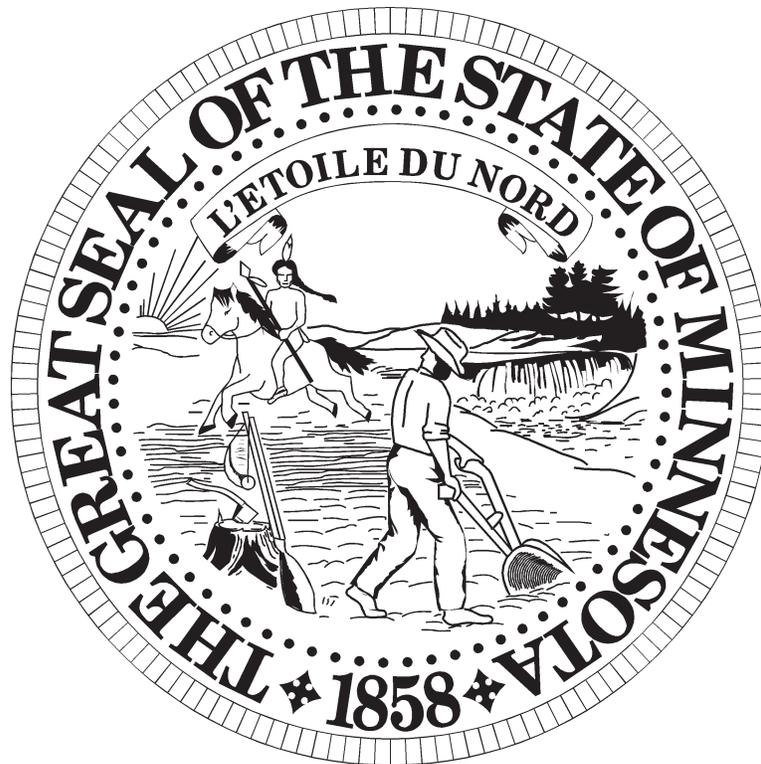


State of Minnesota

# State Register



**Rules, Executive Orders, Appointments,  
Commissioners' Orders, Revenue Notices, Official Notices, Grants,  
State Contracts & Loans, Non-State Bids, Contracts & Grants**  
Published every Monday (Tuesday when Monday is a holiday)

**Monday 23 June 2008  
Volume 32, Number 52  
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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:

- rules of state agencies
- commissioners' orders
- state grants and loans
- executive orders of the governor
- revenue notices
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- appointments
- official notices

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| Vol. 32<br>Issue<br>Number | PUBLISH<br>DATE<br>( <b>BOLDFACE</b> shows<br>altered publish date) | Deadline for: Emergency Rules, Executive and<br>Commissioner's Orders, Revenue and Official Notices,<br>State Grants, Professional-Technical-Consulting<br>Contracts, Non-State Bids and Public Contracts | Deadline for Proposed,<br>Adopted and Exempt<br>RULES |
|----------------------------|---|---|---|
| # 52                       | Monday 23 June  | Noon Tuesday 17 June  | Noon Wednesday 11 June                                |
| # 53                       | Monday 30 June  | Noon Tuesday 24 June  | Noon Wednesday 18 June                                |
| # 1                        | Monday 7 July   | Noon Tuesday 1 July   | Noon Wednesday 3 July                                 |
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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, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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**(Cumulative Index for July 2007 - March 2008 can be found in the issue dated March 31, 2008 32 SR 1804)**

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## Proposed Rules

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

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

The agency must wait five days after receiving the report before taking any action.

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

**KEY: Proposed Rules** - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

## Minnesota Department of Labor and Industry

### Labor Standards Unit

### Proposed Amendments to Rules Relating to Prevailing Wages; Master Job Classifications

#### Notice of Hearing on Proposed Rules, *Minnesota Rules*, Parts 5200.1030 – 5200.1100

**Public Hearing.** The Department of Labor and Industry intends to adopt rules after a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2200 to 1400.2240, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. The agency will hold a public hearing on the above-named rules in the Minnesota Room, Minnesota Department of Labor and Industry, 443 Lafayette Road North, St. Paul, Minnesota 55155, starting at 9:30AM on Friday, July 25, 2008, and continuing until the hearing is completed. The agency will schedule additional days of hearing if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements may be submitted without appearing at the hearing.

# Proposed Rules

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**Administrative Law Judge.** Administrative Law Judge Eric L. Lipman will conduct the hearing. The judge can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone 651-361-7842, and FAX 651-361-7936. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. You should direct questions about the rule hearing procedure to the administrative law judge.

**Subject of Rules, Statutory Authority, and Agency Contact Person.** The proposed rules are amendments that relate to the master job classifications for which the Department makes prevailing wage determinations. Other topics include clarifying when rules will be made for new classifications for highway and heavy construction and for commercial construction, adding a general class of labor, and the minimum number of hours of work required for a worker to be included in the wage survey process. These amendments apply to highway and heavy construction, but also have application to commercial construction. Examples of job classification issues addressed in the amendments include, but are not be limited to, creating separate classifications and or rates for pieces of equipment used in highwayheavy and commercial construction; creating new classes for or altering the classifications applying to landscaping and seeding; creating new classes for or altering the classifications applying to painting and striping of roads; creating new classes for or altering the classifications applying to warning lights, warning signs and other methods of traffic control supplied to a project during construction; creating new classes for or altering the classifications applying to survey workers and quality testers; and, articulated haulers and offroad trucks. The proposed rules are authorized by *Minnesota Statutes*, [2007] sections 175.171, 177.28, subd.1, and 177.41 to 177.44, specifically 177.43, subd. 4 and 177.44, subds. 3 and 4. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. A free copy of the rules is available upon request from the agency contact person and available on the department's website at <http://www.doli.state.mn.us/laborlaw.html>. Comments or questions about the rule amendments should be directed to the agency contact person.

The agency contact person is:

Carrie Rohling, Rules Coordinator  
Department of Labor and Industry  
Labor Standards Division  
443 Lafayette Road  
St. Paul, MN 55155  
phone: (651) 2845006  
fax: (651) 2845725  
[dli.rules@state.mn.us](mailto:dli.rules@state.mn.us)

TTY users may call the department at (651) 2974198

The department requests that any person submitting written views or data to the administrative law judge before the hearing or during the post-hearing 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.** The statement of need and reasonableness 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. It is now available from the agency contact person. You may review or obtain copies at the cost of reproduction by contacting the agency contact person.

**Public Comment.** You and all interested or affected persons, including representatives of associations and other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the administrative law judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the administrative law judge may order this five-day comment period extended for a longer period but for no more than 20 calendar days. 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 one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the administrative law judge no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings.

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# Proposed Rules

The agency requests that any person submitting written views or data to the administrative law judge before the hearing or during the post-hearing comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

**Alternative Format/Accommodation.** Upon request, the agency can make this Notice 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 agency may modify the proposed rules as a result of the rule hearing process. It must support modifications by data and views presented during the rule hearing process. The adopted rules may not be substantially different than these proposed rules, unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the agency encourages you to participate.

**Adoption Procedure After The Hearing.** 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 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 that the agency adopts the rules and files them with the Secretary of State, or ask to register with the agency to receive notice of future rule proceedings. You may make these requests at the hearing or in writing to the agency contact person stated above.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You should direct questions regarding this requirement to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-296-5148 or 1-800-657-3889.

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

Steve Sviggum  
Commissioner

## 5200.1030 BASIS FOR HIGHWAY AND HEAVY CONSTRUCTION DETERMINATIONS.

*[For text of subps 1 and 2, see M.R.]*

Subp. 2a. **Projects to be surveyed, criteria.** The determinations shall be made from projects on which construction work was done in the 12 months preceding the survey which are located in the area and where the estimated total cost of completing the project is \$25,000 or more.

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

C. If work is performed by a class of labor not ~~defined~~ named by part 5200.1100, Master Job Classifications, the contracting agency shall assign a wage rate and the commissioner of labor and industry shall review and certify the assigned wage rate based on the most similar trade or occupation from the area wage determination. Within 90 days, the Commissioner of Labor and Industry must determine that the work is included in an existing Master Job Classification or initiate the rulemaking procedure so that the classification will be ~~defined~~ named in the Master Job Classifications in part 5200.1100.

## 5200.1035 BASIS FOR COMMERCIAL CONSTRUCTION DETERMINATIONS.

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

Subp. 2. **Projects to be surveyed, criteria.** From information on file and submitted by interested persons, the determinations shall be made from projects on which construction work was done in the 12 months preceding the survey, which are located in the county or,

# Proposed Rules

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if necessary, from adjacent counties, and where the estimated total cost of completing the project is \$2,500 or more.

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

E. If work is performed by a class of labor not ~~defined by~~ named in part 5200.1100, Master Job Classifications, the Commissioner of Labor and Industry shall certify a wage rate which reflects the most similar trade or occupation from the project wage determination. Within 90 days, the Commissioner of Labor and Industry must determine that the work is included in an existing Master Job Classification or initiate the rulemaking procedure so that the classification will be ~~defined~~ named in the Master Job Classifications in part 5200.1100.

## 5200.1040 CLASSES OF LABOR.

Each class of labor shall be based upon the particular nature of the work performed with consideration given to those trades, occupations, skills, or work generally considered within the construction industry as constituting distinct classes of labor. Wage determinations will be issued for those separate classes of labor which fall under the following general classes:

A. Laborers.

B. Power equipment operators.

C. Truck drivers.

D. Special equipment.

E. Special crafts. The following crafts shall constitute separate classes of labor: bricklayers, carpenters, cement masons, line persons, electricians, iron workers, painters, pipefitters, plumbers, plasterers, roofers, and sheet metal workers, and other labor or work which is customarily considered as an individual trade or craft based upon its character and skills required.

~~E.~~ F. In determining particular classes of labor, the department shall consider work classifications contained in collective bargaining agreements, apprenticeship agreements on file with the department, the "United States Department of Labor Dictionary of Occupational Titles," and customs and usage applicable to the construction industry.

~~F.~~ G. Primary responsibility for classifying individual workers shall be upon the contractor.

~~G.~~ H. Where a worker performs work in more than one class of labor on a project, the worker shall be placed in the class in which the person worked the greatest number of hours.

~~H.~~ I. The contractor reporting shall have the responsibility to determine the class in which the worker has worked the greatest number of hours on each project reported.

~~I.~~ J. Workers employed within a class of labor as apprentices, helpers, supervisors, or trainees will not be included or counted within the wage survey.

## 5200.1050 SURVEY PROCEDURES.

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

Subp. 2. **Wage reports.** The department shall regularly request from contractors, contractor organizations, labor organizations, and any other interested person, on forms available from or approved by the department, reports of construction wage rates paid by contractors on various types of highway and heavy projects where the estimated total cost of completing the project is \$25,000 or more and on commercial projects where the estimated total cost of completing the project is \$2,500 or more. The reports must be kept on file by the

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# Proposed Rules

department according to the county or area in which the project for which the report is received was performed. The reports must list the name and address of the contractor, the name of the project, the location of the project, a description of the project, any identifying project numbers, a description of the work performed on the project, the approximate dollar cost of the project, the names of employees who worked ~~24 hours or more on a highway and heavy project and~~ eight hours or more on a highway and heavy or commercial project, together with the class of labor for each employee, the wage rate paid each employee on the project, and the hourly cost of fringe benefits for health and welfare, pension, vacation, apprenticeship or training, and any other economic benefits paid for each employee. The forms shall be signed and dated by the organization or individual providing the information attesting that the information provided is true and correct.

*[For text of subps 2a to 4, see M.R.]*

## 5200.1100 MASTER JOB CLASSIFICATIONS.

Subpart 1.**Requirement.** For purposes of parts 5200.1000 to 5200.1120, contractors must use the following codes and classifications in documenting classes of labor.

### Subp. 2.**Laborers.**

| <b>Code No.</b> | <b>Position Title</b>  |
|-----------------|--|
| 101             | Laborer, common (general labor work)   |
| 102             | Laborer, skilled (assisting skilled craft journeyman)  |
| 103             | Laborer, Landscaping (gardener, sod layer and nursery operator)  |
| 104             | Flag person  |
| 105             | Watch person   |
| 106             | Blaster  |
| 107             | Pipelayer (water, sewer and gas)   |
| 108             | Tunnel miner   |
| 109             | Underground and open ditch laborer (eight feet below starting grade level)   |
| <u>110</u>      | <u>Survey field technician (operate total station, GPS receiver, level, rod or range poles, steel tape measurement; mark and drive stakes; hand or power digging for and identification of markers or monuments; perform and check calculations; review and understand construction plans and land survey materials)</u> |
| <u>111</u>      | <u>Traffic control person (temporary signage)</u>  |
| <u>112</u>      | <u>Quality control tester (field and covered off-site facilities; testing of aggregate, asphalt, and concrete materials)</u>   |

### Subp. 2a.**Special equipment.**

| <b>Code No.</b> | <b>Position Title</b>  |
|-----------------|--|
| <u>201</u>      | <u>Articulated hauler</u>  |
| <u>202</u>      | <u>Boom truck</u>  |
| <u>203</u>      | <u>Landscaping equipment, includes hydro seeder or mulcher, sod roller, farm tractor with attachment specifically seeding sodding, or plant, and two-framed forklift (excluding front, posi-track, and skid steer loaders), no earthwork or grading for elevations</u> |
| <u>204</u>      | <u>Off-road truck</u>  |
| <u>205</u>      | <u>Truck for pavement marking or removal (one or two person operators)</u>   |

Subp. 3.**Power equipment operators - highway and heavy projects.** For purposes of parts 5200.1000 to 5200.1120, contractors must use codes and classifications in this subpart for paying and documenting equipment operators working on highway and heavy type construction projects.

| <b>Code No.</b> | <b>Position Title</b>   |
|-----------------|---|
| <u>Group 1</u>  |   |
| <u>301</u>      | <u>All truck and crawler cranes 50 tons and over and doing pile driving, sheeting, caisson work, rotary drill</u> |

# Proposed Rules

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|                           | <u>ing, and boring</u>  |
| Group + 2                 |   |
| <del>201</del> <u>302</u> | Helicopter pilot  |
| <del>303</del>            | <u>Concrete pump</u>  |
| <del>202</del> <u>304</u> | <del>Crane</del> <u>All cranes with over 135-foot boom, excluding jib</u>   |
| <del>203</del> <u>305</u> | Dragline, crawler, hydraulic backhoe ( <u>track or wheel mounted</u> ) and/or other similar equipment with shovel-type controls three cubic yards and over manufacturer's rated capacity <u>including all attachments</u> |
| <del>306</del>            | <u>Grader or motor patrol</u>   |
| <del>204</del> <u>307</u> | Pile driving <del>when three drums are in use</del>   |
| <del>205</del>            | <del>Tower crane</del>  |
| <del>308</del>            | <u>Tugboat - 100 h.p. and over when license required</u>  |
| Group 2 3                 |   |
| <del>309</del>            | <u>Asphalt bituminous stabilizer plant</u>  |
| <del>206</del> <u>310</u> | Cableway  |
| <del>207</del> <u>311</u> | Concrete mixer, stationary plant  |
| <del>208</del> <u>312</u> | Derrick (guy or stiffleg) (power) (skids or stationary)   |
| <del>209</del> <u>313</u> | Dragline, crawler, hydraulic backhoe ( <u>track or wheel mounted</u> ) and/or similar equipment with shovel-type controls, up to three cubic yards manufacturer's rated capacity <u>including all attachments</u>         |
| <del>210</del> <u>314</u> | Dredge or engineers, dredge (power) and engineer  |
| <del>211</del> <u>315</u> | Front end loader, five cubic yards and over <u>including attachments</u>  |
| <del>212</del>            | <del>Grader or motor patrol</del>   |
| <del>213</del> <u>316</u> | Locomotive crane operator   |
| <del>214</del> <u>317</u> | Mixer (paving) concrete paving, road mole, including mucking operations, Conway or similar <del>pile driving</del> <u>type</u>  |
| <del>318</del>            | <u>Mechanic - welder on power equipment</u>   |
| <del>216</del> <u>319</u> | Tractor - boom type   |
| <del>320</del>            | <u>Tandem scraper</u>   |
| <del>217</del> <u>321</u> | Truck crane - crawler crane   |
| <del>218</del> <u>322</u> | Tugboat 100 h.p. and over   |
| Group 3                   |   |
| <del>219</del>            | <del>Dual tractor</del>   |
| <del>220</del>            | <del>Elevating grader</del>   |
| <del>221</del>            | <del>Pumperete</del>  |
| <del>222</del>            | <del>Scraper - struck capacity 32 cubic yards and over</del>  |
| <del>223</del>            | <del>Self-propelled traveling soil stabilizer</del>   |
| Group 4                   |   |
| <del>224</del> <u>323</u> | Air track rock drill  |
| <del>225</del>            | <del>Asphalt bituminous stabilizer plant</del>  |
| <del>226</del> <u>324</u> | Automatic road machine (CMI or similar)   |
| <del>227</del> <u>325</u> | Backfiller operator   |
| <del>228</del> <u>326</u> | Concrete batch plant <u>operator</u>  |
| <del>229</del> <u>327</u> | Bituminous <del>roller</del> <u>rollers, rubber tired or steel drummed</u> (eight tons and over)  |
| <del>230</del> <u>328</u> | Bituminous spreader and finishing <u>machines</u> (power), <u>including pavers, macro surfacing and micro surfacing, or similar types (operator and screed person)</u>  |
| <del>329</del>            | <u>Brokk or R.T.C. remote control or similar type with all attachments</u>  |
| <del>231</del> <u>330</u> | Cat <u>challenger</u> tractors <u>with or similar types pulling rock wagons or similar types, bulldozers, and scrapers</u>  |
| <del>232</del> <u>331</u> | Chip harvester and tree cutter  |
| <del>332</del>            | <u>Concrete distributor and spreader finishing machine, longitudinal float, joint machine, and spray machine</u>  |
| <del>233</del> <u>333</u> | Concrete mixer on jobsite   |
| <del>234</del> <u>334</u> | Concrete mobil  |
| <del>235</del> <u>335</u> | Crushing plant (gravel and stone) or gravel washing, crushing and screening plant   |
| <del>236</del> <u>336</u> | Curb machine  |

