contain requirements including, ~~but not limited to,~~ the following items:

7035.2535 GENERAL SOLID WASTE MANAGEMENT FACILITY REQUIREMENTS.

Subpart 1. **Unacceptable wastes.** The owner or operator of a solid waste management facility must not accept the following wastes for treatment, storage, processing, or disposal:

B. sewage sludge, septic tank pumpings, sewage sludge compost, or sewage unless treated to meet the Class B pathogen reduction standards of chapter 7041;

C. infectious wastes, unless approved by the agency;

~~C. D.~~ D. used oil, except as provided in subpart 5, item B;

~~D. E.~~ E. radioactive waste;

~~E. F.~~ F. wastes containing free liquids; or

~~F. G.~~ G. free liquids.

7035.2855 SOLID WASTE STORAGE STANDARDS.

Subpart 1. **Scope.** The requirements of subparts 2 to 6 apply to owners and operators of facilities that store solid waste, except as part 7035.2525, subpart 2, provides or as otherwise provided in this subpart.

A. Owners and operators of facilities that store solid waste prior to its beneficial use in accordance with part 7035.2860 must meet the standards in subparts 2, 6, and 7 and are exempt from subparts 3, 4, and 5. If any portion of the solid waste stored at a given location is not beneficially used the storage standards in subparts 2 to 6 apply. Solid wastes stored in Minnesota prior to beneficial use in another state that are not the subject of a beneficial use determination under part 7035.2860, subpart 4 or 5, must submit the following information to the agency prior to use of the storage facility using the beneficial use criteria:

(1) information required by part 7035.2860, subpart 5, items A, B, and H; and

(2) verification that the standards for beneficial use in the state where the beneficial use is occurring are being met and the name, address, and telephone number of that state's contact person.

D. Owners and operators of facilities permitted for the processing of construction debris and demolition debris for the primary purpose of extracting recoverable portions of the waste stream for beneficial use and recycling must meet the storage standards in subparts 2, 6, and 7. These facilities are exempt from the standards in subparts 3, 4, and 5 provided that the materials that cannot be accepted for disposal at a demolition debris land disposal facility such as asbestos, caulk tubes, waste paint, waste solvents, glues, tars, adhesives, and mixed municipal solid waste are removed from the waste within 48 hours of delivery to the facility.

7035.2860 BENEFICIAL USE OF SOLID WASTE.

Subpart 1. **Applicability.** This part establishes a procedure for determining when use of a material classified as a solid waste is a beneficial use. The uses listed in subpart 4 as standing beneficial use determinations have been reviewed and determined to be beneficial uses of solid waste by the agency. All other proposed uses of solid wastes must obtain case-specific beneficial use determinations in accordance with the procedures in subpart 5. The following exemptions are provided:

A. Beneficial uses authorized to occur by an agency permit or legally binding document issued prior to the effective date of these rules are exempt from this part. Upon expiration of the authorization, the procedure for obtaining a case-specific beneficial use determination in subpart 5 must be followed.

B. Recyclable materials recycled in accordance with part 7035.2845 and Minnesota Statutes, section 115A.03, subdivision 25, are exempt from this part.

C. Recyclable materials that are not exempt under item B are exempt from the requirement to obtain a case-specific beneficial use determination under subpart 5 when they are incorporated into a manufactured product as defined by part 7035.0300, subpart 62a.

D. Composts that are used in accordance with the standards contained in part 7035.2836 are exempt from this part.

Subp. 3. ~~**Solid waste cessation Regulatory exemption.** Unless specified otherwise by the agency in a beneficial use determination or permit, a material remains a solid waste until the solid waste is placed in commerce or it is incorporated into a manufactured product for sale or distribution. Until the time solid waste cessation occurs the material must be managed as a solid waste in accordance with this chapter, or utilized in accordance with a standing or a case-specific beneficial use determination. Until the time this regulatory exemption occurs, the material must be stored in compliance with part 7035.2855 and managed as a solid waste in accordance with this chapter.~~

Subp. 4. **Standing beneficial use determinations.** A standing beneficial use determination means that the generator or end user of a material can do so in accordance with this subpart without contacting the agency. Only those specific solid wastes and the uses designated in items A to ~~P~~ Q have been given standing beneficial use determinations. Any other uses of the solid waste are not authorized and must follow the procedure outlined in subpart 5.

A. Unadulterated wood, wood chips, bark, or sawdust when these materials are ~~placed in commerce for service~~ used as mulch, landscaping, animal bedding, erosion control, wood fuel production, a bulking agent at a compost facility operated in compliance with part 7035.2836, or as a substitute for wood.

B. Unadulterated newspaper and newsprint ~~utilized~~ used as animal bedding, insulation, or as a substitute for paper products.

E. Reclaimed glass and porcelain fixtures when ~~utilized~~ used as a substitute for conventional aggregate or subgrade applications in accordance with Minnesota Department of Transportation Standard Specifications for Construction 2000 Edition, 3138.2 A2.

H. Tire chips when used as a substitute for conventional aggregate in construction applications when the ratio of this sub-

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stitution is no greater than one to one by volume. This does not include use of tire chips as general construction fill or clean fill.

I. ~~Uncontaminated recognizable concrete, recycled concrete and concrete products, and brick placed in commerce when used~~ for service as a substitute for conventional aggregate.

J. ~~Salvaged bituminous when utilized used~~ as a substitute for conventional aggregate in accordance with Minnesota Department of Transportation Standard Specifications for Construction 2000 Edition, 3138.2 A2.

K. ~~Coal combustion slag placed in commerce for use when used~~ as a component in manufactured products such as roofing shingles, ceiling tiles, or asphalt products.

L. ~~Coal combustion slag placed in commerce for use when used~~ as a sand blast abrasive.

M. ~~Coal combustion fly ash as defined by ASTM C 618 placed in commerce for use when used~~ as a pozzolan or cement replacement in the formation of high-strength concrete.

N. ~~Coal combustion fly ash or coal combustion gas scrubbing by-products when used as an ingredient for production of aggregate that will be used in concrete or concrete products. This does not include use in flowable fill.~~

O. ~~Foundry sand when used as a feed material for the manufacture of Portland cement.~~

P. ~~Uncontaminated by-product limes when utilized used~~ as agricultural liming materials and distributed in accordance with chapter 1508 and *Minnesota Statutes*, sections 18C.531 to 18C.575. Application rates for by-product limes must be based on the lime recommendations of the University of Minnesota Extension Service and cannot cause the soil pH to exceed 7.1 after application. Site-specific application rates for by-product lime must be determined by an individual that has a background and understanding of crop nutrient management such as a crop consultant or University of Minnesota Extension Specialist. Recommended rates for lime can be obtained from the University of Minnesota Extension Service publication "Fertilizer Recommendations for Agronomic Crops in Minnesota" BU-06240-S, and the Minnesota Department of Agriculture publication "Ag-Lime Recommendations in Pounds ENP per acre" available on their **Web site** at <http://www.mda.state.mn.us/lime>.