|                |   |
|----------------|---|
| <u>337</u>     | <u>Directional boring machine</u>   |
| <u>237 338</u> | Dope machine (pipeline)   |
| <u>238 339</u> | Drill rigs, heavy rotary or churn or cable drill  |
| <u>340</u>     | <u>Dual tractor</u>   |
| <u>341</u>     | <u>Elevating grader</u>   |
| <u>239 342</u> | Fork lift or straddle carrier   |
| <u>240 343</u> | Fork lift or lumber stacker   |
| <u>241 344</u> | Front end loader, posi-track, or skid steer loaders, over one cubic yard <u>up to five cubic yards with attachments</u> |
| <u>345</u>     | <u>GPS remote operating of equipment</u>  |
| <u>242 346</u> | Hoist engineer (power)  |
| <u>243 347</u> | Hydraulic tree planter  |
| <u>244 348</u> | Launcher person (tanker person or pilot license)  |
| <u>245 349</u> | Locomotive  |
| <u>246</u>     | <del>Mechanic - welder</del>  |
| <u>247 350</u> | Milling, grinding, <del>and</del> planing, <u>fine grade, or trimmer</u> machine  |
| <u>248 351</u> | Multiple machines, such as air compressors, welding machines, generators, pumps   |
| <u>249 352</u> | Pavement breaker or tamping machine (power driven) might mite similar type  |
| <u>250 353</u> | Pickup sweeper, one cubic yard and over hopper capacity   |
| <u>251 354</u> | Pipeline wrapping, cleaning or bending machine  |
| <u>252 355</u> | Power plant engineer, 100 KWH and over  |
| <u>253 356</u> | Power actuated horizontal boring machine, over six inches   |
| <u>254 357</u> | Pugmill   |
| <u>358</u>     | <u>Pumpcrete</u>  |
| <u>255 359</u> | Rubber-tired farm tractor; <u>with backhoe attachment including attachments</u>   |
| <u>256 360</u> | Scraper; <u>up to 32 cubic yards</u>  |
| <u>257</u>     | <del>Skid steer loader, over one cubic yard with backhoe attachment</del>   |
| <u>361</u>     | <u>Self-propelled soil stabilizer</u>   |
| <u>258 362</u> | Slip form (power driven) (paving)   |
| <u>259 363</u> | Tie tamper and ballast machine  |
| <u>260 364</u> | Tractor, bulldozer  |
| <u>365</u>     | <u>Tractor, wheel type, over 50 h.p. with PTO unrelated to landscaping</u>  |
| <u>261 366</u> | Trenching machine (sewer, water, gas) <u>excludes walk behind trencher</u>  |
| <u>367</u>     | <u>Tub grinder, morbark, or similar type</u>  |
| <u>262 368</u> | Well point <u>dismantling or installation</u>   |
| Group 5        |   |
| <u>263 369</u> | Air compressor, 600 CFM or over   |
| <u>264 370</u> | Bituminous roller (under eight tons)  |
| <u>265</u>     | <del>Concrete distributor and spreader finishing machine, longitudinal float, joint machine, and spray</del>            |
| <u>266 371</u> | Concrete saw (multiple blade) (power operated)  |
| <u>267 372</u> | Form trench digger (power)  |
| <u>268 373</u> | Front end loader, skid steer, or posi-track loaders, up to and including one cubic yard <u>with attachments</u>         |
| <u>269 374</u> | Gunite gunall   |
| <u>270 375</u> | Hydraulic log splitter  |
| <u>271 376</u> | Loader (barber greene or similar type)  |
| <u>272 377</u> | Post hole driving machine/post hole auger   |
| <u>273 378</u> | Power actuated auger and boring machine   |
| <u>274 379</u> | Power actuated jack   |
| <u>275 380</u> | Pump  |
| <u>276 381</u> | Self-propelled chip spreader (flaherty or similar)  |
| <u>277 382</u> | Sheep foot compactor with blade - 200 h.p. and over   |
| <u>278 383</u> | Shouldering machine (power) apSCO or similar type including self-propelled sand and chip spreader                       |
| <u>279 384</u> | Stump chipper and tree chipper  |
| <u>280 385</u> | Tree farmer (machine)   |

# Proposed Rules

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| <u>281</u>     | <u>Bituminous spreader and bituminous finishing machine operator (helper)</u>   |
| <u>386</u>     | <u>Vibratory driver or extractor for piling or sheeting operations</u>  |
| Group 6        |   |
| <u>387</u>     | <u>Cat, challenger, or similar type of tractors, when pulling disk or roller</u>  |
| <u>282 388</u> | <u>Conveyor</u>   |
| <u>283 389</u> | <u>Dredge deck hand</u>   |
| <u>284 390</u> | <u>Fire person or tank car heater</u>   |
| <u>285 391</u> | <u>Gravel screening plant (portable not crushing or washing)</u>  |
| <u>286 392</u> | <u>Greaser (<del>truck or</del> tractor)</u>  |
| <u>287 393</u> | <u>Lever person</u>   |
| <u>288 394</u> | <u>Oiler (power shovel, crane, <u>truck crane</u>, dragline, crushers, and milling machines, <u>or other similar heavy equipment</u>)</u> |
| <u>289 395</u> | <u>Power sweeper</u>  |
| <u>290</u>     | <u>Roller on gravel compaction</u>  |
| <u>291</u>     | <u>Self-propelled vibrating packer</u>  |
| <u>292</u>     | <u>Sheep foot roller</u>  |
| <u>396</u>     | <u>Sheep foot roller and rollers on gravel compaction, including vibrating rollers</u>  |
| <u>293 397</u> | <u>Tractor, wheel type, over 50 h.p., <u>unrelated to landscaping</u></u>   |
| <u>294</u>     | <u>Truck crane oiler</u>  |

Subp. 3a. **Power equipment operators commercial projects.** For purposes of parts 5200.1000 to 5200.1120, contractors must use codes and classifications in this subpart for paying and documenting power equipment operators working on commercial type projects.

| <b><u>Code No.</u></b> | <b><u>Position Title</u></b>  |
|------------------------|---|
| Group 1                |   |
| <u>501</u>             | <u>Helicopter pilot</u>   |
| <u>502</u>             | <u>Tower crane 250 feet and over</u>  |
| <u>503</u>             | <u>Truck or crawler crane with 200 feet of boom and over, including jib</u>                         |
| Group 2                |   |
| <u>504</u>             | <u>Concrete pump with 50 meters/164 feet of boom and over</u>                                       |
| <u>505</u>             | <u>Pile driving when three drums in use</u>   |
| <u>506</u>             | <u>Tower crane 200 feet and over</u>  |
| <u>507</u>             | <u>Truck or crawler crane with 150 feet of boom up to and not including 200 feet, including jib</u> |
| Group 3                |   |
| <u>508</u>             | <u>All-terrain vehicle cranes</u>   |
| <u>509</u>             | <u>Concrete pump 32-49 meters/102-164 feet</u>  |
| <u>510</u>             | <u>Derrick (guy &amp; stiffleg)</u>   |
| <u>511</u>             | <u>Stationary tower crane up to 200 feet</u>  |
| <u>512</u>             | <u>Self-erecting tower crane 100 feet and over measured from boom foot pin</u>                      |
| <u>513</u>             | <u>Traveling tower crane</u>  |
| <u>514</u>             | <u>Truck or crawler crane up to and not including 150 feet of boom, including jib</u>               |
| Group 4                |   |
| <u>515</u>             | <u>Crawler backhoe including attachments</u>  |
| <u>516</u>             | <u>Fireperson, chief boiler license</u>   |
| <u>517</u>             | <u>Hoist engineer (three drums or more)</u>   |
| <u>518</u>             | <u>Locomotive</u>   |
| <u>519</u>             | <u>Overhead crane (inside building perimeter)</u>   |
| <u>520</u>             | <u>Tractor - boom type</u>  |
| Group 5                |   |

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# Proposed Rules

|            |   |
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| <u>521</u> | <u>Air compressor 450 CFM or over (two or more machines)</u>  |
| <u>522</u> | <u>Concrete mixer</u>   |
| <u>523</u> | <u>Concrete pump up to 31 meters/101 feet of boom</u>   |
| <u>524</u> | <u>Drill rigs, heavy rotary or churn or cable drill when used for caisson for elevator or building construction</u> |
| <u>525</u> | <u>Forklift</u>   |
| <u>526</u> | <u>Front end, posi-track, and skid steer type loaders one cubic yard and over, including attachments</u>            |
| <u>527</u> | <u>Hoist engineer (one or two drums)</u>  |
| <u>528</u> | <u>Mechanic-welder (on power equipment)</u>   |
| <u>529</u> | <u>Power plant (100 KW and over or multiples equal to 100 KW and over)</u>  |
| <u>530</u> | <u>Pump operator and/or conveyor (two or more machines)</u>   |
| <u>531</u> | <u>Self-erecting tower crane under 100 feet measured from boom foot pin</u>   |
| <u>532</u> | <u>Straddle carrier</u>   |
| <u>533</u> | <u>Tractor over D2</u>  |
| <u>534</u> | <u>Well point pump</u>  |

## Group 6

|            |   |
|------------|---|
| <u>535</u> | <u>Concrete batch plant</u>   |
| <u>536</u> | <u>Fireperson, first class boiler license</u>   |
| <u>537</u> | <u>Front end, posi-track, and skid steer type loaders up to one cubic yard, including attachments</u> |
| <u>538</u> | <u>Guniting machine</u>   |
| <u>539</u> | <u>Tractor operator D2 or similar size</u>  |
| <u>540</u> | <u>Trenching machine (sewer, water, gas) excludes walk behind trencher</u>                            |

## Group 7

|            |  |
|------------|--|
| <u>541</u> | <u>Air compressor 600 CFM or over</u>  |
| <u>542</u> | <u>Brakeperson</u>   |
| <u>543</u> | <u>Concrete pump/pumpcrete or complaco type</u>  |
| <u>544</u> | <u>Fireperson, temporary heat second class boiler license</u>  |
| <u>545</u> | <u>Oiler (power shovel, crane, truck crane, dragline, crushers and milling machines, or other similar power equipment)</u> |
| <u>546</u> | <u>Pick-up sweeper (one cubic yard hopper capacity)</u>  |
| <u>547</u> | <u>Pump and/or conveyor</u>  |

## Group 8

|            |  |
|------------|--|
| <u>548</u> | <u>Elevator operator</u>   |
| <u>549</u> | <u>Greaser</u>   |
| <u>550</u> | <u>Mechanical space heater (temporary heat no boiler license required)</u> |

### Subp. 4. **Truck drivers.**

| Code No.                  | Position Title  |
|---------------------------|---|
| Group 1                   |   |
| <del>301</del> <u>601</u> | Mechanic - welder   |
| <del>302</del> <u>602</u> | Tractor trailer driver  |
| <del>303</del> <u>603</u> | Truck driver (hauling machinery including operation of hand and power operated winches) |
| Group 2                   |   |
| <del>304</del> <u>604</u> | Four or more axle unit, straight body truck   |
| Group 3                   |   |
| <del>305</del> <u>605</u> | Bituminous distributor driver   |
| <del>306</del> <u>606</u> | Bituminous distributor (one person operation)   |
| <del>307</del> <u>607</u> | Three axle units  |

# Proposed Rules

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|----------------|--|
| Group 4        |  |
| 308 <u>608</u> | Bituminous distributor spray operator (rear and oiler)       |
| 309 <u>609</u> | Dump person  |
| 310 <u>610</u> | Greaser  |
| 311 <u>611</u> | Pilot car driver   |
| 312 <u>612</u> | Rubber-tired, self-propelled packer, <u>under eight tons</u> |
| 313 <u>613</u> | Two axle unit  |
| 314 <u>614</u> | Slurry operator  |
| 315 <u>615</u> | Tank truck helper (gas, oil, road oil, and water)            |
| 316 <u>616</u> | Tractor operator, under 50 h.p.                              |

## Subp. 5. **Special crafts.**

| Code No.       | Position Title  |
|----------------|---|
| 401 <u>701</u> | Heating and frost insulators  |
| 402 <u>702</u> | Boilermakers  |
| 403 <u>703</u> | Bricklayers   |
| 404 <u>704</u> | Carpenters  |
| 405 <u>705</u> | Carpet layers (linoleum)  |
| 406 <u>706</u> | Cement masons   |
| 407 <u>707</u> | Electricians  |
| 408 <u>708</u> | Elevator constructors   |
| 409 <u>709</u> | Glaziers  |
| 410 <u>710</u> | Lathers   |
| 411 <u>711</u> | Ground person   |
| 412 <u>712</u> | Ironworkers   |
| 413 <u>713</u> | Lineman   |
| 414 <u>714</u> | Millwright  |
| 415 <u>715</u> | Painters ( <u>including hand brushed, hand sprayed, and the taping of pavement markings</u> ) |
| 416 <u>716</u> | Piledriver  |
| 417 <u>717</u> | Pipefitters - steamfitters  |
| 418 <u>718</u> | Plasterers  |
| 419 <u>719</u> | Plumbers  |
| 420 <u>720</u> | Roofer  |
| 421 <u>721</u> | Sheet metal workers   |
| 422 <u>722</u> | Sprinkler fitters   |
| 423 <u>723</u> | Terrazzo workers/ <u>marble setters</u>   |
| 424 <u>724</u> | Tile setters  |
| <u>725</u>     | <u>Tile finishers</u>   |
| 425 <u>726</u> | Drywall taper   |
| 430 <u>727</u> | Wiring system technician  |
| 431 <u>728</u> | Wiring system installer   |
| 435 <u>729</u> | Asbestos abatement worker   |
| 436 <u>730</u> | Sign erector  |

**Minnesota Department of Natural Resources****Division of Fish and Wildlife****Proposed Expedited Permanent Game and Fish Rules:****Designated Spawning Beds and Fish Preserves****Notice of Intent to Adopt Expedited Rules Without a Public Hearing, *Minnesota Rules*,  
Part 6264.0125**

**Introduction.** The Department of Natural Resources intends to adopt rules under the expedited rulemaking process in the rules of the Office of Administrative Hearings, *Minnesota Rules*, part 1400.2410, and the Administrative Procedure Act, *Minnesota Statutes*, section 14.389. You may submit written comments on the proposed expedited rules until August 15, 2008.

**Agency Contact Person.** You must submit comments or questions on the rules in writing to: Linda Erickson-Eastwood at 500 Lafayette, Box 20, St. Paul, MN 55155-4020, phone number 651-259-5221. TTY users may call the Department of Natural Resources at TTY 1-800-657-3929.

**Subject of the Expedited Rules and Statutory Authority.** The proposed expedited rules are about the addition of other water bodies to the list of designated spawning beds and fish preserves and technical changes in the legal descriptions of those water bodies already listed. The statutory authority to adopt the rules is *Minnesota Statutes*, section 97C.025. The statutory authority to adopt the rules under the expedited rulemaking process is *Minnesota Statutes*, section 84.027, subd. 13a. A copy of the proposed rules is published in the State Register and may be viewed at: <http://www.mndnr.gov>. If you wish to have a hard copy sent to you, please contact the person listed as the agency contact person.

**Comments.** You have until 4:30 p.m. on Friday, August 15, 2008, to submit written comment in support of or in opposition to the proposed expedited rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. The Department encourages comment. Your comment should identify the portion of the proposed expedited rules addressed and the reason for the comment. In addition, you are encouraged to propose any change desired. You must also make any comments on the legality of the proposed rules during this comment period.

**Modifications.** The agency may modify the proposed expedited rules using either of two avenues: The agency may modify the rules directly so long as the modifications do not make them substantially different as defined in *Minnesota Statutes*, section 14.05, subdivision 2, paragraphs (b) and (c). Or the agency may adopt substantially different rules if it follows the procedure under *Minnesota Rules*, part 1400.2110. If the final rules are identical to the rules originally published in the State Register, the agency will publish a notice of adoption in the State Register. If the final rules are different from the rules originally published in the State Register, the agency must publish a copy of the changes in the State Register. If the proposed expedited rules affect you in any way, the agency encourages you to participate in the rulemaking process.

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

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions regarding this requirement to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-296-5148 or 1-800-657-3889.

**Adoption and Review of Expedited Rules.** The agency may adopt the rules at the end of the comment period. The agency will then submit rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date that the agency submits the rules. 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.