~~Q. Manufactured shingle scrap and ground tear-off shingle scrap when used in asphalt pavement or road subbases.~~

~~P. Recyclable materials that are used in the secondary materials market. This does not include uses of recyclable materials as construction fill, clean fill, or manufactured fill.~~

Subp. 5. **Case-specific beneficial use determinations.** For uses of a solid waste not identified in subpart 4, the agency shall make a case-by-case determination on whether the proposed management option for the specific solid waste is a beneficial use. This determination must be based on information submitted in accordance with this subpart. In cases where the information required by this subpart is not available, a demonstration/research project designed to provide the missing information may be proposed in accordance with part 7035.0450. Unless otherwise directed by the agency, proposals must include the following information at a minimum:

K. ~~identification of potentially affected or interested parties, so the agency can determine a proposal for notification of interested or affected parties.~~ The agency shall review this proposal and make a determination on the appropriate notification procedures.

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.

Campaign Finance and Public Disclosure Board

Notice of 2004 Election Year Campaign Expenditure Limits

In accordance with *Minnesota Statutes* § 10A.255, the following are election year campaign expenditure limits for 2004 by office sought: State Representative, \$28,400; Governor - Lt. Governor, \$437,620; Attorney General, \$72,940; Secretary of State, State Auditor (each), \$36,470; State Senator, \$10,950.

Minnesota Comprehensive Health Association

Notice of Proposed Premium Rate Meetings

NOTICE IS HEREBY GIVEN that a representative of the Minnesota Comprehensive Health Association's (MCHA) executive staff and a representative of the Minnesota Department of Commerce will hold premium rate meetings in Minnesota as indicated below. The purpose of the meetings is to allow MCHA enrollees an opportunity to comment on the proposed premium rates. Any rate change must be approved by the Minnesota Department of Commerce. New premium rates would go into effect on July 1, 2004.

For additional information, please call Peggy Zimmerman-Belbeck at (952) 593-9609.

**Schedule of 2004 Public Meetings on
Proposed Premium Rates**

<u>LOCATION</u>	<u>DATE</u>	<u>TIME</u>
ROCHESTER	Tuesday, March 23, 2004 Best Western Apache 1517 SW 16th Street Rochester, MN (507) 289-8866	6:30 pm
WINONA	Wednesday, March 24, 2004 Best Western Riverport Inn and Suites 900 Bruski Drive Winona, MN (507) 452-0606	6:30 pm
TWIN CITIES	Thursday, March 25, 2004 Radisson Hotel South & Plaza Tower 7800 Normandale Blvd. Bloomington, MN (952) 835-7800	6:30 pm
FERGUS FALLS	Monday, March 29, 2004 Bigwood Event Center 925 Western Avenue Fergus Falls, MN (218) 739-2211	6:30 pm
BRAINERD	Tuesday, March 30, 2004 Ramada Inn Brainerd 2115 South 6th Street Brainerd, MN (218) 829-1441	6:30 pm
VIRGINIA	Thursday, April 1, 2004 Park Inn 502 Chestnut Street Virginia, MN (218) 749-1000	6:30 pm

In case of inclement weather, please call the hotel to be informed of meeting cancellation. If you are unable to attend these meetings for any reason, please log onto the MCHA **website** at www.mchamn.com for data provided at the meeting.

Department of Human Services

Health Care Purchasing and Delivery Systems Division, Health Care Administration Public Notice of Maximum Allowable Costs of Medical Assistance Outpatient Prescribed Drugs

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of additions to the state Medical Assistance maximum allowable cost (state MAC) list for certain outpatient prescribed drugs.

At least once each calendar year, the United States Department of Health and Human Services, Centers for Medicare & Medicaid Services, publishes a federal upper limit (FUL) payment schedule for many commonly prescribed multiple-source drugs. The federal upper limit is set at a rate equal to 150 percent of the published price for the least costly therapeutic equivalent that can be purchased by pharmacists. This FUL payment schedule constitutes the federal MAC list. For many multiple-source drugs that are not on the federal MAC list, the Department establishes a state MAC list. Additionally, the Department imposes a state MAC for many multiple-source drugs that are on the federal MAC list, as long as the savings are at least as much as the savings would be using the federal MAC list.

The Department requires Medical Assistance pharmacy providers to submit their usual and customary costs. Pharmacy providers are reimbursed at the lower of: the federal or state MAC, plus a dispensing fee; the submitted usual and customary charge to the general public; or a discount off of average wholesale price, plus a dispensing fee.

Official Notices

On January 13, 2003 at 27 SR 1117-1130, the Department published the MAC list, listing the federal and state MACs. Additional changes to the state MAC list were published on February 18, 2003 (27 SR 1331-1334), March 3, 2003 (27 SR 1386-1393), April 21, 2003 (27 SR 1583-1584), August 4, 2003 (28 SR 102-103), October 13, 2003 (28 SR 505-506), October 20, 2003 (28 SR 528-529), December 15, 2003 (28 SR 784-785) and January 26, 2004 (28 SR 934-935).

Effective March 9, 2004, the Department will add the following outpatient prescribed drugs to the state MAC list:

<u>GCN</u>	<u>Drug Name</u>	<u>Strength</u>	<u>MAC Price</u>
89863	Metformin HCL ER	500MG	.5908
16387	Bupropion HCL	100MG	1.3260
34990	Metolazone	10MG	1.3186
34991	Metolazone	5MG	1.1520
34992	Metolazone	2.5MG	1.0138

These additions are made to bring Medical Assistance reimbursement to pharmacists more closely in line with the actual acquisition cost of the drugs listed above. The Department estimates that there will be a state savings of \$107,600 for State Fiscal Year 2004 (July 1, 2003 through June 30, 2004).

This notice is published pursuant to *Code of Federal Regulations*, Title 42, section 447.205, which requires publication of a notice when there is a rate change in the methods and standards for setting payment rates for Medical Assistance services.

Written comments and requests for information may be sent to:

Cody Wiberg, Pharm.D., R.Ph.
Pharmacy Program Manager
Health Care Purchasing and Delivery Systems Division
Minnesota Department of Human Services
444 Lafayette Road North
St. Paul, Minnesota 55155-3854
Phone: (651) 296-8515
Email: cody.wiberg@state.mn.us

Department of Labor and Industry

Labor Standards Unit

Notice of Correction to Commercial Prevailing Wage Rates

Corrections have been made to the Commercial Prevailing Wage Rates certified 12/29/03, for **Labor Code 420 Roofer, in Aitkin, Crow Wing, Cass, Hubbard and Wadena Counties.**

Copies with the correction of the certified wage rates for these Counties 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 by calling (651) 284-5091, or accessing our **web site** at www.doli.state.mn.us. Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

M. Scott Brener
Commissioner

Metropolitan Council

Public Hearing on Brooklyn Park Interceptor and Lift Station Rehabilitation Facility Plan

Brooklyn Park City Hall (Brooklyn Township Room), 5200 85th Ave. N., Brooklyn Park, Minnesota

Tuesday, April 13, 2004 - 7:00 p.m.

The Metropolitan Council will hold a public hearing on the Brooklyn Park Interceptor and Lift Station Rehabilitation Facility Plan, Project No. 803400. The Draft Facility Plan for this project, prepared by the Metropolitan Council's Environmental Services Division (MCES), outlines recommendations for repairing hydrogen sulfide-related corrosion in MCES's Brooklyn Park Lift Station, located on Mississippi Lane at Brookdale Drive in the southeastern corner of Brooklyn Park, and in approximately 7 miles of MCES's interceptor sewer pipe that runs through the southern third of Brooklyn Park to the lift station.

To minimize inconvenience to the public, MCES proposes to repair and restore the interceptor sewer pipe with a "cured-in-place-pipe" (CIPP) trenchless technology. This involves feeding material for the new pipe down maintenance access holes and forming

the new pipe within the existing pipe. This alleviates the need to dig a trench to the pipe and prevents damage to road surfaces. This trenchless method results in no tree loss, limits disturbance to nearby landscaping, and avoids long-term traffic inconveniences where the pipe is being repaired. The CIPP technology is a very cost-effective, efficient and widely used way of repairing aging sewers.

The sewer pipe to be repaired includes:

- A branch running along the west side of County Road 81 from Highway 169 to Brooklyn Boulevard.
- A branch beginning at the Maple Grove-Brooklyn Park border south of I-94 and running past Boone Avenue to the east, then north to Brooklyn Boulevard.
- The main sewer pipe, starting near County Road 81 and Brooklyn Boulevard and running east on Brooklyn Boulevard, south on Hampshire Avenue, east on 76th Avenue, south on Douglas Avenue, east on 73rd Avenue and Regent Avenue, through the Park Center High School and Brooklyn Junior High School properties, through Brookdale Park, and continuing east on Brookdale Drive to the lift station.

MCES proposes to begin the lift station and interceptor sewer pipe repair in fall 2004.

Copies of the Draft Facility Plan are available for review at:

- Brooklyn Park City Hall, 5200 85th Ave. N., Brooklyn Park
- Brooklyn Park Library, 8600 Zane Ave. N., Brooklyn Park
- Metropolitan Council's Data Center, 230 E. Fifth St., St. Paul

All interested persons are encouraged to attend the hearing and provide comments.

You also may submit comments, which must be **received** by the Metropolitan Council no later than April 23, 2004:

- Send written comments to: Tim O'Donnell at Metropolitan Council Environmental Services, 230 E. Fifth St., St. Paul, MN 55101
- Fax comments to: Tim O'Donnell at (651) 602-1477
- Record comments on: Metropolitan Council Public Comment Line at (651) 602-1500
- E-mail comments to: data.center@metc.state.mn.us
- Send TTY comments to (651) 291-0904

Upon request, the Council will provide reasonable accommodations to persons with disabilities. Please submit such requests to Tim O'Donnell via mail or fax (see above) or by phone at (651) 602-1269 before April 6, 2004.

Public Employees Retirement Association

Notice of Meeting of the Board of Trustees

A meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, March 11, 2004, at 9:30 a.m., in the PERA offices, 60 Empire Drive, Room 117, Saint Paul, Minnesota.

Minnesota State Rehabilitation Council

Meeting Dates through June of 2004

The State Rehabilitation Council will meet on the following dates at the designated location. Meetings are held from 9:00 am to 2:00 pm. Should changes occur, they will be posted in the *State Register*. For more information, please contact the Minnesota Department of Employment and Economic Development at: **phone** (800) 328-9095; (651) 296-5616. TTY: (800) 657-3973; (651) 296-3900.

March 24, 2004

Radisson Hotel Roseville
2540 North Cleveland Avenue
Roseville, MN 55113
9:00 to 2:00

April 28, 2004

Radisson Hotel Roseville
2540 North Cleveland Avenue
Roseville, MN 55113
9:00 to 2:00

Official Notices

May 26, 2004

Radisson Hotel Roseville
2540 North Cleveland Avenue
Roseville, MN 55113
9:00 to 2:00

June 23, 2004

Radisson Hotel Roseville
2540 North Cleveland Avenue
Roseville, MN 55113
9:00 to 2:00

Department of Transportation

State Aid for Local Transportation Division

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 Wednesday, March 31, 2004 at 9:00 a.m. at the Mn/DOT Arden Hills Training Center, located at 1900 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:

1. Petition of the City of Prior Lake for a variance from *Minnesota Rules* 8820.9961, as they apply to the proposed reconstruction of the State Aid project number 219-119-01, located on Main Avenue, from County State Aid Highway 21 (Eagle Creek Avenue) to approximately 850 feet north of Dakota Street, in the City of Prior Lake, Minnesota, so as to allow the reconstruction of Main Avenue as a 62 foot wide roadway from face to face curb with 45 degree diagonal parking on both sides of the roadway between CSAH 21 and Dakota Street and to allow the reconstruction of Main Avenue as a 31 foot wide roadway from center of the road to face of the curb with 45 degree diagonal parking on one side of the roadway between Dakota Street and approximately 200 feet north of Dakota Street in Downtown Prior Lake, Minnesota, in lieu of the required 90 foot wide roadway and 45 foot wide roadway respectively.

2. Petition of the City of Minneapolis for a variance from *Minnesota Rules* 8820.9936, as they apply to the proposed State Aid project number 141-159-06, for 9 foot wide parking lanes on LaSalle Avenue South from Grant Street to North side of I-94 overpass bridge and from the south side of the I-94 overpass bridge to Franklin Avenue West, located in the City of Minneapolis, Minnesota, in lieu of 10 foot parking width required on MSA roadways with ADT \geq 10,500.

3. Petition of the City of Brooklyn Center for a variance from *Minnesota Rules* 8820.9936, as they apply to the proposed reconstruction of the Halifax Avenue North and Eckberg Drive as part of the Northport Area Neighborhood improvement project in the City of Brooklyn Center, Minnesota, State Aid Project number 109-105-03, so as to allow 10 mph design speed, in lieu of the minimum 30 mph design speed.

4. Petition of the City of Chaska for a variance from *Minnesota Rules* 8820.9936, as they apply to the proposed extension of Forth Street from Elm Street to Hickory Street in the downtown area of Chaska in the City of Chaska, Minnesota, so as to allow 25 mph horizontal curve (200 foot radius) in the lieu of the minimum 30 mph horizontal curve (300 foot radius).

5. Petition of Wright County for a variance from *Minnesota Rules* 8820.9936, as they apply to the proposed reconstruction of CSAH 9 (Atlantic Avenue) from 8th Street North to 2nd Street North in the City of Waverly, Wright County, Minnesota, State Aid project number 86-609-13, so as to allow a 75 feet radius curve and a speed limit of 30 mph on the portion of CSAH 9 located at the intersection of 2nd Street (Station 33+28.50 to Station 34+33.53) in lieu of required a 300 feet radius curve and a 30 mph design speed limit.

6. Petition of Houston County for a variance from *Minnesota Rules* 8820.9920, as they apply to the proposed reconstruction of CSAH 29 between North Second Street and Winona County Line, in the City of La Crescent, Houston County, Minnesota, State Aid project number 28-629-05, so as to allow a recovery area of 24 feet on the west side of highway between Engineer's Station

52+00 and Engineer's Station 73+50, in the lieu of required 30 feet recovery area.