June 3, 2008  
Mark Holsten  
Commissioner

# Proposed Rules

## 6264.0125 DESIGNATED SPAWNING BEDS AND FISH PRESERVES.

The following described water bodies are designated as spawning beds or fish preserves and may be posted according to part 6262.0500, subpart 4.

|                  | Name                               | Location  | County          |
|------------------|------------------------------------|---|-----------------|
| A.               | Bass Lake                          | North basin on the west shore near the Pincherry Access and south basin along north shore in the Elm Point area T.56, R.26, S.18,27   | Itasca          |
| B.               | Basswood Lake                      | Portion of Pipestone Bay south of a direct line from Kosulainen Point to Gary Island to Caribou Point T.64, R.11, S.11, 12,13,14,15,22,23   | Lake            |
| C.               | <u>Battle River - North Branch</u> | <u>From the Red Lake Indian Reservation boundary to a point 6.0 miles upstream of the Beltrami County Road 23 crossing T.152, R.32, S.10-12,15,22; T.152, R.31, S.1-7</u>   | <u>Beltrami</u> |
| D.               | <u>Battle River - South Branch</u> | <u>From the Beltrami-Koochiching county line downstream to the Red Lake Indian Reservation boundary T.152, R.32, S.13-15,22; T.152, R.31, S.18-22,26,27,35,36; T.152, R.30, S.31,32; T.151, R.30, S.2-5,11,12</u> | <u>Beltrami</u> |
| <del>E.</del> E. | Baugh's Creek                      | Inlet to Lake Osakis T.129, R.35, S.2   | Todd            |
| <del>F.</del> F. | Bear Island River                  | Both sides of Highway 1 T.62, R.12, S.23,26   | St. Louis       |
| <del>E.</del> G. | Beaver River                       | Portion upstream of Bear Island Lake <del>T.61</del> T.62, R.13, S.35   | St. Louis       |
| F. H.            | Birch Lake Reservoir               | Stony Bay from mouth of Stony River to mouth of bay near Ring Rock and lower 300 yards of Dunka River and Dunka Bay T.60, R.12, S.4; T.61, R.12, S.33   | St. Louis       |
| <del>G.</del> I. | Birch River                        | Both sides of County Road 21 T.61, R.13, S.26,27  | St. Louis       |
| H. J.            | Blackduck River                    | County Road 32, north to the Red Lake Reservation boundary T.151, R.32, S.20,28,29,33; T.150, R.32, S.1; T.150, R.31, S.6-8, 15-17,22,27,34   | Beltrami        |
| <del>I.</del> K. | Buck Lake                          | Bay on northeast side of lake T.58, R.22, S.6,8,22  | Itasca          |
| J. L.            | Burntside River                    | Both sides of County Road 88 at bridge T.63, R.13, S.26   | St. Louis       |
| <del>K.</del> M. | Chub Lake                          | Southeast bay T.48, R.17, S.26 N1/2 of NE1/4  | Carlton         |
| <del>L.</del> N. | Clearwater River                   | Below dam on Clearwater Lake T.149, R.36, S.12  | Clearwater      |
| <del>M.</del> O. | Clearwater Creek                   | Downstream of County Road 49 for approximately 400 feet T.57, R.25, S.23  | Itasca          |
| <del>N.</del> P. | Crow Wing River                    | Below 8th Crow Wing Lake Dam T.140, R.33, S.12  | Hubbard         |
| <del>O.</del> Q. | Curtis Creek                       | Inlet to Osakis T.128, R.35, S.16   | Todd            |

# Proposed Rules

|                             |                             |  |                 |
|-----------------------------|-----------------------------|--|-----------------|
| <del>P</del> : <u>R</u> .   | Cut Foot Sioux Lake         | From State Highway 46 to Williams Narrows<br>T.147, R.27, S.23-26,35,36  | Itasca          |
| <del>S</del> .              | <u>Darrigan's Creek</u>     | <u>From the outlet of Whitefish Lake to O'Brien Creek</u><br>T.150, R.32, S.14,15,22,27,28,33; T.149, R.32, S.4-7  | <u>Beltrami</u> |
| <del>T</del> .              | <u>Detling Creek</u>        | <u>From the south branch of the Cormorant River to the road crossing on Beltrami CSAH 37</u><br>T.151, R.31, S.31,32;<br>T.150, R.31, S.4,5,9,10                           | <u>Beltrami</u> |
| <del>Q</del> : <u>U</u> .   | Dinner Creek                | Inlet to Two Inlets Lake T.141, R.36, S.11   | Becker          |
| <del>R</del> : <u>V</u> .   | Dittberner Creek            | Inlet to Lake Miltona T.130, R.38, S.14,15,23,24   | Douglas         |
| <del>W</del> .              | <u>Domaas (Dumas) Creek</u> | <u>From Upper Red Lake to a point upstream 1.5 river miles</u><br>T.154, R.30, S.29,31   | <u>Beltrami</u> |
| <del>S</del> : <u>X</u> .   | Everett Creek               | Between Everett Lake and Twin Lakes T.64, R.12, S.31;<br>T.64, R.13, S.36  | St. Louis       |
| <del>F</del> : <u>Y</u> .   | Gull River                  | Portion in city of East Gull Lake from Army Corps of Engineers dam on Gull Lake to approximately 250 feet downstream T.134, R.29, S.20                                     | Cass            |
| <del>U</del> : <u>Z</u> .   | Fall Lake                   | Below hydropower facility T.63, R.11, S.17,20  | Lake            |
| <del>V</del> : <u>AA</u> .  | Hams Creek                  | Connection between Lake Miltona to Lake Irene T.130, R.37,<br>S.23,26,27   | Douglas         |
| <del>W</del> : <u>BB</u> .  | Hay Creek                   | State Highway 71 to Island Lake and below Island Lake outlet T.141, R.35, S.9,15   | Hubbard         |
| <del>CC</del> .             | <u>Hay Creek</u>            | <u>From the Red Lake Indian Reservation boundary to a point 1.0 river miles upstream from the State Highway 1 crossing</u><br>T.151, R.32, S.19,20,30,31                   | <u>Beltrami</u> |
| <del>X</del> : <u>DD</u> .  | Horseshoe (Sandbar) Lake    | Southeast bay of the west basin T.136, R.27, S.19  | Crow Wing       |
| <del>Y</del> : <u>EE</u> .  | Indian Creek                | Inlet to Two Inlet Lake T.141, R.36, S.11  | Becker          |
| <del>Z</del> : <u>FF</u> .  | Jewett Lake                 | Southwest shore T.134, R.43, S.23  | Ottertail       |
| <del>AA</del> : <u>GG</u> . | Johnson Lake                | South end of lake, north bay, and small bay on west shore<br>T.57, R.26, S.2,12,13   | Itasca          |
| <del>BB</del> : <u>HH</u> . | Junco River                 | From the first log dam above County Road 57 downstream to Devil Track Lake, including Devil Track Lake within 300 yards of the mouth of the Junco River T.62, R.1, S.21,28 | Cook            |
| <del>CC</del> : <u>II</u> . | Lake Amelia                 | Northwest shore T.126, R.37, S.26  | Pope            |
| <del>DD</del> : <u>JJ</u> . | Lake Darling                | Two bays (west and southeast) T.128, R.38, S.2,11;<br>T.128, R.37, S.7   | Douglas         |

# Proposed Rules

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|--|--|-----------------|
| <del>EE</del> : <u>KK</u> . Lake Ida             | Two bays (west and northwest) T.129, R.38, S.2,3;<br>T.128, R.38, S.11   | Douglas         |
| <del>FF</del> : <u>LL</u> . Lake Latoka          | One bay (southwest) <del>T.123</del> T.128, R.38, S.27   | Douglas         |
| <del>GG</del> : <u>MM</u> . Lake Le Homme Dieu   | Two bays (east and northeast) T.128, R.37, S.5; T.128, R.37, S.4   | Douglas         |
| <u>NN</u> . Lake Maud                            | <u>Southwest Bay T.138, R.42, S.21,28</u>  | <u>Becker</u>   |
| <del>HH</del> : <u>OO</u> . Lake Milona          | Northeast shore and west bay <del>T.129</del> T.130, R.37, S.20,21   | Douglas         |
| <del>H</del> : <u>PP</u> . Lake Osakis           | East bay and northwest shore T.128, R.35,36, S.13,16;<br><u>T.129, R.35, S.33,34,35</u>  | Douglas, Todd   |
| <del>JJ</del> : <u>QQ</u> . Little Birch Lake    | Inlet on east shore begins downstream of the fish<br>barrier on Angler Drive T.126,127, R.33, S.Various  | Todd            |
| <del>KK</del> : <u>RR</u> . Little Cut Foot Lake | Includes First River Lake and Egg Lake T.146, R.26,<br>S.5-10; T.147, R.27, S.25,36; T.147, R.26, S.30,31  | Itasca          |
| <del>LL</del> : <u>SS</u> . Little Moose Lake    | South bay known as "Pothole" T.57, R.26, S.Various   | Itasca          |
| <del>MM</del> : <u>TT</u> . Long Lake            | Below inlet culvert south of State Highway 34<br>T.140, R.34, S.21   | Hubbard         |
| <del>NN</del> : <u>UU</u> . Maple Lake           | Southwest shore T.127, R.37, S.29  | Douglas         |
| <u>VV</u> . Meadow Creek                         | <u>From the north branch of the Cormorant River<br/>to a point upstream 2.0 river miles past the Beltrami<br/>County Road 103 crossing T.151, R.31, S.1-3; T.151,<br/>R.30, S.5,6,8-10</u>   | <u>Beltrami</u> |
| <del>OO</del> : <u>WW</u> . Mississippi River    | Below Otter Tail Power Dam T.146, R.32, S.3  | Beltrami        |
| <del>PP</del> : <u>XX</u> . Moody's Creek        | Upstream from County Road 432 approximately<br>0.5 mile T.53, R.25, S.16,17,20-22  | Itasca          |
| <u>YY</u> . Moose Creek                          | <u>From Upper Red Lake to a point upstream 1.5 river<br/>miles T.155, R.31, S.25,36</u>  | <u>Beltrami</u> |
| <u>ZZ</u> . North Branch<br>Cormorant River      | <u>From the Red Lake Indian Reservation boundary to a<br/>point upstream 2.0 river miles south of the State<br/>Highway 1 crossing east of Shooks T.151, R.32, S.1-3;<br/>T.152, R.32, S.35; T.151, R.30, S.7-9,15-18,22-25,36;<br/>T.152, R.32, S.36; T.151, R.29, S.30</u> | <u>Beltrami</u> |
| <u>AAA</u> . O'Brien Creek                       | <u>From the Beltrami County Road 23 crossing near Medicine<br/>Lake downstream to the Blackduck River T.151, R.32, S.35;<br/>T.150, R.32, S.2,11,14,23,26,35; T.149, R.32, S.2,11;<br/>T.150, R.32, S.24</u>   | <u>Beltrami</u> |
| <del>QQ</del> : <u>BBB</u> . Osakis Creek        | Below Lake Osakis outlet T.128, R.35, S.16   | Todd            |
| <del>RR</del> : <u>CCC</u> . Otter Tail River    | Below Highway 10 culvert near Frazee T.138, R.40, S.34   | Becker          |

# Proposed Rules

|                               |  |   |                  |
|-------------------------------|--|---|------------------|
| <del>SS</del> : <u>DDD</u> .  | Otter Tail River   | Below Ottetail Lake Dam, below Rush Lake Dam, Little Pine Lake inlet T.133,135,137, R.39,40, S.4,26,35  | Ottetail         |
| <del>TT</del> : <u>EEE</u> .  | Pelican Lake   | Two bays (east and northeast) T.130, R.41, S.19,24; T.130, R.40, S.3,18,24  | Grant            |
| <del>UU</del> : <u>FFF</u> .  | Pelican River  | Below Bucks Mill Dam to Buck Lake T.138, R.41, S.31 and from Big Detroit Lake upstream to State Highway 34 T.139, R.41, S.26,35   | Becker           |
| <del>VV</del> : <u>GGG</u> .  | Pike River   | Mouth up to dam T.61, R.16, S.3   | St. Louis        |
| <del>WW</del> : <u>HHH</u> .  | Pomme de Terre River   | Below Mill Pond Dam T.130, R.42, S.14,23,24 and that reach of the river from the southern boundary of Section 7 upstream to the outlet of Barrett Lake T.127, R.41, S.7; T.128, R.41, S.7 | Grant            |
| <del>XX</del> : <u>III</u> .  | Pomme de Terre River   | Below Morris Dam T.124, R.42, S.12,13   | Stevens          |
| <del>YY</del> : <u>JJJ</u> .  | Potato River   | Below Potato Lake Dam T.140, R.35, S.1  | Hubbard          |
| <del>ZZ</del> : <u>KKK</u> .  | Rachel Lake  | One bay (southwest) T.127, <del>R.29</del> R.39, S.22   | Douglas          |
| <del>AAA</del> : <u>LLL</u> . | Round Lake   | Two bays on south side of lake T.59, R.24, S.14,15  | Itasca           |
| <del>BBB</del> : <u>MMM</u> . | Rose Lake  | Southwest bay T.137, R.40, S.20   | Ottetail         |
| <del>NNN</del> .              | <u>Sandbar (Horseshoe) Lake</u>                              | <u>Small bay on southern-most end of the west basin T.136, R.27, S.19</u>   | <u>Crow Wing</u> |
| <del>CCC</del> : <u>OOO</u> . | Shagawa River  | Both sides of both road crossings at Winton T.63, R.11, S.19; T.63, R.12, S.24  | Lake, St. Louis  |
| <del>DDD</del> : <u>PPP</u> . | Shotley Brook  | State Highway 72 to Upper Red Lake T.153, R.31, S.10,11, 12,14,24; T.153, R.30, S.19-23   | Beltrami         |
| <del>EEE</del> : <u>QQQ</u> . | Tait River   | From the Forest Road 339 crossing downstream to White Pine Lake, including White Pine Lake within 200 yards of the mouth of Tait River T.61, R.3, S.17,19,20                              | Cook             |
| <del>FFF</del> : <u>RRR</u> . | Tamarac River  | From Upper Red Lake upstream to the Beltrami-Koochiching county line T.154, R.30, S.8,9,11-13,15-17   | Beltrami         |
| <del>GGG</del> : <u>SSS</u> . | Toad River   | Inlet to Big Pine Lake upstream to County Road 13 T.137, R.38, S.32   | Ottetail         |
| <del>HHH</del> : <u>TTT</u> . | Turtle River   | Below Three Island Dam T.148, R.32, S.19,20,28,29   | Beltrami         |
| <del>HH</del> : <u>UUU</u> .  | Unnamed Connection between Lake Ida and Lake Charlie         | T.129, <del>R.39</del> R.38, S.25,26  | Douglas          |
| <del>HH</del> : <u>VVV</u> .  | Unnamed Connection between Lake Miltona and Lake Ida         | T.130, R.37,38, S.31,36   | Douglas          |
| <del>KKK</del> : <u>WWW</u> . | Unnamed Connection between Lake Miltona and State Highway 29 |   |                  |

# Proposed Rules

|                                |  |               |
|--------------------------------|--|---------------|
|                                | T.130, R.37, <del>S.25</del> <u>S.27</u>   | Douglas       |
| <del>LLL</del> : <u>XXX</u> .  | Unnamed Connection between Lake Aaron to Lake Moses T.130, R.39, S.16  | Douglas       |
| <del>MMM</del> : <u>YYY</u> .  | Unnamed Connection between Lake Reno and Maple Lake T.127, R.37, S.31  | Douglas, Pope |
| <del>NNN</del> : <u>ZZZ</u> .  | Unnamed Connection between Lake Ellen and Leven Lake T.126, R.37, S.1,2  | Pope          |
| <del>OOO</del> : <u>AAAA</u> . | Unnamed Area below Lake Minnewaska outlet T.125, R.39, S.25  | Pope          |
| <del>PPP</del> : <u>BBBB</u> . | Unnamed Inlet to Two Inlets Lake T.141, R.36, S.11   | Becker        |
| <del>QQQ</del> : <u>CCCC</u> . | Unnamed Connection between Lake Emma and Big Sand Lake T.141, R.34, S.23   | Hubbard       |
| <del>RRR</del> : <u>DDDD</u> . | Vermilion Lake Pike Bay T.61,62, R.15,16, S.Various  | St. Louis     |
| <del>SSS</del> : <u>EEEE</u> . | Vermillion River (Gorge) Mouth at Crane Lake upstream to falls T.67, R.16,17, S. Various; T.68, R.16,17, S.Various | St. Louis     |

## 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.

**KEY: Proposed Rules** - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions o proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

## Minnesota Office of Higher Education Adopted Permanent Rules Relating to SELF Program

The rules proposed and published at *State Register*, Volume 32, Number 39, pages 1776-1781, March 24, 2008 (32 SR 1776), are adopted as poposed.

## Department of Human Services Adopted Permanent Rules Relating to Chemical Dependency Treatment

The rules proposed and published at State Register, Volume 32, Number 27, pages 1198-1228, December 31, 2007 (32 SR 1198), are adopted with the following modifications:

### 2960.0020 DEFINITIONS.

Subp. 70a. **Substance**. "Substance" means "chemical" as defined in subpart 11.