9:30 a.m.	City of Prior Lake
9:50 a.m.	City of Minneapolis
10:10 a.m.	City of Brooklyn Center
10:30 a.m.	City of Chaska
10:50 a.m.	Wright County
11:10 a.m.	Houston County

Dated: March 2, 2003

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

Department of Transportation

State Aid for Local Transportation Division

Petition of the City of St. Louis Park for a Variance from State Aid Procedural and Administrative Requirements

NOTICE IS HEREBY GIVEN that the City of St. Louis Park Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules*, part 8820.2800, subpart 2, Local State Aid Route Standards, Financing, for a variance from rules pertaining to State Aid operations as they apply to improvement projects:

- S.A.P. 163-282-15, Walker Street, Republic Avenue to Lake Street
- S.A.P. 163-283-16, W. 38th Street, Lynn Avenue to France Avenue
- S.A.P. 163-295-03 and S.A.P. 163-295-04, Shelard Parkway, hotel driveway to Ford Road, and
- S.A.P. 163-295-05, Ford Road, I-394 Frontage Road to Shelard Parkway in the City of St. Louis Park, Minnesota.

The request is for variance from *Minnesota Rules*, part 8820.2800, subpart 2, adopted pursuant to *Minnesota Statutes*, chapters 161 and 162, and insofar as the rules apply to the proposed improvement projects listed above, to permit the approval of project plans after bids are opened in lieu of approval by the State Aid Engineer prior to the opening of contract bids.

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

Dated: February 25, 2004

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 Employment and Economic Development

Minnesota Job Skills Partnership Training Grant Deadlines

The Minnesota Job Skills Partnership (MJSP) Board solicits grant proposals from educational and training institutions for training programs designed for specific businesses. Proposals will be accepted for the Job Skills Partnership Program, the Job Skills Partnership Short Form Program, the Pathways Program, the MJSP Pre-Development Program, and the Distance Work Program. Due to legislative action, there are no longer Temporary Assistance for Needy Families (TANF) funds available for the MJSP Healthcare and Human Services Worker Retention Program, so all healthcare related training proposals must be submitted for consideration through either the Job Skills Partnership or Pathways (regular or Short Form) grant programs.

State Grants & Loans

Due to limited funding, priority will be given to training projects that are innovative and create new educational capacity and projects that have significant economic development impact. A participating business is limited to one active grant in each grant program at any given time, with the exception of businesses that have multiple locations or businesses engaged in projects that involve a consortium of businesses.

The deadline for submission of proposals is 4:00 p.m. on April 23, 2004. No late proposals will be considered. Ten final copies must be submitted at that time for consideration at the MJSP Board meeting to be held on June 11, 2004. The application forms are available on the web at <http://www.dted.state.mn.us/06x06f.asp> or by calling the Job Skills Partnership at (651) 296-2953 or 1 (800) 657-3853 – NOTE: It is important to use the application forms that are on this web site.

Department of Public Safety

Office of Justice Programs

Notice of Application for Continued Funding from the Bureau of Justice Assistance

The Office of Justice Programs is submitting an application for continued funding from the Bureau of Justice Assistance. The Edward Byrne Memorial State and Local Law Enforcement Assistance (Byrne) Program, authorized by the Anti-Drug Abuse Act of 1988, is administered by the Bureau of Justice Assistance (BJA) of the Office of Justice Programs (OJP), U.S. Department of Justice. The program is designed to assist states and local units of government in carrying out specific programs that offer a high probability of improving the functioning of the criminal justice system. Special emphasis is placed on drug-related and violent crime, serious offenders, and multi-jurisdictional and multi-state efforts to support the National Drug Control Strategy. Those wishing to comment on the application may contact Mary Ellison at the Department of Public Safety, telephone: (651) 297-7883.

Department of Public Safety

Office of Justice Programs - Crime Victim Services

Notice of Availability of Funds for Violence Against Women Act (VAWA) Special Projects (FY05/06), and Direct Services to Crime Victims in Select Areas (FY05)

The Minnesota Office of Justice Programs (OJP) announces the availability of state and federal grant funds for the following:

1. VAWA Special Projects

Grant funds are under the STOP Violence Against Women Act (VAWA) Formula Grants Program of the U.S. Department of Justice. By statute, the STOP Program continues to encourage the development and strengthening of effective law enforcement and prosecution strategies to combat violent crimes against women and the development and strengthening of victim services in cases involving crimes against women. Grants are for the 24-month period of July 1, 2004, through June 30, 2006.

- a) Up to \$1,200,000 is available for VAWA time-limited special projects to improve the law enforcement, prosecution and court systems response to victims of domestic violence, sexual assault and/or stalking. Eligible projects must be a collaborative effort between law enforcement, prosecution and/or courts and community-based sexual assault and/or domestic violence programs.
- b) One grant of \$90,000 (\$45,000 for each fiscal year) is available for the development of a sexual assault protocol to improve the criminal justice, medical and advocacy response to sexual assault victims. Applicants will be responsible for planning and implementing their project according to the *VAWA SMART Activities: Start-up 24-months* (<http://www.ojp.state.mn.us>) and for coordinating with the Sexual Violence Justice Institute in forming a Sexual Assault Multidisciplinary Action Response Team (SMART).

2. Direct Services

State and federal Victims of Crime Act (VOCA) funding is available for direct services to crime victims in specific counties or judicial districts where funding was set aside to address service gaps (through the judicial district planning meetings that occurred in Oct. and Nov., 2003). Grants are for the 12-month period of July 1, 2004, through June 30, 2005. Successful applicants may be eligible for continued funding for an additional four years. Funding is available in the following:

- **Judicial District 2 (Ramsey County):** 1 grant of \$47,000 for services to victims of general crime.
- **Judicial District 4 (Hennepin County):**
 - a) One grant of \$29,757 for services to victims of domestic violence. These funds are targeted toward the Latino or Pan-Asian community, or toward rural Northwest or West areas of Hennepin County.

State Grants & Loans

- b) Grants totaling \$24,503 for services to victims of sexual assault. These funds are targeted toward currently unserved or underserved communities or services. Successful applicants will need to articulate how they identified the need and make a solid argument for how the funds for which they're applying meet the criteria of an unserved or underserved area of sexual assault. Applicants may apply for any amount up to \$24,503.
- c) Grants totaling \$22,830 for services to victims of child abuse. These funds are targeted for mini-grants to current providers of abused children services. Applicants may apply for any amount up to \$8,000.
- **Judicial District 6 (Cook and Lake Counties only):**
 - a) One grant of \$30,750 for services to victims of general crime in Cook County.
 - b) One grant of \$30,750 for services to victims of general crime in Lake County.
- **Judicial District 10 (Anoka, Chisago, Isanti, Kanabec, Pine, Sherburne, Washington, and Wright Counties):** One grant of \$41,000 for services to victims of child abuse. (A Parenting Time Center program does not qualify for the intent of these funds.)

Application Details

Applications will be submitted using OJP's Web-Enabled Grants Operations (WEGO) system at <http://www.wego.dps.state.mn.us>. The due date for all applications is **Friday, April 16, 2004**. To request an ID and password to access the application materials on WEGO, please contact Kim Poppe at kim.poppe@state.mn.us.

Department of Public Safety

Office of Justice Programs

Request for Proposal - Grantee Technical Assistance and Training

The Minnesota Department of Public Safety, Office of Justice Programs (OJP), is requesting proposals to increase the capacity of OJP Drug Court grantees to measure the impact of grantees' programs. Contractor's services are to provide training and technical assistance for a twenty-one month period to assist OJP staff and OJP Drug Court grantees' staff in the identification, collection, and analysis of appropriate evaluation data for use in demonstrating and increasing the impact of Drug Court programs. The total cost of the project is not to exceed \$30,000.00. The anticipated project period is May 3, 2004 – January 31, 2006.