**Subp. 70a: 70b. Substance use disorder**. "Substance use disorder" means a pattern of substance use as defined in the most current edition of the Diagnostic and Statistical Manual of Mental Disorders-IV-TR (DSM), et seq. The DSM-IV-TR, et seq. is incorporated by reference. The DSM-IV-TR was published by the American Psychiatric Association in 1994, in Washington, D.C., and is not subject to

frequent change. The DSM-IV-TR is available through the Minitex interlibrary loan system.

## 2960.0440 APPLICABILITY.

Parts 2960.0430 to 2960.0490 apply to residential programs according to items A and B.

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

A. A residential program licensed under parts 2960.0010 to 2960.0220 to provide services that address the chemical substance use problems disorder for persons who are under 19 years of age must be certified under parts 2960.0430 to 2960.0490.

B. A residential program that addresses the chemical substance use problems disorder of a person older than 15 years of age, and under 21 years of age must either be licensed under parts 2960.0010 to 2960.0220 and certified under parts 2960.0430 to 2960.0490 or be licensed under parts 9530.6405 to 9530.6505.

## 2960.0450 CHEMICAL DEPENDENCY TREATMENT SERVICES.

Subp. 2. **Required services.** A certificate holder must provide each resident at least 15 hours each week of the type and amount of services specified in each resident's individual treatment plan. The certificate holder must provide the services in items A to D, unless the service is determined to be contrary to the resident's treatment plan by a licensed alcohol and drug counselor. Self-help groups must not be counted in the number of hours of service a program provides. The program must provide:

D. therapeutic recreation to provide the resident with an opportunity to participate in recreational activities without the use of mood-altering chemicals and learn to plan and select recreation activities that do not involve the inappropriate use of chemicals. Therapeutic recreation ~~does not include leisure activities led~~ must be led by, directed by, or provided according to a plan developed by staff who are ~~not~~ qualified according to subpart 4.

Subp. 4. **Counselors to provide chemical dependency treatment services.** Chemical dependency treatment services, ~~including therapeutic recreation,~~ must be provided by qualified alcohol and drug counselors, who are qualified to provide the service according to part 2960.0460, subparts 5 and 6a, unless the individual is specifically qualified according to the applicable standards of that profession.

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

## 2960.0670 ADMISSION.

Subp. 2. **Conditions governing admission.** A license holder may admit a resident only if the resident meets the conditions in items A to G.

E. The resident must not be in need of ~~substance abuse~~ chemical dependency treatment or detoxification at the time of admission, unless the license holder is certified to provide ~~substance abuse~~ chemical dependency treatment under parts 2960.0430 to 2960.0490 or licensed to provide detoxification services.

## 9530.6405 DEFINITIONS.

Subp. 7a. **Chemical dependency treatment.** "Chemical dependency treatment" means treatment of a substance use disorder, including the process of assessment of a client's needs, development of planned interventions or services to address those needs, provision of services, facilitation of services provided by other service providers, and reassessment by a qualified professional. The goal of treatment is to assist or support the client's efforts to ~~alter the client's harmful~~ recover from substance use disorder ~~pattern~~.

Subp. 17b. **Substance.** "Substance" means a "chemical" as defined in subpart 7.

# Adopted Rules

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Subp. 17b. 17c. Substance use disorder. “Substance use disorder” means a pattern of substance use as defined in the Diagnostic and Statistical Manual of Mental Disorders-IV-TR (DSM), et seq. The DSM-IV-TR is incorporated by reference. The DSM was published by the American Psychiatric Association in 1994, in Washington D.C., and is not subject to frequent change. The DSM-IV-TR is available through the Minitex interlibrary loan system.

## 9530.6410 APPLICABILITY.

Subpart 1. **Applicability.** Except as provided in subparts 2 and 3, no person, corporation, partnership, voluntary association, controlling individual, or other organization may provide chemical dependency treatment services to an individual who ~~exhibits a pattern of~~ has a substance use disorder unless licensed by the commissioner.

Subp. 3. **Certain hospitals excluded from license requirement.** Parts 9530.6405 to 9530.6505 do not apply to ~~substance use disorder~~ chemical dependency treatment provided by hospitals licensed under Minnesota Statutes, chapter 62J, or under Minnesota Statutes, sections 144.50 to 144.56, unless the hospital accepts funds for ~~substance use disorder~~ chemical dependency treatment under the consolidated chemical dependency treatment fund under Minnesota Statutes, chapter 254B, medical assistance under Minnesota Statutes, chapter 256B, MinnesotaCare or health care cost containment under Minnesota Statutes, chapter 256L, or general assistance medical care under Minnesota Statutes, chapter 256D.

## 9530.6420 INITIAL SERVICES PLAN.

The license holder must complete an initial services plan during or immediately following the intake interview. The plan must address the client’s immediate health and safety concerns, ~~tell what~~ identify the issues ~~are~~ to be addressed in the first treatment sessions, and make treatment suggestions for the client during the time between intake and completion of the treatment plan. The initial services plan must include a determination whether a client is a vulnerable adult as defined in Minnesota Statutes, section 626.5572, subdivision 21. All adult clients of a residential program are vulnerable adults. An individual abuse prevention plan, according to Minnesota Statutes, sections 245A.65, subdivision 2, paragraph (b), and 626.557, subdivision 14, paragraph (b), is required for all clients who meet the definition of “vulnerable adult.”

## 9530.6422 COMPREHENSIVE ASSESSMENT.

Subpart 1. **Comprehensive assessment of client’s substance use disorder problems.** A comprehensive assessment of the client’s ~~chemical substance use problems~~ substance use disorder must be coordinated by an alcohol and drug counselor and completed within three calendar days after service initiation for a residential program or three sessions of the client’s initiation to services for all other programs. The alcohol and drug counselor may rely on current information provided by a referring agency or other sources as a supplement when information is available. Information gathered more than ~~30~~ 45 days before the date of admission is not current. If the comprehensive assessment cannot be completed in the time specified, the treatment plan must indicate how and when it will be completed. The assessment must include sufficient information to complete the assessment summary according to subpart 2 and part 9530.6425. The comprehensive assessment must include information about the client’s problems that relate to chemical use and personal strengths that support recovery, including:

D. chemical use history including amounts and types of chemicals used, frequency and duration of use, ~~date and time of most recent use, previous experience with withdrawal and~~ periods of abstinence, and circumstances of relapse, if any; For each chemical used within the previous 30 days, the information must include the date and time of the most recent use and any previous experience with withdrawal;

## 9530.6430 TREATMENT SERVICES.

Subpart 1. **Treatment services provided offered by license holder.**

## 9530.6435 MEDICAL SERVICES.

Subp. 1a. **Procedures.** The applicant or license holder must have written procedures for obtaining medical interventions when

needed for a client, that are approved in writing by a physician who is licensed under Minnesota Statutes, chapter 147, unless:

B. all medical interventions are referred to 911, the emergency telephone number, or the client's physician.

## 9530.6445 STAFFING REQUIREMENTS.

Subp. 4. **Staffing requirements.** At least 25 percent of a counselor's scheduled work hours must be allocated to indirect services, including documentation of client services, coordination of services with others, treatment team meetings, and other duties. A counseling group shall not exceed an average of 16 clients during any ~~seven~~ 30 consecutive calendar days. It is the responsibility of the license holder to determine an acceptable group size based on the client's needs. A counselor in a program treating intravenous drug abusers must not supervise more than 50 clients. The license holder must maintain a record that documents compliance with this subpart.

## 9530.6450 STAFF QUALIFICATIONS.

Subp. 9. **Individuals with temporary permit.** Individuals with a temporary permit from the Board of Behavioral Health and Therapy may provide chemical dependency treatment services under the conditions in either item A or B.

A. The individual is supervised by a licensed alcohol and drug counselor assigned by the license holder. The licensed alcohol and drug counselor must document the amount and type of supervision at least weekly. The supervision must relate to clinical practices. One licensed alcohol and drug counselor may not supervise more than three individuals with temporary permits, according to Minnesota Statutes, section 148C.01, subdivision 12a.

## 9530.6455 PROVIDER POLICIES AND PROCEDURES.

License holders must develop a written policy and procedures manual ~~with an index and a table of contents~~ indexed according to Minnesota Statutes, section 245A.04, subdivision 14, paragraph (c), so that staff may have immediate access to all policies and procedures and so that consumers of the services and other authorized parties may have access to all policies and procedures. The manual must contain the following materials:

## 9530.6460 PERSONNEL POLICIES AND PROCEDURES.

Subpart 1. **Policy requirements.** License holders must have written personnel policies and must make them available to each staff member. The policies must:

G. include orientation within ~~72~~ 24 working hours of starting for all new staff based on a written plan that, at a minimum, must provide for training related to the specific job functions for which the staff member was hired, policies and procedures, client confidentiality, the human immunodeficiency virus minimum standards, and client needs; and

H. policies outlining the license holder's response to staff members with ~~mental health~~ behavior problems that interfere with the provision of treatment services.

## 9530.6470 POLICIES AND PROCEDURES THAT PROTECT CLIENT RIGHTS.

Subpart 1. **Client rights; explanation.** Clients have the rights identified in part 4747.1500 and Minnesota Statutes, sections 144.651 and 253B.03, as applicable. The license holder must give each client upon service initiation a written statement of client's rights and responsibilities. Staff must review the statement with clients at that time.

## 9530.6510 DEFINITIONS.

Subp. 13a. **Substance.** "Substance" means "chemical" as defined in subpart 3.

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Subp. ~~13a.~~ **13b. Substance use disorder.** “Substance use disorder” means a pattern of substance use as defined in the most current edition of the Diagnostic and Statistical Manual of Mental Disorders-IV-TR (DSM), et seq. The DSM-IV-TR is incorporated by reference. The DSM-IV-TR was published by the American Psychiatric Association in 1994, in Washington D.C., and is not subject to frequent change. The DSM-IV-TR is available through the Minitex interlibrary loan system.

## 9530.6525 ADMISSION AND DISCHARGE POLICIES.

Subp. 2. **Admission criteria.** A detoxification program may only admit persons who meet the admission criteria and who, at the time of admission:

- F. need to stay temporarily in a protective environment because of a crisis related to substance use disorder-related crisis disorder. Persons meeting this criterion may be admitted only at the request of the county of fiscal responsibility, as determined according to Minnesota Statutes, section 256G.02, subdivision 4. Persons admitted according to this provision must not be restricted to the facility.

Subp. 5. **Establishing custody procedure.** Immediately upon a person’s admission to the program according to the criteria in subpart 2, the license holder obtains custody of a person under a peace officer’s hold, and is responsible for all requirements of client services until the person is discharged from the facility.

## 530.6530 CLIENT SERVICES.

Subpart 1. **Chemical use screening.** A license holder must screen each client admitted to determine whether the client suffers from substance use disorder ~~as defined in part 9530.6605, subparts 6 and 7~~. The license holder must screen clients at each admission, except if the client has already been determined to suffer from substance use disorder, the provisions in subpart 2 apply.

## 9530.6570 PERSONNEL POLICIES AND PROCEDURES.

Subp. 3. **Staff orientation.** Within 72 hours of beginning employment, all staff with direct client contact will receive orientation training that includes the topics in subpart 2, items A, C, E, and G. License holders who provide more extensive training to new staff members may extend the 72-hour orientation period, if the new staff members have no direct client contact until the orientation training is complete.

## 9530.6605 DEFINITIONS.

Subp. 25a. **Substance.** “Substance” means “chemical” as defined in subpart 5.

## 9530.6610 COMPLIANCE PROVISIONS.

Subpart 1. **Assessment responsibility.** The placing authority must provide assessment services for clients without regard to national origin, marital status, race, color, religion, creed, disability, sex, or sexual orientation according to Minnesota Statutes, section 363A.11. The assessment must be done in a language the client understands. The requirements in items A to C apply to the placing authority.

- B. A tribal governing board that contracts with the department to provide chemical use assessments and that authorizes payment for chemical dependency treatment under Minnesota Statutes, chapter 254B, must provide a chemical use assessment for a person residing on a reservation who seeks assessment or treatment or for whom treatment is sought, as provided in part 9530.6615, if the person is:

- (2) a relative of a person who is recognized as an American Indian. For purposes of this subpart, a “relative” means a person who is related to a resident by blood, marriage, or adoption, or is an important friend of a resident who resides with a resident person recognized as an American Indian on a reservation.

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Subp. 3. ~~Placing authority County designee.~~ The ~~placing authority county~~ may designate public, nonprofit, or proprietary agencies or individuals to provide assessments according to part 9530.6615 by a qualified assessor. An assessor designated by the ~~placing authority county~~ shall have no direct shared financial interest or referral relationship resulting in shared financial gain with a treatment provider, unless the county documents that either of the exceptions in item A or B exists:

- A. the treatment provider is a culturally specific service provider or a service provider with a program designed to treat persons of a specific age, sex, or sexual orientation and is available in the county and the service provider employs a qualified assessor;  
or
- B. the county does not employ a sufficient number of qualified assessors and the only qualified assessors available in the county have a direct shared financial interest or a referral relationship resulting in shared financial gain with a treatment provider; or
- C. the county social service agency has an existing relationship with an assessor or service provider and elects to enter into a contract with that assessor to provide both assessment and treatment under the circumstances specified in the county contract and the county retains responsibility for making placement decisions.

Documentation of the exceptions in items A and B must be maintained at the county's office and be current within the last two years. The placing authority's assessment designee shall provide assessments and required documentation to the placing authority according to parts 9530.6600 to 9530.6660.

The placing authority is responsible for and cannot delegate making appropriate treatment planning decisions and placement authorizations.

Subp. 5. **Information release.** The placing authority shall, with proper releases of information, provide a copy of the assessment to the treatment provider who is authorized to provide services to the client. The placing authority shall provide the assessment to the treatment provider within seven days of the date of placement determination.

### 9530.6615 CHEMICAL USE ASSESSMENTS.

Subpart 1. **Assessment mandate; timelines.** The placing authority shall provide a chemical use assessment for each client seeking treatment or for whom treatment is sought for substance use disorder before the client is placed in a treatment program. The assessment must be done in a language the client understands and must be completed within the time limits specified. The placing authority shall provide interpreters for the hearing impaired and foreign language interpretive services when necessary.

- C. If the client is in jail or prison, the placing authority according to part 9530.6610, subpart 1, must complete the assessment and placement authorization. If the placing authority does not assess the client, the county where the client is held must assess the client and resolve disputes according to Minnesota Statutes, section 256G.09. The update in item D is not required if the client has been in jail or prison continuously from the time of the assessment interview until the initiation of service.
- D. If ~~30~~ 45 calendar days have elapsed between the interview and initiation of services, the placing authority must update the assessment to determine whether the risk description has changed and whether the change in risk description results in a change in planned services. An update does not require a face-to-face contact and may be based on information from the client, collateral source, or treatment provider.

Subp. 2. **Staff performing assessment.** Chemical use assessments must be conducted by qualified staff. An individual is qualified to perform chemical use assessments if the individual ~~annually completes a minimum of eight hours of in-service training or continuing education related to providing chemical use assessments, and meets the criteria in one of the items listed below item A, B, or C:~~

- A. The individual meets the exception in Minnesota Statutes, section 148C.11, and has successfully completed ~~the following:~~
  - (+) 30 hours of classroom instruction on chemical use assessments; and has

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~~(2) 2,000 hours of work experience in chemical use assessments, either as an intern or as an employee, and has successfully completed two additional years of work experience in chemical dependency assessments or treatment before July 1, 1987; or~~

~~(3) is clinically supervised by an individual who meets the requirements of this subpart. An individual qualified under this item must also annually complete a minimum of eight hours of in-service training or continuing education related to providing chemical use assessments.~~

C. The individual meets the exception in Minnesota Statutes, section 148C.11, has completed 30 hours of classroom instruction on chemical use assessment, and is receiving clinical supervision from an individual who meets the requirements in item A or B.

Subp. 3. **Method of assessment.** The assessor must gather the information necessary to determine the application of the criteria in parts 9530.6600 to 9530.6655 and record the information in a format prescribed by the commissioner. The assessor must complete an assessment summary as prescribed by the commissioner for each client assessed for treatment services. The assessment summary and information gathered shall be maintained in the client's case record and submitted to the department using procedures specified by the commissioner. At a minimum, the assessment must include:

C. contacts with two sources of collateral information that have relevant information and are reliable in the judgment of the assessor or documentation that the sources were not available. The following requirements apply to the gathering of collateral information:

(3) the assessor must get signed information releases from the client that allow the assessor to contact the collateral sources;  
**and**

(4) if the client refuses to sign the information releases, and the refusal results in the assessor not having enough information to complete the determinations required by part 9530.6620, the assessor shall not authorize services for the client; and

(5) if the assessor has gathered sufficient information from the referral source and the client to apply the criteria in parts 9530.6620 and 9530.6622, it is not necessary to complete the second collateral contact.

Subp. 4. **Required documentation of assessment.** The client's record shall contain the following:

A. applicable placement information gathered in compliance with part 9530.6620, subpart 1, ~~as required by the commissioner;~~

## 9530.6620 PLACEMENT INFORMATION.

Subpart 1. **Placing authority determination of appropriate services.** Using the dimensions in part 9530.6622, the placing authority must determine appropriate services for clients. The placing authority must gather information about the client's age, sex, race, ethnicity, culture, religious preference, sexual orientation, disability, current pregnancy status, and home address. The placing authority must consider the risk descriptions in items A to F.