Proposals are due by 2:30 p.m., Central Standard Time on Monday, March 29, 2004. Late proposals will not be considered. To receive a copy of the complete Request for Proposal contact Tricia Hummel or download RFP from the OJP's web site stated below.

Tricia Hummel
Department of Public Safety
Office of Justice Programs
444 Cedar Street, Suite 100
St. Paul, MN 55101-5100
Phone: (651) 284-3323
Email: tricia.hummel@state.mn.us
Web Site: www.dps.state.mn.us/OJP/

All questions concerning this RFP should be in writing and must be submitted to the above address no later than 2:30 p.m. Central Standard Time on March 17, 2004. Answers to questions will be published on OJP's web site by March 19, 2004. This Request for Proposals does not obligate the State or OJP to complete the proposed project and the State reserves the right to cancel the solicitation if it is considered to be in the State's best interest. All expenses incurred in responding to this RFP shall be borne by the responder.

State Contracts

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) website. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD website at www.mmd.admin.state.mn.us for informal solicitation announcements.

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

Department of Administration

State Designer Selection Board

Request for Proposals for Designer Selection for Reshape and Grout of the Deep Tunnel at the Faribault Correctional Facility (Project 04-01)

To Minnesota Registered Design Professionals:

The State of Minnesota (State) through its State Designer Selection Board has been requested to select a design team for the above project. Proposals from interested firms must be received by, **1:00 p.m. Monday March 22, 2004** to:

Terry Lewko, Executive Secretary
State Designer Selection Board
Department of Administration
State Architect's Office
301 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
(651) 297-1545

PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.

Questions concerning procedures, or schedule are to be referred to the Executive Secretary at (651) 297-1545. Questions relating to the project are to be referred to the project contact(s) in Item 1.j.

1. PROJECT 04-01

a. PROJECT DESCRIPTION: The Minnesota Correctional Facility - Faribault has an existing sewer system, storm and sanitary lines, that are gathered together at various locations and piped through shafts 64 feet deep to a sandstone tunnel that runs for approximately a mile through the center of the facility. Storm water runs freely through the sandstone tunnel and into the Straight River. The floor of the tunnel has been covered with concrete to form a channel. A new PVC pipe is buried below the floor that carries the sanitary sewer sewage through the sandstone tunnel and along the bluff, connecting to MH 111. Much of the tunnel system was constructed in the late 1880's. The general layout of the system will remain, but parts of the tunnel need repair.

Work includes:

- Design of repair to the sandstone tunnel so it can continue to safely carry storm water.
- Design of spray grouting methods to stabilize the tunnel after shaping.
- Design of the placement of shotcrete against the sandstone for protection of the lower walls of the tunnels.
- Design of a new radio system communication system in the tunnel. The system will need to be compatible with the present radio system at the facility.

PROJECT SCOPE:

b. REQUIRED CONSULTANT SERVICES: The selected design team shall be responsible for schematic design, design development, contract and bidding documents, construction administration and field engineering. Services of a civil engineer or civil engineering team with major project expertise in tunnel work are required. Services of an electrical engineer with Radio Communication design experience are required.

c. SERVICES PROVIDED BY OTHERS: Asbestos abatement shall be by others.

d. SPECIAL CONSIDERATIONS: Design Team Requirement: None

e. PROJECT BUDGET/FEES: The current construction budget is \$2,000,000 including contingency.

f. PROJECT SCHEDULE:

<i>Schematic Design Phase:</i>	June 1, 2004 to June 21, 2004
<i>Design Development Phase:</i>	June 21, 2004 to July 7, 2004
<i>Construction Documentation Phase:</i>	July 7, 2004 to August 7, 2004
<i>Bidding period:</i>	August 7, 2004 to September 7, 2004
<i>Construction Phase:</i>	October 7, 2004 to August 1, 2005

g. PROJECT PRE-DESIGN INFORMATION:

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

An informational meeting/site visit shall be held March 11th 2004 at 10:00 a.m. in the Finance Building (Sycamore) at the MCF - FARIBAULT, 1101 Linden Lane, Faribault, MN. All firms interested in registering for the informational meeting/site visit shall contact Roger Rooney Project Manager at (651) 296-6171.

i. STATE DESIGNER SELECTION BOARD SCHEDULE:

<i>Project Information Meeting and/or Site Visit:</i>	Thursday, March 11, 2004, at 10:00 a.m.
<i>Project Proposals Due:</i>	Monday, March 22, 2004, by 1:00 p.m.
<i>Project Shortlist:</i>	Tuesday, April 6, 2004
<i>Project Interviews and Award:</i>	Tuesday, April 20, 2004

j. PROJECT CONTACT (S)

Questions concerning the project should be referred to the Project Manager:

Mr. Bruce Reiser, Associate Warden, MCF - Faribault
1101 Linden Lane, Faribault, MN 55021

Phone: (507) 334-0703

Fax: (507) 332-4538

Mr. Joseph R. Miller, Capital Resource Administration, Department of Corrections
1450 Energy Park Drive, Suite 200, St. Paul, MN 55108

Phone: (651) 642-0247

Fax: (651) 642-0247

Mr. Roger Rooney, State Architect's Office, Department of Administration
301 Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155

Phone: (651) 296-6171

Fax: (651) 296-7650

k. SAMPLE CONTRACT:

The successful responder will be required to execute the State's Basic Services Agreement which contains the State's standard contract terms and conditions, include insurance requirements and compliance with Designer Procedures Manual, Design Guidelines and Computer Aided Drafting (CAD) Guidelines. Copies are available on **Web Site** <http://www.sao.admin.state.mn.us>

2. PROPOSAL REQUIREMENTS

- a. 12 copies
- b. 8 ½ X 11, soft bound, portrait format
- c. Maximum 20 faces (excluding front and back covers, blank dividers, affidavit of non-collusion, and affirmative action data page)
- d. All pages numbered

3. PROPOSAL CONTENTS

a. COVER

- Project name and number
- Prime firm name, address, telephone number, fax number
- Contact person, telephone number, fax number, and email address

b. COVER LETTER

Single face letter with original signature in ink (on at least one copy) of principal of prime firm, including:

- Brief overview of proposal

State Contracts

- Statement that proposal contents are accurate to the best knowledge of signatory
- c. INFORMATION ON FIRM (S)**
- For prime firm and each consultant firm provide brief description including:
- Name and location
 - Year established
 - Legal status
 - Ownership
 - Staffing by discipline
 - For firms with multiple offices briefly summarize for each office
- d. PROJECT TEAM**
- Brief statement of team's past or present working relationships
- For each team member provide:
- Name and position in firm, include name of firm
 - Home base (if in multi-office firm)
 - Responsibility on this project
 - Years of experience
 - Relevant recent experience (if in another firm, so note)
 - Registration (including specialty if engineer)
- e. TEAM ORGANIZATION**
- If planning or design consultants are a part of the team explain how they will be utilized (e.g. major role during design, absent during construction, etc). Matrix or chart *may* be used.
- f. PROJECT EXPERIENCE**
- For architectural, planning, and/or landscape architecture firms, provide examples of relevant projects recently completed or in progress including:
- Photographs, sketches and/or plans
 - Name and location
 - Brief description (e.g. size, cost, relevance)
 - Firm of record
 - Involvement of proposed project team members (*may* be separate matrix; if in another firm so note)
 - Completion date or current status
- For engineering or technical firms provide examples of relevant projects recently completed or in progress including the above except that photographs, sketches and/or plans are to be for only that portion of the work for which firm was responsible.
- g. APPROACH/METHODOLOGY**
- Describe your understanding of the project, significant issues to be addressed and your *specific* approach to the planning, design and construction process for *this* project.
- h. UNIQUE QUALIFICATIONS**
- Briefly summarize your team's unique qualifications for this project.
- i. OTHER REQUIREMENTS**
- A statement of commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in the proposal along with adequate staff to meet requirements of the work.
 - A statement indicating that consultants listed have been contacted and have agreed to be a part of the team.
 - A complete Affidavit of Non-collusion. (Not counted as part of the 20 faces)
 - If appropriate, provide a list of all entities that create a conflict of interest (see 5.b.)
 - A completed Affirmative Action Data Page regarding compliance with Minnesota Human Rights Requirements. A copy of the form is available on **Web Site** <http://www.sao.admin.state.mn.us>, click on forms. (Not counted as part of the 20 faces)
 - A list of all State and Minnesota State Colleges and Universities current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

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

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

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

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

4. SELECTION CRITERIA

Criteria for selection shall be as stated in the project description. Technical and aesthetic experience and capabilities are paramount. In addition, the Board seeks equitable distribution of fees among qualified firms and gives consideration to geographical location of firms with respect to project site.

5. CONTRACT REQUIREMENTS

a. AFFIDAVIT OF NONCOLLUSION

Each responder must attach a completed Affidavit of Noncollusion. A copy of the form is available on **Web Site** <http://www.sao.admin.state.mn.us>, click on forms.

b. CONFLICTS OF INTEREST

Responder must provide a list of all entities with which it has relationships that create, or appear to create, a conflict of interest with the work that is contemplated in this request for proposals. The list should indicate the name of the entity, the relationship, and a discussion of the conflict.

c. DISPOSITION OF RESPONSES

All materials submitted in response to this RFP will become property of the State and will become public record in accordance with *Minnesota Statutes* 13.591 after the evaluation process is completed. If the responder submits information in response to this RFP that it believes to be trade secret materials, as defined by the Minnesota Government Data Practices Act, *Minnesota Statutes* § 13.37, the responder must:

- clearly mark all trade secret materials in its response at the time the response is submitted,
- include a statement with its response justifying the trade secret designation for each item, and
- defend any action seeking release of the materials it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments or damages awarded against the State in favor of the party requesting the materials, and any and all costs connected with that defense. This indemnification survives the State's award of a contract. In submitting a response to this RFP, the responder agrees that this indemnification survives as long as the trade secret materials are in possession of the State.

The State will not consider the prices submitted by the responder to be proprietary or trade secret materials.

Responses to this RFP will not be open for public review until the State decides to pursue a contract and that contract is awarded.

d. CONTINGENCY FEES PROHIBITED

Pursuant to *Minnesota Statutes* Section 10A.06, no person may act as or employ a lobbyist for compensation that is dependent upon the result or outcome of any legislation or administrative action.

State Contracts

e. ORGANIZATIONAL CONFLICTS OF INTEREST

The responder warrants that, to the best of its knowledge and belief, and except as otherwise disclosed, there are no relevant facts or circumstances that could give rise to organizational conflicts of interest. An organizational conflict of interest exists when, because of existing or planned activities or because of relationships with other persons, the responder is unable or potentially unable to render impartial assistance or advice to the State, or the responder's objectivity in performing the contract work is or might be otherwise impaired, or the responder has an unfair competitive advantage. The responder agrees that, if after award, an organizational conflict of interest is discovered, an immediate and full disclosure in writing must be made to the Assistant Director of the Department of Administration's Materials Management Division, 112 Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155, which must include a description of the action which the contractor has taken or proposes to take to avoid or mitigate such conflicts. If an organization conflict of interest is determined to exist, the State may, at its discretion, cancel the contract. In the event the responder was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to the contracting officer, the State may terminate the contract for default. The provisions of this clause must be included in all subcontracts for work to be performed similar to the service provided by the prime contractor (consultant), and the terms "contract," "contractor (consultant)," and "contracting officer" modified appropriately to preserve the State's rights.

f. STATE EMPLOYEES

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

g. HUMAN RIGHTS REQUIREMENTS

For all contracts estimated to be in excess of \$100,000, responders are required to complete the attached Affirmative Action Data page and return it with the response. As required by *Minnesota Rules* 5000.3600, "It is hereby agreed between the parties that *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are incorporated into any contract between these parties based upon this specification or any modification of it". A copy of *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are available on **Web Site** <http://www.sao.admin.state.mn.us>.

h. Any changes in team members for the project requires approval by the State.

i. All costs incurred in responding to this RFP will be borne by the responder. This RFP does not obligate the State to award a contract or complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

Administration Department

Communications Media Division

CORRECTION and Subscriptions

A CORRECTION: Please note that due to an error, our Web site has mistakenly presented the *State Register* with LINKS and other access aids, including those for Contracts and Grants, and the Index. We are sorry for this error. These special features are meant only for subscribers to the E-mail *State Register*. They will no longer be available to viewers of the *State Register* on-line.

Printed (hard) copies to the *State Register* will NO LONGER be available after Vol. 28, #52. Only subscriptions via E-mail are available, beginning with Volume 29, #1 - July 6, 2004. Have the *State Register* E-MAILED to you the afternoon it is published, on Friday.

With an E-mail subscription, you will receive THREE EXTRAS free-of-charge:

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Subscriptions are \$180 for an entire year (less than \$3.50 per issue), \$80 LESS than the cover price. FAX your credit card information: (651) 297-8260; or send in your check or credit card information to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155. Or, order today by calling (651) 297-8774 and charge your credit card. E-mail: jessie.rahmeyer@state.mn.us for more information.

Minnesota State Colleges and Universities (MnSCU)**St. Cloud State University****Advertisement for Bid for Project Manager for Minnesota Digital Library Coalition**

Sealed proposals for services hereinafter described will be received by St. Cloud State University at the Business Services Office, AS 122, St. Cloud, Minnesota until **3:00 p.m. on April 7, 2004** and will be publicly opened and read aloud. The right is reserved to accept or reject any or all bids or parts of bids and to waive informalities therein.

Bids are requested for **Professional/Technical Services - Project Manager for Minnesota Digital Library Coalition** as per Request for Proposal available in the Business Services Office, St. Cloud State University.

For further information contact:

Lisa Sparks
Director of Purchasing
St. Cloud State University - AS 122
720 4th Ave. South
St. Cloud, MN 56301-4498
(320) 308-4788

or

Doris Frieler at: (320) 308-4001

Minnesota State Colleges and Universities (MnSCU)**Winona State University****Request for Sealed Proposals for Development of Admissions Publications**

NOTICE IS HEREBY GIVEN that Winona State University will receive sealed proposals for development of Admissions publications.