Subp. 3. **DSM criteria.** The placing authority must determine whether the client meets the criteria for substance use disorder in the current DSM publication during the most recent 12-month period, exclusive of periods of involuntary abstinence.

Subp. 9. **Client choice.** The placing authority must authorize chemical dependency treatment services that are appropriate to the client's age, gender, culture, religious preference, race, ethnicity, sexual orientation, or disability according to the client's preference. The placing authority maintains the responsibility and right to choose the specific provider. The provider must meet the criteria in Minnesota Statutes, section ~~245B.05~~ 254B.05, and apply under part 9505.0195 to participate in the medical assistance program. The placing authority may deviate from the treatment planning decisions in part 9530.6622 if necessary to authorize appropriate services according to this subpart.

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Subp. 14. **Client request for a provider.** The placing authority must consider a client's request for a specific provider. If the placing authority does not place the client according to the client's request, the placing authority must provide written documentation that explains the reason for the deviation from the client's request, including but not limited to treatment cost, provider location, or the absence of client services that are identified as needed by the client according to part 9530.6622.

## 9530.6622 PLACEMENT CRITERIA.

Subp. 5. **Dimension 5: relapse, continued use, and continued problem potential.** The placing authority must use the criteria in Dimension 5 to determine a client's relapse, continued use, and continued problem potential.

| RISK DESCRIPTION  | TREATMENT PLANNING DECISION   |
|---|---|
| 0 The client recognizes risk well and is able to manage potential problems.   | 0 The placing authority may facilitate peer support for the client.   |
| 1 The client recognizes relapse issues and prevention strategies, but displays some vulnerability for further substance use or mental health problems.  | 1 The placing authority may promote peer support and authorize counseling services to reduce risk.  |
| 2 (A) The client has minimal recognition and understanding of relapse and recidivism issues and displays moderate vulnerability for further substance use or mental health problems.  | 2 (A) The placing authority must authorize treatment services for clients that include counseling services to reduce client relapse risk and facilitate client participation in peer support groups.                |
| (B) The client has some coping skills <del>consistently</del> <u>inconsistently</u> applied.  | (B) The placing authority must promote peer support and authorize counseling services or service coordination programs that comply with part 9530.6500 or Code of Federal Regulations, title 42, part 8.            |
| 3 The client has poor recognition and understanding of relapse and recidivism issues and displays moderately high vulnerability for further substance use or mental health problems. The client has few coping skills and rarely applies coping skills.                             | 3 The placing authority must authorize treatment services for the client that include counseling services to help the client develop insight and build recovery skills <u>and may include room and board.</u>       |
| 4 The client has no coping skills to arrest mental health or addiction illnesses, or prevent relapse. The client has no recognition or understanding of relapse and recidivism issues and displays high vulnerability for further substance use disorder or mental health problems. | 4 The placing authority must authorize treatment services that include service coordination and counseling services to help the client develop insight and may include room and board with 24-hour-a-day structure. |

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Subp. 6. **Dimension 6: recovery environment.** The placing authority must use the criteria in Dimension 6 to determine a client's recovery environment.

## RISK DESCRIPTION

0 The client is engaged in structured, meaningful activity and has a supportive significant other, family, and living environment.

1 The client has passive social network support or family and significant other are not interested in the client's recovery. The client is engaged in structured meaningful activity.

2 The client is engaged in structured, meaningful activity, but peers, family, significant other, and living environment are unsupportive, or there is criminal justice involvement by the client or among the client's peers, significant other, or in the client's living environment.

3 The client is not engaged in structured, meaningful activity and the client's peers, family, significant other, and living environment are unsupportive, or there is significant criminal justice system involvement.

4 The client has:

(A) a chronically antagonistic significant other, living environment, family, peer group, or long-term criminal justice involvement that is harmful to recovery or treatment progress; or

(B) the client has an actively antagonistic significant other, family, work, or living environment, with immediate threat to the client's safety and well-being.

## TREATMENT PLANNING DECISION

0 The placing authority may use the client's strengths to address issues in other dimensions.

1 The placing authority may promote peer support and awareness raising for the client's significant other and family.

2 The placing authority must authorize treatment services for the client that help the client participate in a peer support group, engage the client's significant other or family to support the client's treatment, and help the client develop coping skills or change the client's recovery environment.

3 The placing authority must authorize the treatment planning decision described in 2 and service coordination, and help find an appropriate living arrangement and may include room and board.

4 The placing authority must authorize for the client:

(A) the treatment planning decision in 3 and appropriate ancillary services, and room and board within 24-hour structure authorized for the client if an appropriate living arrangement is not readily available; or

(B) treatment services that include service coordination and immediate intervention to secure the client's safety. Room and board with 24-hour structure must be authorized for the client if an appropriate living arrangement is not readily available.

## 9530.6655 APPEALS.

Subp. 2. **Client's right to appeal.** A client has the right to a fair hearing under Minnesota Statutes, section 256.045, if the client:

B. is denied a second assessment under subpart 1 or denied a second assessment within the timelines in part ~~9530.6615~~ 9530.6655, subpart 1;

F. is denied a placement that is appropriate to the client's race, color, creed, disability, national origin, religious preference, marital status, sexual orientation, or sex; or

## 9530.7000 DEFINITIONS.

Subp. 5. **Chemical dependency treatment services.** "Chemical dependency treatment services" means services provided by chemical dependency treatment programs licensed according to parts 9530.6405 to 9530.6505 or certified according to parts 2960.0450 to 2960.0490.

## 9530.7015 CLIENT ELIGIBILITY UNDER THE CONSOLIDATED CHEMICAL DEPENDENCY TREATMENT FUND.

Subp. 5. **Eligibility of clients disenrolled from prepaid health plans.** A client who is disenrolled from a state prepaid health plan during a treatment episode is eligible for continued treatment service that is paid for by the Consolidated Chemical Dependency Treatment Funds (CCDTF), until the treatment episode is completed or the client is re-enrolled in a state prepaid health plan if the client meets the criteria in ~~items~~ item A and or B. The client must:

A. ~~be eligible according to subparts 1 and 2a; and continue to be enrolled in MinnesotaCare, medical assistance, or general assistance medical care; or~~

B. be eligible according to subparts 1 and 2a and be determined eligible by a local agency under part 9530.7020.

## Department of Natural Resources

### Adopted Expedited Emergency Game and Fish Rules: 2008 Elk Season Quotas and Dates

Notice is hereby given that the above-entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, Section 84.027, subdivision 13(b). The statutory authority for the contents of the rule is *Minnesota Statutes*, Section 97B.515.

The emergency conditions that do not allow compliance with Minnesota Statutes, Sections 97A.0451 to 97A.0459, are that population and harvest data needed prior to setting quotas and bag limits for elk are not available until April. Quota numbers and bag limits are necessary so that harvests and populations can be managed and to allow applicants to evaluate where they want to apply. Because the elk season for 2008 allows for landowner preference and there are multiple hunting periods, modifications to the application drawing procedure are needed to ensure fairness in the drawing between landowners and general hunter.

May 19, 2008  
Mark Holsten  
Commissioner of Natural Resources

#### **6232.4300 SEASONS AND 2008 SEASON DATES AND QUOTAS FOR TAKING ELK.**

Subpart 1. Taking elk. Elk may be taken by a licensed hunter using a legal firearm or a legal bow and arrow during seasons authorized by the commissioner.

Subp. 2. Season dates. Licensed hunters may take elk during the following seasons:

A. Season A: September 13 to 21, 2008;

B. Season B: November 22 to 30, 2008; and

C. Season C: December 6 to 14, 2008.

Subp. 3. Quotas. The number of available licenses for the 2008 elk hunting season is 12 in the combined Grygla elk zones and 11 in the Kittson County Elk Zone, distributed as follows:

A. Season A: two licenses in the combined Grygla elk zones and one license in the Kittson County Elk Zone valid for either-sex elk and two licenses in the Kittson County Elk Zone valid for legal antlerless elk only;

B. Season B: five licenses in the combined Grygla elk zones and four licenses in the Kittson County Elk Zone valid for legal antlerless elk only; and

C. Season C: five licenses in the combined Grygla elk zones and four licenses in the Kittson County Elk Zone valid for legal

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antlerless elk only.

## Subp. 4. Open areas.

A. Grygla elk zone licenses are valid for taking elk within the Primary Grygla Elk Zone prescribed in part 6232.4600, subpart 1.

B. Kittson County Elk Zone licenses are valid for taking elk within the elk zone prescribed in part 6232.4600, subpart 3.

C. Grygla elk zone licenses are valid for taking elk within the Secondary Grygla Elk Zone if the zone is opened as described in part 6232.4600, subpart 2.

Subp. 5. Extension of hunt. If harvest is not sufficient to lower elk populations, the commissioner may reopen any elk zone to elk hunting from January 3 to 11, 2009, by notifying individuals who were selected for a 2008 elk license but did not tag an elk.

## **6232.4400 GENERAL REGULATIONS FOR TAKING ELK.**

Subpart 1. **License requirement.** The license is valid for a party of one or two persons and only for the season selected through the procedure described in part 6232.4500, subpart 3.

*[For text of subs 2 to 7, see M.R.]*

## **6232.4500 ELK LICENSE APPLICATION PROCEDURE.**

Subpart 1. **General provisions.** The provisions in this part apply to the elk license application process.

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

E. An application fee of \$20 in the form of a cashier's check, money order, or personal check made payable to the Minnesota Department of Natural Resources as prescribed in Minnesota Statutes, section 97A.433, subdivision 3, must accompany each application of two hunters. Checks returned to the department for nonpayment will invalidate the application. Refunds of application fees will not be made for any reason.

F. Successful applicants will receive instructions for obtaining their licenses.

*[For text of subp 2, see M.R.]*

## Subp. 3. Drawing procedure.

A. If one or more qualified landowners apply, a drawing to select up to two landowners in the combined Grygla zones and up to two landowners in the Kittson zone shall occur first. The remaining parties shall then be selected in a general drawing to finalize successful parties. If no qualified landowners apply, all licenses shall be drawn from the general pool of applicants.

B. Alternate parties shall also be drawn from the pool of unsuccessful parties for each zone, consisting of the remaining landowners and the parties from the general drawing, in case successful parties decide not to purchase their license. Alternate parties shall not be notified that they are an alternate party unless a successful party decides not to purchase a license, in which event the alternate party may purchase an elk license.

## **6232.4600 ELK ZONES.**

Subpart 1. **Primary Grygla Elk Zone.** The Primary Grygla Elk Zone consists of that portion of the state lying within the following

described boundary:

Beginning at the intersection of State Trunk Highway (STH) 89 and Marshall County Road (CR) 145; thence along CR 145 to County State Aid Highway (CSAH) 6, Marshall County; thence along CSAH 6 to CR 133, Marshall County; thence along CR 133 to the northwest corner of Section 16, Township 157 North, Range 39 West; thence north along the west line of Sections 9 and 4, Township 157 North, Range 39 West, to the Moose River; thence along the southerly shore of said river to CR 706, Beltrami County; thence along CR 706 to its intersection with the east line of Section 5, Township 157 North, Range 38 West; thence along the east line of Sections 5 and 8, Township 157 North, Range 38 West to County Highway (CH) 701, Beltrami County; thence along CH 701 to the northwest corner of Section 5, Township 156 North, Range 38 West; thence along the line between Township 156 North and Township 157 North to the northeast corner of Section 2, Township 156 North, Range 39 West; thence along an unnumbered township road, Marshall County, that coincides with the line between Township 156 North and Township 157 North, to CSAH 53, Marshall County; thence along CSAH 53 to the southeast corner of Section 31, Township 157 North, Range 39 West; thence along the line between Township 156 North and Township 157 North to STH 89; thence along STH 89 to the point of beginning.

Beginning at the intersection of State Trunk Highway (STH) 89 and Marshall County Road (CR) 145; thence along CR 145 to County State Aid Highway (CSAH) 6, Marshall County; thence along CSAH 6 to the northwest corner of Section 16, Township 157 North, Range 39 West; thence north along the west line of Sections 9 and 4 (360th Ave NE), Township 157 North, Range 39 West, to the Moose River; thence along the southerly shore of said river to Moose River Road NW, Beltrami County; thence along Moose River Road NW to its intersection with the Moose River Impoundment Dike; thence generally south along the Moose River Impoundment Dike to the intersection with STH 89; thence west along STH 89 to the intersection with CSAH 54, Marshall County; thence north along CSAH 54 to the southeast corner of Section 2, Township 156 North, Range 39 West; thence west along the south boundary of Section 2, Township 156 North, Range 39 West; thence along an unnumbered township road (330th St NE), Marshall County, that coincides with the south boundaries of Sections 3, 4, 5, and 6, Township 156 North, Range 39 West; thence along an unnumbered township road (330th St NE), Marshall County, that coincides with the south boundary of Section 1, Township 156 North, Range 40 West, to STH 89; thence along STH 89 to the point of beginning.

Subp. 2. **Secondary Grygla Elk Zone.** The Secondary Grygla Elk Zone consists of all of Marshall County east of State Trunk Highway (STH) 89, and may be opened in addition to the primary zone by written notification from the commissioner. Notification, if made, will be at the elk hunter orientation sessions at the Thief Lake Wildlife Management Area.

Subp. 3. **Kittson County Elk Zone.** The Kittson County Elk Zone consists of that portion of the state lying within the following described boundary: Beginning at the intersection of County State Aid Highway (CSAH) 1 and State Trunk Highway (STH) 175; thence along CSAH 1 to CSAH 4; thence along CSAH 4 to U.S. Highway (USH) 59; thence along USH 59 to County Road (CR) 51; thence along CR 51 to CSAH 4; thence along CSAH 4 to CSAH 15; thence along CSAH 15 to CSAH 36; thence along CSAH 36 to STH 175; thence along STH 175 to the point of beginning.

**EFFECTIVE PERIOD.** The emergency amendments to Minnesota Rules, parts 6232.4300, 6232.4400, 6232.4500, and 6232.4600, expire February 28, 2009. After the emergency amendments expire, the permanent rules as they read prior to the amendments again take effect, except as they may be amended by permanent rule.

# Revenue Notices

The Department of Revenue began issuing Revenue Notices in July of 1991. Revenue Notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue Revenue Notices is found in *Minnesota Statutes*, Section 270C.07.

**KEY:** Underlining indicates additions to existing language. ~~Strikeouts~~ indicate deletions from existing language.

## Minnesota Department of Revenue

### Modification of Revenue Notice # 02-17:

### **Sales and Use Tax – Taxable Sales – Delivery of Aggregate Materials and Concrete Block**

~~Effective January 1, 2002, charges for delivery of tangible personal property, including aggregate material and concrete block, became taxable when performed and/or billed by the seller of the tangible personal property. Effective July 1, 2008, all charges for the delivery of aggregate material by a third party, except deliveries of aggregate material used in road construction, are subject to the sales tax. Effective~~ Since July 1, 2002, delivery of aggregate material and concrete block, when performed by someone other than the seller, became has been taxable if the delivery would have been subject to the sales tax when performed by the seller. ~~The following guidelines will be used in applying sales tax to charges for the service of delivering aggregate materials and concrete block:~~

- ~~The charge for delivery of aggregate materials and concrete block is taxable regardless of whether billed by the seller of the product or billed by a third party hauler.~~
- ~~The delivery charge may be purchased exempt when:~~

The charge for delivery of aggregate materials and concrete block is taxable regardless of whether billed by the seller of the product or billed by a third party hauler. The delivery charge is exempt in the following circumstances:

- the customer provides an exemption certificate indicating that the product being delivered is exempt for use in industrial production.
- the customer provides an exemption certificate indicating that the product being delivered is exempt because it will be resold at retail.
- the sale is to an exempt entity.
- the charge is to deliver the product outside of Minnesota.
- the sale is to a township of gravel to be used for road maintenance.

#### **1. Does the sales tax apply to the delivery of aggregate material that will be used to produce asphalt or ready mix concrete?**

The delivery charges are exempt if the aggregate becomes an ingredient or component part of tangible personal property that will be sold at retail. The purchaser of the aggregate material must give the delivery firm an exemption certificate claiming that the material being delivered will be used or consumed in the production process. If the aggregate is used to produce asphalt or ready mix concrete that will not be sold at retail but which is used by the purchaser or owner of the aggregate to make an improvement to real property, the delivery charges are subject to the sales tax unless the asphalt or ready mix concrete is used for road construction.

**2. Is the delivery by a third party hauler of aggregate and concrete block into Minnesota from outside the state taxable? When do local sales taxes apply to taxable delivery charges?**

The sales tax applies to charges to deliver aggregate materials to a Minnesota location. Charges to deliver aggregate materials from Minnesota to a location outside Minnesota are not subject to Minnesota sales tax ~~since the sale is not made until the delivery is completed~~. Local sales tax applies when the aggregate is delivered into a political subdivision that imposes a local sales tax. For example, a charge to deliver aggregate materials into Minneapolis is subject to the one-half percent Minneapolis local sales tax, the Hennepin County sales tax, and beginning July 1, 2008, the Transit Improvement sales tax.

**3. Is delivery of aggregate material or concrete block taxable even though the material or block being hauled is not taxable because there is no sale of the concrete block or aggregate material being delivered?**

In order for the delivery charges to be taxable there must be a taxable sale of the aggregate material or concrete block. The charges for delivery of borrow would not be subject to the sales tax unless there was a taxable sale and purchase of the borrow material.

**4. Does the sales tax apply to deliveries made by employees for their employer?**

The sales tax only applies to services specifically enumerated under the Minnesota sales tax law. There is no sales tax on services performed by an employee for his or her employer. ~~The fact that MN/DOT considers third party truckers as employees of their contractor-customers on prevailing wage projects does not make those truckers employees for sales tax purposes.~~ The sales tax can only be avoided when a true employer-employee relationship exists.

~~5. Does the sales tax apply to delivery contracts entered into prior to July 1, 2002?~~

~~The legislature did provide a transition period for sellers of aggregate materials in the 2002 tax bill. Sellers of aggregate materials or concrete block are not required to collect sales tax on the delivery charges if the aggregate or block is sold to contractors who have entered into a bona fide written lump sum or fixed price construction contract prior to January 1, 2002, and delivery is made prior to January 1, 2005. The provision making delivery of aggregate materials and concrete block a taxable service is effective for third party deliveries made on or after July 1, 2002. Third party deliveries of aggregate materials and concrete block are not subject to the sales tax if made pursuant to bona fide written contracts or lump sum or fixed price construction contracts which do not make provision of allocation of future taxes, provided the contracts were entered into prior to July 1, 2002, and delivery of the items are made on or before January 1, 2003.~~

**6.5. Does the sales tax apply to delivery charges for the delivery of aggregate material if the party making the delivery is using the aggregate is used in making an improvement to realty?**

~~With only one exception, the sales tax applies to the delivery charges regardless of whether the aggregate will be used in making an improvement to realty and regardless of how deposited at the delivery site. The only exception would be delivery of aggregate material to be used in road construction. If the person delivering the aggregate uses the aggregate in making an improvement to realty, no sales tax is due on the delivery charges. If the party delivering aggregate materials has a contract requiring both the delivery and the depositing substantially in place of the aggregate materials, the transaction will be treated as an improvement to realty and not a taxable delivery service. The aggregate material will be considered to be deposited substantially in place if the aggregate material is deposited on the project site directly or through spreaders where it can be spread from graded or compacted at the location where it was deposited. If the aggregate material is merely dumped in a pile, or if the contract does not require the hauler to deposit the aggregate substantially in place, the delivery charges are subject to sales tax.~~

**7.6. What are the responsibilities of third party deliverers of aggregate material and concrete block after June 30, 2002?**

Persons making delivery of aggregate material and concrete block ~~on or after July 1, 2002~~ must be registered with the Department of Revenue to collect and remit the Minnesota sales tax. The hauler must ~~start collecting and remitting~~ sales tax on all their taxable sales ~~after June 30~~. All deliveries of aggregate and block ~~made on or after July 1, 2002~~ are subject to the sales tax unless the aggregate is used in road construction or another exemption applies ~~or the construction deliverer is making an improvement to realty.~~

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## **8.7. How is recycled aggregate material treated?**

Charges to transport construction debris, such as broken chunks of concrete, from a construction site are not subject to the sales tax. However, sales tax does apply to the delivery of recycled aggregate materials that have been reclaimed or recovered through the processing of the construction debris.

## **8. What activities would constitute road construction?**

Road construction is defined in *Minnesota Statutes*, section 297A.61, subdivision 3(g) and would include the establishment, improvement and maintenance of roads together with all bridges or other structures thereon which form part of the road. For purposes of the definition of road construction, a "cartway" means a strip of land two rods wide providing access to a property owner over lands of another or others to a public road.

Jennifer L. Engh, Assistant Commissioner

Publication Date: October 21, 2002

John H. Mansun, Assistant Commissioner for Tax Policy and External Relations

Publication Date: June 23, 2008

## Official Notices

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

## Department of Human Services

### Health Care Administration

### Public Notice Regarding Proposed Payment Rate and Methodology Changes, And Services Under the Medical Assistance Program

**NOTICE IS HEREBY GIVEN** to recipients, providers of services, and to the public that amendments to Minnesota's Medicaid (MA) State Plan will occur as a result of the promulgation by the Centers for Medicare & Medicaid Services of interim final regulations on the Medicaid program affecting Optional State Plan Case Management Services. The interim final rule was published at 72 *Federal Register* 68077 on December 4, 2007. This notice is published pursuant to Code of Federal Regulations, title 42, part 447, section 205 (42 CFR §447.205), which requires publication of a notice when there is any significant proposed change in the methods and standards for setting payment rates for services.

The Minnesota Medicaid State Plan amendments will be submitted to the Centers for Medicare & Medicaid Services by June 30, 2008, authorizing the steps by which the state will come into compliance with the interim final regulations. Changes may include, but are not limited to, rate setting methodologies, documentation for reimbursement for the provision of services and the scope of and limitations on case management services.

Questions can be directed to:

Lisa Knazan

Minnesota Department of Human Services

Health Care Administration  
Box 64983  
St. Paul, MN 55164-0983  
(651) 431-2298.

## **Minnesota Department of Human Services**

### **Request for Information: Technology Services to Support Development of Automated Eligibility Determination**

#### **Purpose and Objective**

The purpose of this Request for Information (RFI) is to identify and obtain information from potential vendors about technology services, including hardware and software, that would support development of an automated eligibility determination function for programs administered by the Minnesota Department of Human Services (DHS). The technology services should be sufficiently robust to support eligibility determinations and case maintenance for either:

- An automated eligibility determination system for health care programs that can be extended and scaled to perform eligibility determinations for other programs in the future;
- An automated eligibility determination system that determines eligibility for multiple programs (ie: health care programs, cash programs, child care programs, food support programs and foster care programs)
- An automated eligibility determination system and web accessible graphical user interface (GUI) for health care programs, the GUI of which can be expanded to encompass other programs for which eligibility is determined on another platform.
- A web accessible GUI that can overlay an existing automated eligibility determination system and be expanded as eligibility determinations for other programs are added to the existing eligibility determination platform.

The State is seeking information that it may use for future planning, policy development, and competitive contracting for professional/technical services and/or technology products. The State has recently conducted an assessment of its HealthMatch Project. A copy of the report, *HealthMatch Project Assessment Summary*, dated May 2, 2008, is available upon request. The summary will provide prospective vendors with background information on work done to date to construct an automated health care eligibility determination system.

Response to this RFI is completely voluntary, and this RFI and responses do not in any way obligate the State. A Response to this RFI does not provide any advantages to respondents in potential future Requests for Proposal (RFPs), for competitive contracting or procurement. Respondents are responsible for all costs associated with the preparation and submission of responses to this RFI.

All materials submitted in response to this RFI will become property of the State and will become public, according to Minnesota Statutes § 13.03 unless otherwise defined by Minnesota Statutes § 13.37 as "Trade Secrets". If the Responder submits information in response to this RFI that it believes to be trade secret/confidential materials as defined by that statute, and the Responder does not want such data used or disclosed for any purpose, the Responder must: clearly mark every page of trade secret materials in its Response with the words "Trade Secret" at the time of submission; and justify the trade secret justification for each item in its Response. If the State should decide to issue an RFP and award a contract based on any information received from responses to this RFI, all public information, including the identity of the responders, will be disclosed upon request.

#### **Timelines**

Communications Timeline:  
2008 Answers to Questions

Questions related to this RFI must be submitted by 2:30pm CDT, Monday, June 30  
Will be sent to all persons who requested the RFI by Wednesday, July 9, 2008

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**Deadline for submission:**

**2:00 pm CDT, Monday, July 21, 2008**

## **Background**

DHS' role in state government is to provide core health and human services to Minnesota's most vulnerable people. To accomplish that responsibility, DHS administers some of the most complex programs in state government — public health care eligibility; child support collections; payment for medical services; eligibility and payment for cash, food, child care, foster care, and housing programs; child welfare case management; grants administration, and long-term care financing. The most effective way to ensure that Minnesotans receive health and social services to which they are entitled is to provide an eligibility determination process that is uniform, efficient, automated and business-driven.

DHS' administration of publicly-funded programs is a joint state-county effort, with county and tribal human services agency staff performing the intake, eligibility determination and case management for the majority of clients. Program eligibility is currently determined by approximately 2500 workers in offices at the State level, at the 87 counties, and at the tribal level.

Currently, health care program eligibility is determined using two DHS legacy systems for the Medical Assistance and General Assistance Medical Care programs, and a combination of manual processes and legacy system entry for the MinnesotaCare program. One of the two systems that determines eligibility for Medical Assistance and General Assistance Medical Care is an integrated eligibility system that also determines eligibility and issues payments for 13 other cash, food, child care, and housing programs. DHS also uses an automated state master index (SMI) that provides a common client index for all publicly-funded programs.

In response to the need for improved customer service, greater program and fiscal integrity, and system flexibility, DHS is gathering information relevant to automated eligibility determination processes that offer customer self-service opportunities on the Internet, provide increased accuracy of eligibility determinations, and allow for greater flexibility in the overall state/county administrative structure. Responses should provide solutions that conform to DHS' Strategic Plan for Information Technology (available upon request).

## **Goals of this project**

The goals of this project include the following:

- **Rules Engines:** The Department is requesting information on proven, commonly-used, declarative-style rules engines that support open standards (e.g. JSR-94). The solution must scale to more than 10,000 rules, and work within the State's enterprise architecture.
- **Data Collection:** The Department is requesting information on proven, commonly-used frameworks for data collection that support open standards. This includes workflow needs. The solution will be a web or "rich" client application that is scalable to 5,000+ concurrent users, and must work within the State's enterprise architecture.
- **Accounts Receivable System:** The Department is requesting information on proven, commonly-used premium billing and payments processing frameworks that support open standards. The solution must be flexible to enable customized processing logic and work within the State's enterprise architecture.
- **Interfaces:** The Department is requesting information on approaches to provide interfaces to multiple related systems required for business processing, including the health care claims payment system, child welfare system, child support collection system, as well as numerous interfaces to sources providing data needed for verification of eligibility including the Social Security Administration, IRS, and Department of Agriculture.
- **Case Maintenance:** The department is requesting information on proven solutions to acting on changes triggered by user-entered data, data received through a system interface, or aging of a case. The solution must be able to date-stamp system changes and preserve history so that the effect of case changes can be processed retroactively.

All components must be able to meet DHS requirements for the following three criteria:

1. Flexibility to support frequent changes in programs and eligibility policy, including legislative mandates.
2. Extensibility to meet policy and program objectives now and into the future.
3. Scalability to handle user volume now and into the future. System users include State, county and tribal staff, program clients and advocates, providers, and other agency partners. User volume is expected to exceed 5000+ concurrent users.

## Proposal Content

### Responders are encouraged to:

1. Provide information on technologies, services and/or activities that can support automated eligibility determination for a wide variety of public programs.
2. Provide information on how these technologies services and/or activities could meet the needs of automated health care program eligibility processing now and be expanded later to include all programs in a cost-effective manner.
3. Describe how products are adaptable to accommodate frequent program changes.
4. Describe metrics for performance measurement of any proposed product or service.
5. Provide three references.
6. Provide evidence of successful applications of the products and services in other state's health and/or human services programs within the last year.

### Response Submission Procedures and Instructions

Provide six copies of your response. Include a cover page with the name, title, address, telephone number or e-mail address of whom to contact in the event there are questions regarding your submission.

The department reserves the right to schedule in-person sessions to permit presentation of selected responses.

Respondents are responsible for all costs associated with the preparation and submission of responses to this RFL.

Information must be received by 2:00 p.m. on Monday, June TBD, 2008. Submit information to:

Tom Trant  
Mailing Address 540 Cedar St. P.O. Box 64993, St. Paul, MN 55164-0993  
Delivery Address: 444 Lafayette Road, St. Paul, Minnesota, 55164-0993

### Inquiries

All submissions, questions, concerns or communications regarding this RFI should be addressed to, or e-mailed to:

Tom Trant  
Minnesota Department of Human Services  
Health Care Operations  
540 Cedar Street

Saint Paul MN 55155  
Telephone 651.431.3177  
*Thomas.F.Trant@state.mn.us*

## Minnesota Department of Human Services Request for Information: Coordination of Benefits/Third Party Liability Services

### Purpose and Objective

The purpose of the Request for Information (RFI) is to identify and obtain information from potential vendors experienced in health care claims post-payment auditing, pre-payment editing, pre-payment cost avoidance and other coordination of benefits and third party liability events where another payer was primary to Minnesota's Medical Assistance, General Assistance Medical Care and MinnesotaCare health care programs, (referred to collectively as Minnesota Health Care Programs (MHCP)).

The purpose of this RFI is to ensure that MHCP is the payer of last resort and that claims processing standards ensure the highest level of payment integrity. In addition, the Department is interested in developing new strategies in the identification and pursuit of revenues to which the State of Minnesota is lawfully entitled under applicable federal and state program statutes, regulations and policies related to the provision of health care services. The Department requests that interested entities provide details on how they would approach the research and delivery of these services and a statement of the level of interest that they would have in contracting to provide the specific services. The Department's interests include both cost avoidance and pay and chase recoveries and include, but are not limited to:

- Primary Payer Identification during Medicaid enrollment
- Primary Payer Identification prior to claims submission at the point of sale
- Medicare and other 3<sup>rd</sup> party recovery and cost avoidance, including identification of Medicare recipients whose eligibility was determined incorrectly by CMS and Medicare Part D
- Provider credit balance audits of hospitals
- Casualty/tort recoveries
- Child support enforcement medical support coverage
- Workers Compensation, Coordination of Benefits
- Estate, trust and annuity work

Response to this Request for Information is completely voluntary. The State is seeking information that it may use for future planning, policy development, or competitive contracting for professional/technical services. This RFI, and responses to it, does not in any way obligate the State, nor will it provide any advantage to respondents in potential future Requests for Proposals for competitive procurement. Respondents are responsible for all costs associated with the preparation and submission of responses to this RFI

All responses to this RFI are public, according to Minnesota Statutes § 13.03 unless other wise defined by Minnesota Statutes 13.37 as "Trade Secrets". If the Responder submits information that it believes to be trade secret/confidential materials, and the Responder does not want such data used or disclosed for any purpose other than the evaluation of this Response, the Responder must clearly mark

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every page of trade secret materials in its Response at the time the Response is submitted with the words “Trade Secret” or “Confidential,” and must justify the trade secret designation for each item in its Response. If the State should decide to issue an RFP and award a contract based on any information received from responses to this RFI, all public information, including the identity of the responders, will be disclosed upon request.

## Timelines

|                                 |   |
|---------------------------------|---|
| Questions:                      | Questions related to this RFI must be submitted by 4:30pm CDST, Monday, July 7, 2008. |
| Answers to Questions            | 4:30pm CDST Wednesday, July 16, 2008  |
| <b>Deadline for submission:</b> | <b>2pm CDST, Monday, July 28, 2008</b>  |

## Background

The Minnesota Department of Human Services (DHS) is one of the largest payers of health care costs in Minnesota. DHS provides health care services to more than 600,000 Minnesotans through a combination of federal and state health care programs, including Medical Assistance (Medicaid), General Assistance Medical Care (GAMC), and MinnesotaCare (a state and federally subsidized health care program for people who live in Minnesota and do not have access to health insurance). These combined health care programs are collectively referred to as Minnesota Health Care Programs (MHCP). MHCP expenditures in excess of \$5 billion annually are paid through the Department’s Medicaid Management Information System (MMIS).

MHCP administration is a joint state-county-tribal effort, with county, state, and tribal human services agency staff performing the intake, eligibility determination and case management for MHCP clients. Program eligibility is determined by approximately 2500 workers in offices at the State, County and Tribal levels. Currently, health care eligibility is determined using two DHS legacy systems for the Medical Assistance and GAMC programs, and a combination of manual processes and legacy system entry for the MinnesotaCare program.

The State of Minnesota established third-party liability (TPL) identification and recovery efforts in the mid-seventies. Automated cost avoidance of MHCP claims became effective with the changes to the Medicaid Management Information system (MMIS) in 1986. Post payment recovery actions of both health and casualty insurance are currently partially automated.

The Department is interested in determining other activities it could initiate to increase third party liability collections and or cost avoidance. With reasonable evidence that legitimate third party liability opportunities are available to recover resources beyond what the Department is already collecting, the Department may competitively contract to facilitate the additional recoveries.

## Goals of this project

Analyze all potential sources of payment from third party payers and other health care coverage for primacy of obligation to ensure MHCP is the payer of last resort.

- Facilitate the exchange of health care coverage data between the department and other payers.
- Enhance program integrity
- Explore any proven methods and opportunities to minimize total state dollar costs and/or increase recoveries from other payers/entities.

## Proposal Content

### Responders are encouraged to:

1. Provide information on additional technologies, services and/or activities that can ensure the state’s programs are correctly billed for entitled services.

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2. Describe how products available provide adaptability to program changes
3. Identify potential contingency payment plans consistent with federal Medicaid regulations.
4. Describe the vendor's constructs for researching the potential financial and error reduction results of a coordination of benefits program related to the State's health benefit entitlement programs.
5. Describe the vendors proposed sampling process and procedures necessary to obtain and analyze the sample at no cost to the state.
6. Describe the statistical methods to be used in analyzing the proposed sample.
7. Describe metrics for performance measurement of any proposed coordination of benefits program.