Proposal specifications will be available March 8, 2004 from the Winona State University Purchasing Department, PO Box 5838, 205 Somsen Hall, Winona, MN 55987 or by calling (507) 457-5419.

There will be an interested vendor meeting on March 15, 2004 at 1:00 p.m. in Somsen Hall, Room 106.

Sealed proposals must be received by Sandra Schmitt at PO Box 5838, or at 175 W. Mark St., Somsen 205G, Business Office, Winona State University, Winona, MN 55987 by 3:00 p.m. April 13, 2004.

Winona State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received.

Department of Human Services**Health Care Eligibility and Access Division****Request for Proposals for a Comprehensive Plan Development and Implementation of Statewide Media Campaign(s) to Promote the Medicare Savings Programs in Minnesota to People with Disabilities and Seniors Who are Medicare Eligible**

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services (DHS) requires the services of Responder(s) to provide an effective marketing plan and implement a marketing strategy that will educate and promote the availability of the Medicare Savings Programs to potentially eligible individuals and their caregivers. The target audience for this campaign is low-income individuals who are currently eligible for or receive Medicare.

The goal of the State Solutions initiative is to increase Medicare Savings Program enrollment and to develop a coordinated statewide network of Minnesota agencies that will continue to promote enrollment into the Medicare Savings Programs after the State Solutions grant initiative ends. Ultimately the goal is to assist people who are Medicare eligible (or their representatives or caregivers) in making informed decisions and successfully connecting to the health care resources they qualify for and are in need of. DHS intends to award a contract to one qualified responder that will provide the most effective statewide marketing campaign(s). The total funding available for contract award is up to \$125,000 over approximately one and a half years.

State Contracts

Responder(s) should identify creative ways of reaching Medicare eligible persons appropriate for the target population, reach out to traditionally under served individuals, and coordinate the use of the Senior LinkAge Line[®] toll free number in any marketing strategies. Responder will work in strong collaboration with other agencies including DHS, the Senior LinkAge Line[®], and other local and statewide State Solutions partners, to enhance effective consistent delivery of Medicare and health care related information.

This is a summary of the RFP. To obtain the full RFP, or if you need the RFP in an alternative format such as Braille, large print, or audio tape, contact Tammy Smith at (651) 282-2259 or Tamara.Smith@state.mn.us. The RFP is also available on the DHS public **web-site** at <http://www.dhs.state.mn.us>.

Organizations are responsible for all costs associated with the preparation, delivery, and presentation of materials in response to this RFP. Organizations must not communicate with any DHS staff concerning this RFP except as provided for in this document. Any questions, concerns, or communications should be directed to:

Katy Olson
Minnesota Department of Human Services
Health Care Eligibility & Access Division
Main Reception Desk
444 Lafayette Road
St. Paul, MN 55155-3848
Phone: (651) 297-5678
Fax: (651) 282-9922
Email: Katy.B.Olson@state.mn.us

All substantive questions concerning this RFP must be put in writing and received by Ms. Olson by March 15th, 2004. Written responses for all questions will be mailed to all prospective responders no later than March 22th, 2004.

To be considered, proposals must be delivered in person or by US Mail to the address listed above at the Department of Human Services no later than 3:00 p.m. Central Daylight time on March 29th, 2004. Faxed or emailed proposals will only be accepted to set delivery date if followed by an identical mailed or hand delivered proposal within three business days.

While it is the DHS' intent to enter into a contract with a qualified responder for the provision of the professional and technical services set forth herein, this RFP does not obligate DHS to complete the RFP process or to enter into a contract. DHS reserves the right to cancel this RFP at any time and for any reason.

Department of Human Services

Notice of Request for Proposals to Conduct Quality of Health Care Studies for the Minnesota 2004 / 2005 HEDIS Reporting Project

The Department of Human Services (DHS) is interested in contracting for professional and technical consulting services to assist in the design, development and establishment of written policies and procedures to produce annual Health Plan Employer Data and Information Set (HEDIS[®]) performance measures. The vendor will be a licensed organization that will conduct a NCQA HEDIS Compliance Audit[™] of HEDIS 2005 performance measures. In addition, the vendor will assist DHS in the analysis and reporting of calendar years 1998 through 2003 performance measures based upon HEDIS administrative data specifications. These results will be produced to provide historical trending of each performance measure by contracted managed care organization and the four public program populations (PMAP, MinnesotaCare, PGAMC, MSHO).

Proposals must describe how the vendor will provide education/training, technical assistance, analyses, examinations, reports and written policies and procedures such that DHS can accurately and reliably report HEDIS 2005 performance measures for each contracted managed care organization at the public program level. In the beginning of calendar year 2005, the vendor will conduct a NCQA HEDIS Compliance audit of the results produced by DHS.

The HEDIS project is expected to begin by May 27, 2004 and last through July 15, 2005. The vendor must be an organization licensed to conduct NCQA HEDIS Compliance Audits and must maintain its license for the duration of the contracted period. The vendor must also meet requirements set forth in 42 CFR 438.354 Qualifications of external quality review organizations.

A copy of the complete Request for Proposals and attached documents can be obtained from the DHS **website** at www.dhs.state.mn.us (Grants and RFP section) or a paper copy by contacting:

Sara Koppe
Performance Measurement and Quality Improvement
Minnesota Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3865

Fax #: (651) 215-5754
Phone #: (651) 215-6260
E-mail: sara.koppe@state.mn.us

Proposals must be received no later than 3:00 p.m.(CST) on April 20, 2004.

Department of Human Services

Transition to Economic Stability

Notice of Request for Proposal to Gather and Analyze Data on the Cost of Child Care in Minnesota

The Department of Human Services is soliciting proposals from qualified organizations to gather and analyze data on the full cost of child care at the currently existing levels of quality. The research will be used for the development of policies related to Minnesota's child care and school age care system. The recommendations will include strategies to improve the quality and availability of child care for all Minnesota families, including low-income families.

The Department of Human Services has received federal funding for the purposes of this cost of care study. The Department will award one contract to a single organization or a representative of a collaboration of partners with expertise in studying the cost of care, analyzing and evaluating data, conducting research, publishing reports, and extensive knowledge of child care at a state and national level.

The goals of this project are to develop a base of information from which the department will identify 1) cost-effective strategies for providing high quality child care for all Minnesota families and 2) opportunities for strategic investment of CCAP funding to maximize access for low income families. In support of project goals, the vendor shall: (1) Develop a literature review on the cost of child care from the child care provider's perspective. (2) Conduct a statewide assessment of the full cost of child care based on a statistically valid, random sample of child care centers that include care for school-age children. (3) Conduct an assessment of the full cost of child care based on a purposefully selected group of child care centers that include programs offering enhanced child development opportunities. (4) Provide strategic recommendations to the state on ways to support investments in child care that promote cost efficient management strategies and support service delivery at current levels of quality.

The Department has estimated that the cost of this project should not exceed \$80,000.

The project period will be May 2004 through September 2004.

For a complete copy of the Request for Proposal, please contact the Department of Human Services, 444 Lafayette Road North, St. Paul, Minnesota 55155-3860, **Telephone:** (651) 297-3340, **Fax:** (651) 215-5714, **E-mail:** DHS.child.care@state.mn.us.