## Procedures and Instructions

**Questions and Answers:** Questions are due by July 7, 2008. The State prefers to receive questions by e-mail at the address below. Answers to all questions will be sent by e-mail on July 16, 2008 to all parties who send an e-mail registering a request for the Questions and Answers by the date the Questions are due.

**Responses:** Provide six copies of your response in hard copy. Include a name, title, address, telephone number and e-mail address of whom to contact in the event there are questions regarding your submission. Sessions may be scheduled to permit oral presentation of or further questions for selected responses. Responses are due by July 28, 2008.

Respondents are responsible for all costs associated with the preparation and submission of responses to this RFI. All submissions, questions, concerns or communications regarding this RFI should be addressed to or e-mailed to:

Tom Trant  
Minnesota Department of Human Services  
Health Care Operations  
444 Lafayette Blvd.  
Saint Paul MN 55155  
[Thomas.F.Trant@state.mn.us](mailto:Thomas.F.Trant@state.mn.us)

## Minnesota Department of Public Safety Bureau of Criminal Apprehension Request for Information Regarding Functionality of Software Programs

**Note: the deadline to submit information regarding this request has been extended.**

### Purpose

The Bureau of Criminal Apprehension (BCA) is seeking information from vendors regarding the functionality of software programs. Specifically, the BCA is interested in case management system (CMS) software that can be used to manage investigations and investigative information. The purpose of this request is to assure the BCA has explored as many options as possible in the preliminary decision-making process for the direction and scope of a possible project. This is not a formal request for proposal; it is an informal request for information and may not lead to any formal process to acquire a product or professional expertise. The information will be used to evaluate available CMS software according to pre-defined requirements and priorities so BCA is to gather information about tools and programs in existence as a solution to this possible project.

## Background

The BCA is considering software options for maintaining investigations and investigative data for its law enforcement division. A series of requirements have been developed and prioritized, highlighting key expectations for a solution. As part of this effort, the requirements are being made available to vendors for review and response. Requirements with a “High” priority are mandatory and are a necessary part of a solution; requirements with a “Medium” priority are highly desirable; and requirements with a “Low” priority are preferred.

## Responses

To be included in this informal consideration, vendors may request and complete a table of the requirements and submit a supplemental response of 10 single-side pages or less addressing how their product(s) do or will address the mandatory “High” requirements, and to what extent the product(s) do or will meet the “Medium” and “Low” requirements. Please keep the XLS spreadsheet in the same format it is in when you receive it. Any additional information you would like to provide may be submitted in the supplemental pages in Word or PDF. Only provide one hard copy and a CD with your response.

To receive the list of requirements and priorities, please send an email to [crimnet.support@state.mn.us](mailto:crimnet.support@state.mn.us) by Friday, June 27. Responses are requested by Friday, July 11. Responses received after that date may not be considered. Responses will be evaluated to determine if feasible solutions exist. If you do not have products and services that do or will meet the “High” priority requirements, please do not respond to this request. This is an informal request. If the BCA finds it feasible to post an RFP in the future, all vendors will be open to apply and the Request for Proposal will be posted in the State Register. Not providing a response will not eliminate any vendor from consideration should an RFP be created in the future.

# Minnesota Department of Transportation

## Request for Information Related to a TIS Mainframe Replacement

### I. Statement of Need

The Minnesota Department of Transportation (‘Mn/DOT’), Transportation Data and Analysis Division (‘TDA’) is exploring what options may be available for replacing an existing Transportation Information System (‘TIS’) currently housed on a 30 year ago mainframe system. The TIS was developed through a cooperative effort by researchers at Montana State University and is hosted and maintained by the State Office Enterprise Technology infrastructure.

TIS was designed as a giant data warehouse system for bring together linear data on roadway characteristics, traffic volumes, and crashes. It includes data on all of the State’s 135,000+ miles of roadway and serves as Mn/DOT’s official source of information on mileage and vehicle-miles traveled. It is used to support a host of federal reporting, transportation planning, project development and permitting related activities.

Data in TIS are updated as new information is received from construction plan changes, administrative orders and local roadway authority status changes. Electronic transfers of information from the Department of Public Safety update crash data on a regular basis. Pavement condition data channel through TIS on the way to the department’s pavement management system. Railroad and bridge management systems also interface with TIS.

Since the inception of TIS information technology systems have undergone dramatic changes. While the older TIS mainframe continues to function, it does not meet essential department’s currently business needs for data and information.

For example, TIS mainframe does not:

- Integrate with other newer information systems, such as Pontis, the bridge management system
- Provide easy user access to TIS data

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- Support a full range of query, analysis, and reporting functions
- Keep track of the history of the roadway system
- Provide for a stable linear referencing system for locating roadway changes and characteristics
- Interface with GIS spatial mapping applications
- Allow for the easy addition of new roadway features like ramps, interchanges and bikeways.

It is our desire to replace or revise the existing mainframe application to be accessible to authorized users via a web browser, GIS or CADD tool. Supporting software for viewing data on the local PC should not be needed or have a small footprint (like a browser plug-in or install of a small application). We also want it to access real-time data from our Oracle database (or possibly thru Mn/DOT's Arc/GIS Server version 9.2 system) rather than having data extracted from the production environment and custom-formatted to work inside the application.

The purpose of this Request for Information (RFI) is to determine:

- Options for replacing TDA's current TIS Mainframe System and associated applications
- Estimated Costs, time, and effort associated with those options
- Whether a Commercial Off-The-Shelf (COTS) application is a viable alternative to a Custom Developed Solution (CDS)

This RFI does not obligate the State or Mn/DOT to complete the proposed project, purchase any software, application, or consulting service and the State reserves the right to cancel the solicitation if it is considered to be in its best interest. Based on the responses to this RFI, Mn/DOT may publish a Request for Proposal (RFP) to procure a solution.

## II. RFI Process

### A. Steps

#### 1. Issuance

The issuance date of this RFI is June 25, 2008.

#### 2. Responder Questions

Any questions or requests for additional information will be responded to by Mn/DOT TDA. Respondents are allowed a 2 week period to review the RFI and submit their questions. TDA expects to respond to all questions no later than the date indicated in the [RFI Schedule of Events](#) section.

All questions relating to the interpretation of this RFI must be directed in writing via email to the email address shown in the [Contacts](#) section of this RFI. Questions must be received no later than 4:30 p.m. CDT on the date indicated in the [RFI Schedule of Events](#) section.

Responses to all questions received will be posted no later than the end of business on July 16, 2008 on TDA's web site at:

<http://www.dot.state.mn.us/tda/TIS MainFrame Replacement RFI.asp>

## 3 Response Submittal

Each prospective responder is requested to submit a written response, not to exceed 10 pages, for the information requested in the section titled: "Requested Information".

Responses are due on or before 12:00 pm (noon), CDT on the date specified in the RFI Schedule of Events section.

Please submit:

- Six (6) identical copies of your response to the Minnesota Department of Transportation, State Aid for Local Transportation Division at the address shown in the Contacts section of this document.
- One (1) electronic copy via email in a PDF or Microsoft document format (e.g., Word, Excel, PowerPoint) to the address shown in the Contacts section of this document.

Also note:

The Department of Transportation is not liable for any costs incurred by Responders in developing the responses and/or attending meetings directly or indirectly related to this Request for Information (RFI). Respondent is responsible for all costs associated with creation of a response, visits, and personnel furnished to comply with this RFI or any follow-up requests. All responses submitted become the property of the Department of Transportation and will not be returned.

Responses to this RFI become public in accordance with Minnesota Statutes, chapter 13.

## 4 Review of Responses

All responses received by the deadline will be evaluated by representatives of the Office of Transportation Data and Analysis Mn/DOT to determine which options appear viable. This will be completed within 2 weeks of the Response Due date as shown in the RFI Schedule of Events section.

Because of the nature of an RFI, there will be no response rating or formal determination of solution preference from this process. A purchase selection will not be made during this RFI phase. The RFI will aid in Mn/DOT's future decision on whether to pursue an 'off-the-shelf' or 'custom-developed' replacement for the mainframe.

## 5 Product Demonstrations

We may request a demonstration if your response is for a standard product, or if you indicate in your response that you have a demonstrate-able base for a custom developed solution. Please reserve time in your schedule for the week specified in the RFI Schedule of Events section.

Responders may be requested to demonstrate their solution. Presentations will be tentatively scheduled for the week indicated in the RFI Schedule of Events section. Presentations will be scheduled for one hour with a question and answer session immediately following the presentation.

While Mn/DOT reserves the right to change this schedule and any part thereof, it is Mn/DOT's intention to maintain the schedule as provided. Therefore, it is requested that the responders be available according to this schedule.

Responders are expected to participate in any product demonstration at their own expense.

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## 6 Conclusion

Following the completion of the analysis and demonstrations, the principles in the Office of Transportation Data and Analysis will determine whether to continue to pursue a solution. All respondents will be notified if a Request for Proposal is issued.

### B. RFI Schedule of Events

| Description                                | Date               | Time (if applicable) |
|--|--------------------|----------------------|
| Issue RFI:                                 | June 25, 2008      | 4:30 p.m.            |
| Deadline for submitting Written Questions: | July 9, 2008       | 4:30 p.m.            |
| Mn/DOT Response to Written Questions:      | July 16, 2008      | End of business day  |
| Submittal of RFI responses due to Mn/DOT:  | July 29, 2008      | 12:00 p.m.           |
| Analysis of Responses:                     | September 5, 2008  |                      |
| Product Demonstrations:                    | September 12, 2008 |                      |
| Conclusion (internal to Mn/DOT)            | September 26, 2008 |                      |

### C. Contacts

Questions and requests for additional information:

TIS Mainframe Replacement Administrator ([Thomas.Martin@dot.state.mn.us](mailto:Thomas.Martin@dot.state.mn.us))

Requests for a demonstration of the current TIS Roadlog application or to receive the PowerPoint overview of it:

TIS Mainframe Replacement Administrator ([Thomas.Martin@dot.state.mn.us](mailto:Thomas.Martin@dot.state.mn.us))

Electronic submittal of RFI response:

TIS Mainframe Replacement Administrator ([Thomas.Martin@dot.state.mn.us](mailto:Thomas.Martin@dot.state.mn.us))

Paper submittal of RFI response:

Minnesota Department of Transportation

Transportation Data and Analysis:

Attn: Thomas Martin Mail Station 450

395 John Ireland Boulevard

St. Paul, MN 55155

Note: Security procedures in Mn/DOT Offices do not allow non-Mn/DOT employees to have access to the elevators or the stairs. Should you choose to hand-deliver your response, you may leave it with the front desk personnel where it will be time stamped and delivered to the appropriate personnel. Enter through the Rice Street side of the Central Office building (1st Floor).

### III. Mn/DOT Environment/Standards

Mn/DOT's standard GIS infrastructure is based on ESRI's Arc/GIS suite of products. Arc/GIS Server version 9.2 is currently operational. We currently have and intend to maintain limited site licensing for these products.

Data is stored in the Mainframe and replicated to Oracle databases. The Oracle database is the point of attribute updates via a custom-built interface; these updates are pushed programmatically to the TIS Mainframe nightly and in turn replicated back to the Oracle database. These databases are regularly updated with data from the State Department of Public Safety and Pontis Bridge Management system. Mainframe specific functions or jobs are also run on a regular basis; these range from multfiles run to maintain the route integrity when route specific re-classification is necessary, matrix reports are requested, annual lane mile reports or HPMS reporting.

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# Official Notices

Note: Do we provide all tables and details about tables? Included with be: table\_names, table\_details (desc), primary and foreign keys, procedures, triggers, indexes, constraints, grants, synonyms and physical models of both the Mainframe tables (members) and GIS Route Basemap.

Our standard for web applications in a GIS environment is ArcIMS 9.x or ArcGIS Server 9.2. Java is the preferred application development tool. The application development / maintenance technology standard for Java servlet applications is as follows:

|   |                                       |
|---|---------------------------------------|
| 1. Application architecture:                  | Java Enterprise Edition               |
| 2. Application development language:          | Java (SDK 1.5.x)                      |
| 3. Scripting Language                         | JavaScript, Perl                      |
| 4. Report hosting solution:                   | Business Objects Enterprise XI        |
| 5. Report development solution:               | Crystal Reports XI                    |
| 6. Database:                                  | Oracle 9i                             |
| 7. Object / relational mapping:               | Hibernate 3*                          |
| 8. Controller framework:                      | Java Server Faces*, Spring Framework* |
| 9. View / presentation framework:             | JSF*, JSP*, JSTL*, HTML, CSS          |
| 10. Servlet application server:               | JBoss / Tomcat (version 5.x)          |
| 11. EJB application server:                   | JBoss Application Server              |
| 12. Code version control system / repository: | CVS                                   |
| 13. Build / deploy / dependency tool:         | Ant & Maven                           |
| 14. Integrated Development Environment:       | Eclipse IDE                           |
| 15. Detail modeling / design tool:            | Eclipse UML, Poseidon, Rational Tools |
| 16. Primary detail build / programming tool:  | Eclipse IDE                           |
| 17. Primary testing tools:                    | Eclipse, JUnit, HTTP Unit             |
| 18. CVS interface tools:                      | Eclipse, Tortoise, ViewCVS            |
| 19. Defect / Issue tracking tool:             | JIRA                                  |
| 20. Logging tool:                             | Log4J                                 |

While there are many advantages in requiring strict adherence to standards (such as maintainability, licensing fees, ability to capitalize on the foundation, etc), we will consider other solutions that demonstrate other advantages in areas such as implementation speed, reduced development costs, or feature richness provided there is not a significant impact on Mn/DOT's ability to maintain its' standard environment. Due to the complex requirements (especially the need for ad-hoc reporting) Mn/DOT's Enterprise GIS staff recommend that this be developed as an Arc/GIS Server version 9.2 application.

## IV. Requested Information

Please provide the following information:

### A. Company Profile

Please provide the following profile information regarding your organization:

- Company Name
- Place of Business
- Services and Products Provided
- Number of Employees by Classification
- Number of years of GIS and programming experience
- Number of DOT/Traffic Safety clients (please list)
- Number of similar engagements (please explain)

# Official Notices

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## B. Solution Overview

- Please describe your proposed solution.
- Note whether your solution is:
  - An 'off-the-shelf' application that may require customization.
  - An 'off-the-shelf' application that would not require any billable customization.
  - A custom solution that uses Mn/DOT's Arc/GIS Server and associated tools
  - A custom solution that uses tools other than Mn/DOT's Arc/GIS Server and associated tools

## C. Solution Functionality

For each of the following desired functions/attributes, please indicate:

- Whether your proposed solution contains the requested functionality in its' standard form, and how.
- Can contain the requested functionality via customization and what the estimated cost would be to add the requested functionality. Describe the suggested enhancement.
- Contains functionality which may meet the desire (please explain the similarity/limitation)
- Does not and will not address the desired attribute

Desired Functionality:

| <b>Ref</b> | <b>Desired Functions for the TIS Mainframe Replacement</b>   |
|------------|--|
| 1          | Stable Linear Reference System including   |
| 2          | Multiple and flexible LRS  |
| 3          | Long Transaction Management Capability   |
| 4          | History management (geometry and attribute)  |
| 5          | Temporal attribute and event location integrity (as a route designation or mileage changes over time, associated elements are updated)   |
| 6          | Attribute inheritance (automatic update of attributes or notification of need for change when a change in feature may impact others – example: Change in urban boundary would impact functional classification of a route)             |
| 7          | Maintenance of multiple routes over a single pavement section (can be more than one of each type below) <ul style="list-style-type: none"><li>Signed Route Numbers</li><li>Coincident Routes</li><li>Legislative Routes</li></ul>      |
| 8          | QA/QC functions: <ul style="list-style-type: none"><li>Geometric integrity</li><li>Single Attribute domains</li><li>Cross Attribute validity checks</li></ul>  |
| 9          | Maintenance of Roadway Network Attributes <ul style="list-style-type: none"><li>Physical Roadway Characteristics<ul style="list-style-type: none"><li>Surface Type</li><li>Surface Width</li><li>Lanes</li><li>Etc</li></ul></li></ul> |
| 10         | Maintenance of Vertical Construction Profile   |
| 11         | Maintenance of Jurisdictional attributions <ul style="list-style-type: none"><li>Construction District</li><li>Maintenance Sub-area</li><li>County/City</li><li>Township</li><li>Etc</li></ul>   |

- 12 Maintenance of Miscellaneous Attributes  
Functional Classification  
National Highway System Relation  
Defense Highway  
Federal Lands Routes  
Etc

Related Functions:

| <b>Ref</b> | <b>Related Features for the TIS Mainframe Replacement</b>   |
|------------|---|
| 1.         | Integration with existing management systems<br>Pontis<br>VideoLog<br>ArcGIS<br>Aerial Imagery<br>CADD data<br>EDMS software  |
| 2.         | Integration with COTS/minimal customization management packages for<br>Traffic Safety management software<br>Pavement Quality softwareTraffic Volume Management                                     |
| 3.         | Reporting functions<br>Mileage matrices<br>Roadway Event lists (Roadlog Reports)<br>Straight-line Diagram displaying roadway features<br>Reference points Reports<br>Trunk System Logpoint listings |

Functional Requirements:

| <b>Ref</b> | <b>Related Features for the TIS Mainframe Replacement</b>                      |
|------------|--|
| 1          | User Friendly interface for CRUD functions on existing transportation features |
| 2          | Ability to easily add new or modify existing transportation feature structures |
| 3          | Low impact, small foot print on user desktop                                   |
| 4          | Capable of data exchange with Oracle Spatial and Oracle/SDE environments       |

Pricing structure

Please provide a description of, and current pricing for the following:

- Recommended software configuration, (including any required browser plug-ins or client-side applications). Please describe your current pricing and licensing options, including unlimited users:
- warranty specifics of your product
- Support (i.e. problem reporting/resolution) options, costs (during and after any warranty period).
- Maintenance (i.e. new release process) options, costs (during and after any warranty period).
- Available training for both support and end-user personnel
- Costs of installation/product implementation services if separate from the product costs. Please indicate the State's involvement in the implementation and an estimated timeline for the implementation.