Completed proposals are due by 3:00 p.m. Central Time, on Tuesday, March 30, 2004.

Department of Human Services

Fergus Falls Regional Treatment Center

Notice of Request for Proposals for Services: Physician On-Call Services

Fergus Falls Regional Treatment Center, an inpatient facility for persons with mental illness and chemical dependency, is seeking proposals for services of an:

On-call physician who will provide after hour coverage for one week a month, 16 hours per day during the week and 24 hours per day weekend days and holidays.

A standard state professional /technical contract will be utilized for these services.

A Request for Proposals will be available by mail from this office through March 22, 2004. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After March 22, 2004, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Bill Dorholt
Site Director, Fergus Falls Regional Treatment Center
1400 North Union
Fergus Falls, MN. 56537
bill.dorholt@state.mn.us
Telephone (218) 739-7453

State Contracts

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than March 29, 2004. **Late proposals will not be considered.** Fax or e-mailed 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.

Pollution Control Agency

REQUEST FOR PROPOSALS for Natural Resource Damage Assessment and Restoration (NRDAR) Contracts to Conduct Preassessment, Injury Assessment, Injury/Quantification Assessment, and Restoration Planning, Provide Case Management Along With Other Activities Associated NRDAR Sites Located in Minnesota

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) is seeking proposals from consultants/contractors qualified to conduct preassessment, injury assessment, injury/quantification assessment, and restoration planning, provide case management along with other activities associated with NRDAR sites located in Minnesota where there has been a release or threatened release of hazardous substances or pollutants or contaminants, including petroleum.

The MPCA desires to contract with these consultants/contractors for services from July 1, 2004 through June 30, 2006 with the option of three (3) one (1) year contract extensions. No actual work or payment is guaranteed pursuant to the contract.

In compliance with *Minnesota Statutes* 16C.07, the availability of this contract opportunity is being offered to state employees. We will evaluate the responses of any state employee along with other responses to this notice.

The MPCA may contract with multiple consultants/contractors locally and nationally, and the MPCA reserves the right to limit the number of parties to the contract.

A complete Request for Proposal (RFP) describing the requirements necessary for the contract has been prepared. Requests for the complete RFP document should be directed to:

Jayne Stilwell Lamb
Minnesota Pollution Control Agency
Majors and Remediation Division
520 Lafayette Road
St. Paul, Minnesota 55155
(651) 297-8584 (**Voice**)
(651) 296-9707 (**Fax**)
jayne.stilwell-lamb@pca.state.mn.us

Proposers should submit in writing a list of questions they would like addressed. Questions must be mailed, emailed or faxed to Jayne Stilwell Lamb and received by 4:00 p.m. on March 22, 2004.

The deadline for receipt of completed proposals is 2:00 p.m. April 14, 2004. Proposals should be submitted to the attention of the above MPCA contact person. Late submittals will not be considered.

Dated: January 29 2004

Department of Transportation

Engineering Services Division

Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (the "Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Robin Valento at (651) 284-3622 for persons who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529.

Mn/DOT, working in conjunction with the Consultant Reform Committee, the Minnesota Consulting Engineers Council, and the Department of Administration, has developed the Consultant Pre-qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT anticipates that most consultant contracts for highway-related technical activities will be awarded using this method, however, Mn/DOT also reserves the right to use RFP or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to complete or use the Consultant Pre-qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available at this time. Following the advertisement of a particular category of services, applications will be accepted on a continual basis.

All expenses incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and application forms are available on Mn/DOT's **web site** at <http://www.dot.state.mn.us/consult>

Send completed application material to:

Robin Valento
Pre-Qualification Administrator
Minnesota Department of Transportation
Consultant Services
395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680
St. Paul, MN 55155

Note: DUE DATE:

APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

Department of Transportation Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities

NOTICE TO ALL: The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: www.dot.state.mn.us/consult.

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

Minnesota Veterans Homes Board

Notice of Availability of Contract for Long Range Planning Study of Veterans Healthcare Continuum of Care

The Minnesota Veterans Home - Hastings is requesting proposals for the purpose of a long range planning study and preparation of a report and an executive summary detailing the healthcare continuum of care needs in the State for Veterans.

Work is proposed to start after May 1, 2004.

A Request for Proposals will be available by mail from this office through March 18, 2004. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After March 18, 2004, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Mark Kryzer
Veterans Home Hastings
1200 East 18th Street
Hastings, MN 55033
Fax (651) 437-2012

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than April 8, 2004 at 2:30 p.m. **Late proposals will not be considered.** Fax or e-mailed 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.

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 editor for further details.

Metropolitan Council

Notice of Request for Proposals (RFP) for Facilities Planning for NE Interceptor Service Area RFP Number 04P028

The Metropolitan Council is soliciting proposals for engineering services to assist the Council in the preparation of the Northeast Interceptor Service Area Facilities Plan.

A tentative schedule is as follows:

<i>Issue Request for Proposals</i>	March 2004
<i>Receive Proposals</i>	April 2004
<i>Period of Performance</i>	May 2004 - May 2006

All firms interested in submitting a proposal for this work are invited to request an RFP document from:

Amanda Houston, Administrative Assistant
Metropolitan Council
230 East Fifth Street
Mears Park Centre
St. Paul, MN 55101
PHONE: (651) 602-1585
FAX: (651) 602-1138
e-mail: amanda.houston@metc.state.mn.us

Metropolitan Council

Notice of Request for Proposals (RFP) for Relief Sewer Improvements for White Bear Lake Area RFP Number 04P029

The Metropolitan Council is soliciting proposals for engineering design and construction support services for relief sewer improvements in the White Bear Lake area.

A tentative schedule is as follows:

<i>Issue Request for Proposals</i>	March 2004
<i>Receive Proposals</i>	April 2004
<i>Period of Performance</i>	May 2004 - December 2006

All firms interested in submitting a proposal for this work are invited to request an RFP document from:

Amanda Houston, Administrative Assistant
Metropolitan Council
230 East Fifth Street
Mears Park Centre
St. Paul, MN 55101
PHONE: (651) 602-1585
FAX: (651) 602-1138
e-mail: amanda.houston@metc.state.mn.us

Non-State Contracts & Grants

Solid Waste Management Coordinating Board

Notice of Request for Proposals for a Researcher to Conduct Usability Research for *GreenGuardian.com* Web Site

The Solid Waste Management Coordinating Board is seeking proposals from interested contractors to design and conduct usability research for evaluating *GreenGuardian.com* web site. The contractor will, through evaluating observations and interviews, develop a usability report and analysis including recommendations for possible changes to *GreenGuardian.com*

The Request for Proposals can be downloaded at www.swmcb.org. The Request for Proposals is also available by calling or writing Linda Gondringer, Solid Waste Management Coordinating Board, 477 Selby Avenue, St. Paul, MN 55102. **Phone:** (651) 222-7227. **Email:** lgondringer@richardsonrichter.com.

Proposals must be received no later than 12:00 noon, Central Standard Time, Friday, March 19, 2004. The SWMCB reserves the right to reject late responses.

Complete specifications and details concerning submission requirements are included in the Request for 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 the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.