# Official Notices

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- Include a complete price list of all additional or add-on products (that work with the product in the response)
- If you are recommending a custom-developed solution, or one that would require custom enhancements, please provide an estimated schedule for completing the development process.

## D. Solution Cost Estimates

### Initial Costs

- Software (Development)
- Hardware (Required by web host)
- User Training & Documentation

### Recurring Costs:

- Year 1 (following implementation)
- Year 2
- Year 3

## Additional Reference Information

- Example of Logpoint Report - <http://www.dot.state.mn.us/roadway/data/reports/logpoint/d1.pdf>
- Example of VMT Matrix Report - <http://www.dot.state.mn.us/roadway/data/reports/2005/vmt/fzstvmig.pdf>
- Entire TIS Manual - <http://www.dot.state.mn.us/roadway/data/docs/USER.pdf>

## Minnesota 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 Advisory Committee who will meet on Wednesday, June 25, 2008 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 14.46.

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 adopted pursuant to *Minnesota Statutes* Chapters 161 and 162.

The agenda will be limited to the following:

**1. Petition of The City of Minneapolis** for a variance from *Minnesota Rules* 8820.2800 subpart 2 as they apply to the reconstruction of Marquette and 2<sup>nd</sup> Avenues from 1<sup>st</sup> to 12<sup>th</sup> Streets, so as to allow opening of bids before receiving plan approval in lieu of after plan approval.

**2. Petition of the City of East Bethel** for a variance from *Minnesota Rules* 8820.9936 as they apply to the construction of a frontage road East of T.H. 65, between 205<sup>th</sup> Avenue and 207<sup>th</sup> Avenue, so as to allow horizontal curvature lengths meeting 25 mile per hour design speed in lieu of the minimum 30 mile per hour design speed.

**3. Petition of Fillmore County** for a variance from *Minnesota Rules* 8820.9920 as they apply to the construction of Bridge #23J86, located on CSAH 15 over an un-named waterway in Carimona Township so as to allow horizontal curvature lengths meeting 30 mile per hour design speed in lieu of the minimum 40 mile per hour design speed.

|            |                     |
|------------|---------------------|
| 9:15 a.m.  | City of Minneapolis |
| 9:40 a.m.  | City of East Bethel |
| 10:05 a.m. | Fillmore County     |

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

If a written objection is received within 7 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

### 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) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Web site at [www.mmd.admin.state.mn.us](http://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.

**Requirements:** There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements:

\$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600  
\$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days;  
\$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and  
anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days.

## Department of Administration

### Notice of Availability of Request for Proposal (RFP) for Designer Selection for: Silver Bay Nursing Care Facility Renovation

The State of Minnesota, Department of Administration, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Department of Administration's Real Estate and Construction Services website: <http://www.admin.state.mn.us/recs/cs/cs.html>, click on "Solicitation Announcements."

A copy of the pre-design is available for review at <http://www.admin.state.mn.us/recs/cs/cs.html>.

An informational meeting is tentatively scheduled for **10:30 a.m.**, Tuesday, June 24 at 45Banks Boulevard, Silver Bay, MN. All firms interested in this meeting should contact Ev Wright, Program Administrator, Health Care Minnesota Department of Veterans Affairs, (651) 296-9759 or [evwright@mvhmail.mvh.state.mn.us](mailto:evwright@mvhmail.mvh.state.mn.us) to sign up to attend the meeting. Project questions will also be taken by this individual.

Proposals must be delivered to Alisha Cowell, Executive Secretary, State Designer Selection Board, 200 Administration Building in

# State Contracts

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the Commissioner's Office, 50 Sherburne Ave., St. Paul, MN 55155 (651.201.2627) not later than **1:00 P.M., Monday, June 30, 2008**. Late responses will not be considered.

The Department of Administration is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

## **Minnesota State Colleges and Universities (MnSCU) Normandale Community College Request for Bid (RFB) for Activities Building Addition And Alterations**

**Sealed Bids** must be presented by **Thursday, July 31, by 2:00 p.m., CDT**, at which time bids will be opened and publicly read aloud. Deliver sealed bids to:

Craig Erickson, Fiscal Director  
Normandale Community College  
Library Building, Room - L1790  
9700 France Avenue South  
Bloomington, MN 55431

**Project Scope:** The project will include a 57,000 gross S.F. second floor addition to the Activities Building, as well as 10,366 S.F. second floor infill at an existing gymnasium space and 44,194 S.F. of renovation in the existing building. The project consists of classroom space, office space, locker rooms, and Activities spaces. New construction consists of masonry cavity walls, and steel bar joist, deck and built-up asphalt roof. Interior construction is masonry and metal stud/gyp board walls. Site work includes a small amount of grading, utilities, paving and landscaping in the immediate area of the addition.

**Estimated Cost:** \$6,500,000 (This bid does not obligate Normandale Community College to spend the estimated dollar amount.)

A **Pre-Bid Meeting** will be held at 10:00 a.m., Tuesday, July 22, 2008, in Room L-1790, Library Building, Normandale Community College, 9700 France Avenue South, Bloomington, Minnesota. The Architect/Engineer and Owner Representatives will review the bidding procedures, bidding documents and other conditions with interested bidders and answer questions.

Project bidding documents will be placed on an electronic plan room on or about Tuesday, July 8, 2008. Bidding documents can be viewed and ordered by going to the AKA Online Plan Room at <http://www.DesignBidBuild.net/franz?AKA> (please note that this web address is case sensitive).

## **Minnesota State Colleges and Universities Dakota County Technical College Bids Sought for Garbage Removal Services**

**NOTICE IS HEREBY GIVEN** that Dakota County Technical College is seeking Bids for Garbage Removal Services. Bid specifications are available by contacting the Purchasing Department, 1300 145<sup>th</sup> St E, Rosemount, MN 55068. Phone 651-423-8236.

Sealed bids must be received by Pat Adams at Dakota County Technical College, 1300 145 ST E, Rosemount, Mn 55068 by 2:00 June 30, 2008. Dakota County Technical College reserves the right to reject any or all bids or portions thereof, or to waive any irregularities or informalities in bids received.

## **Minnesota Department of Commerce Notice of Availability of Contract for Administering the Minnesota Worker's Compensation Assigned Risk Plan**

The Minnesota Department of Commerce is requesting proposals for the purpose of contracting with a vendor to administer Minnesota Worker's Compensation Assigned Risk Plan.

Work is proposed to start September 15, 2008.

A Request for Proposals will be available by mail from this office through July 15, 2008. **A written request (by e-mail) is required to receive the Request for Proposal.** After July 15, 2008, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Lee Spelbrink  
[lee.spelbrink@state.mn.us](mailto:lee.spelbrink@state.mn.us)  
Minnesota Department of Commerce  
85 7 Place East Suite 500  
St Paul, MN 55101

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 2:30 p.m., Central Time, August 1, 2008. **Late proposals will not be considered.** Proposals submitted by fax or e-mail 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.

## **Minnesota Department of Commerce Notice of Availability of Contract to Develop Geographical Information System Maps: RFP: T-0608-03-MAP**

Notice of Availability of Contract to develop geographical information system maps displaying levels of broadband service by connection speed and type of technology used and to integrate those maps with demographic information to produce a comprehensive statewide inventory and mapping of existing broadband service and capability.

The Minnesota Department of Commerce is requesting proposals for having a qualified nonprofit organization obtain information from broadband providers in Minnesota and to produce maps that show where in Minnesota broadband is and is not provided, by how many providers, the transmission speeds, the technology used and the location of towers used to transmit and receive broadband signals.

Work is proposed to start by early August 2008.

A Request for Proposals will be available from this office through July 14, 2008. **A written request (by e-mail, direct mail or fax) is required to receive the Request for Proposal.** The Request for Proposal can be obtained from:

Amy Bicek  
Minnesota Department of Commerce  
85 Seventh Place E, Suite 500  
Saint Paul, MN 55101  
[Energy.contracts@state.mn.us](mailto:Energy.contracts@state.mn.us) (Preferred Method)  
Fax: 651-297-7891

# State Contracts

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Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **2:00 p.m. C.D.T. on Tuesday, July 15, 2008**. Late proposals will not be considered. Fax 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.

## Minnesota Department of Human Services Adult Mental Health Division Request for Proposals to Provide Statewide Public Awareness Campaign on Serious Mental Illness in Older Adults

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to Provide a Statewide Public Awareness Campaign on Serious Mental Illness in Older Adults.

Work is proposed to start August 1, 2008. To obtain a copy of the Request for Proposal please visit:

[http://www.dhs.state.mn.us/main/id\\_000102](http://www.dhs.state.mn.us/main/id_000102)

For more information please contact:

Maria L. Anderson  
Department of Human Services  
Mental Health Division  
P.O. Box 64981  
444 Lafayette Road North,  
St. Paul, MN 551550981  
Phone: (651) 431-2241, Fax: (651) 431-7566  
[Maria.l.anderson@state.mn.us](mailto:Maria.l.anderson@state.mn.us)

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, July 23, 2008**. **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.

## Minnesota Department of Human Services HIV/AIDS Division Request for Proposals for the provision of HIV Medication Adherence Counseling, Benefits Counseling and “Back to Work” Support Service

**Notice is hereby given** that the Department of Human Services HIV/AIDS Division is issuing a Request for Proposals from qualified respondents to provide comprehensive Medication Adherence Treatment Counseling, Comprehensive Benefits Counseling and “Back to Work” Support Services to Minnesotans living with HIV/AIDS. Responders can submit proposals for any one or combination of the stated services.

- Medication Adherence Counseling must be provided by a clinical pharmacist or qualified health care professional and would focus on persons new to treatment or restarting medication due to adherence issues.
- Benefits counseling would assist clients in navigating and enrolling in Minnesota Health Care programs, Insurance and Medicare.
- “Back to Work” support services provide pre-support and integrated benefits counseling to persons wishing to rejoin the workforce.

To obtain a copy of the Request for Proposal please visit:

[http://www.dhs.state.mn.us/main/id\\_000102](http://www.dhs.state.mn.us/main/id_000102)

If you do not have access to the internet and would like more information or wish to obtain a copy contact:

Attention: Andy Ansell  
HIV/AIDS Division  
Department of Human Services  
444 Lafayette Road N.  
St. Paul, MN 55155  
(651) 431-2449  
[Andy.Ansell@state.mn.us](mailto:Andy.Ansell@state.mn.us)

Proposals submitted in response to this Request for Proposal must be received at the address above no later than **4:00 p.m., Central Time, July 21, 2008**. Proposals must be sealed, and visibly show the Responder’s name, address, and RFP title on the outer packaging. Responders must adhere to all terms of this RFP. Late proposals will not be considered. All costs incurred in responding to this RFP will be borne by the responder. **Faxed or email responses will not be considered.**

## Minnesota Department of Human Services Health Care Administration Request for Proposals for Qualified Contractor to Lead HealthMatch Automated Software Development Project

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals for a qualified responder to serve as the Executive Director to lead the HealthMatch automated health care eligibility determination system development and implementation.

Work is proposed to start August 15, 2008. For more information, or to obtain a copy of the Request for Proposal, contact:

Sandy Burge  
Department of Human Services  
Health Care Administration  
P.O. Box 64993  
444 Lafayette Road North, St. Paul, MN 551640993  
Phone: (651) 431-3284, Fax: (651) 431-7438  
[sandy.burge@state.mn.us](mailto:sandy.burge@state.mn.us)

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **2:30 p.m., Central Daylight Time, July 21, 2008**. **Late proposals will not be considered.** Fax or e-mailed proposals will **not** be considered.

# State Contracts

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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.

## Minnesota Department of Human Services Health Care Operations Division Request for Proposals to Provide Third Party Liability Services

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to provide third party liability services to Minnesota Medicaid and Minnesota Health Care Programs (MHCP). The vendor chosen for this request shall be responsible for identifying third party revenues; determining Medicaid or other MHCP expenditures to be investigated for third party liability; assuring that third party payers do not shift costs of their programs to Medicaid or MHCP; recovering Medicaid or MHCP expenditures; and transferring third party information to DHS's third party liability database.

Work is proposed to start approximately September 2008. For more information, or to obtain a copy of the Request for Proposal e-mail:

Tom Trant  
Department of Human Services  
Health Care Operations Division  
444 Lafayette Road North, St. Paul, MN 55101  
[Thomas.F.Trant@state.mn.us](mailto:Thomas.F.Trant@state.mn.us)

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **2:30 p.m., Central Time, July 21, 2008. 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.

## Minnesota Pollution Control Agency Request for Proposals for Professional/Technical Contract for the Stakeholder Process to Achieve Greenhouse Gas Reduction, Energy Conservation and Environmental Protection Through Integrated Solid Waste Management

The Minnesota Pollution Control Agency (MPCA) requests proposals for a Contractor to design, lead and facilitate a stakeholder process to develop the elements of a plan to implement the recommendations from the Minnesota Climate Change Advisory Group that will result in the reduction of at least 75 million metric tons of greenhouse gas from solid waste management activities by 2025. The process outcomes will also contribute towards meeting the State's goal of having 25% Renewable Energy by 2025.

The MPCA desires to contract with qualified contractors for services from September 30, 2008, or from the date of contract execution (whichever is later) to the anticipated end date of June 30, 2009.

A complete Request for Proposal (RFP) as described above can be obtained as noted below.

For a copy of the Request for Proposal, contact:

Kris Wenner  
Minnesota Pollution Control Agency

Operational Support Division  
520 Lafayette Road North  
St. Paul, Minnesota 55155-4194  
(651) 296-8421  
[Contracts@pca.state.mn.us](mailto:Contracts@pca.state.mn.us)

Responders are encouraged to supply an email address and to receive the RFP electronically. The subject line of the email request should state "Stakeholder Process Greenhouse Gas Reductions CR #1785".

Questions regarding the RFP may be submitted to **Kris Wenner**. Questions must be submitted in writing by mail, fax (651-297-1456) or **e-mail (preferred)**: [Contracts@pca.state.mn.us](mailto:Contracts@pca.state.mn.us) and received by **2:00 P.M. (Central Daylight Time) on July 2, 2008**.

Your proposal must be received in the office of the Minnesota Pollution Control Agency with the date and time of receipt stamped by MPCA no later than **2:00 P.M. (Central Daylight Time) on July 17, 2008**. **Late proposals will not be considered.**

This request for proposal 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. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Minnesota Department of Transportation Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities ("Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Juanita Voigt at (651) 366-4774 for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop 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 awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to 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 for application. Applications are accepted on a continual basis. All expenses are 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 applications forms are available on Mn/DOT's Consultant Services web site at: <http://www.dot.state.mn.us/consult>.

Send completed application material to:  
Juanita Voigt  
Consultant Services  
Office of Technical Support  
Minnesota Department of Transportation  
395 John Ireland Blvd. Mail Stop 680

St. Paul, Minnesota 55155

Note: DUE DATE: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

## Minnesota 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: <http://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.

### State Grants & Loans

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

## Minnesota Department of Agriculture Agriculture Marketing Services Division Notice of Availability of Grant Funds for Dairy Profitability Enhancement Teams

Grants to Dairy Profitability and Enhancement Teams are available from the Minnesota Department of Agriculture, as authorized by the laws of Minnesota 2007, Chapter 45 Section 3 Subdivision 5, for regional or statewide organizations to administer one-on-one educational delivery teams to provide appropriate new technologies, including rotational grazing and other sustainable agriculture methods, applicable to small and medium sized dairy farms to enhance the financial success and long-term sustainability of dairy farms in the state. Dairy development and profitability enhancement teams are encouraged to engage in activities including, but not limited to, improving milk quality, comprehensive financial analysis, risk management education, enhanced milk marketing tools and technologies, five-year business plans, and design and engineering costs. Activities must be spread throughout the dairy producing regions of the state. Applicants are strongly encouraged to coordinate risk management education and use of milk marketing tools and technologies.

These teams must consist of farm business management instructors, dairy extension specialists, and dairy industry partners to deliver the informational and technological services. These teams must report semiannually to the program director on the aggregate changes in producer financial stability, productivity, product quality, animal health, environmental protection, and other performance measures attributable to the program. Information reported must be sufficient to establish regional and statewide performance benchmarks for the dairy industry a format that maintains the confidentiality of business information related to any single dairy producer. Grants to individual producers must not be used for capital improvements.

Grants will be awarded August 1, 2008 to June 30, 2009. There is approximately \$635,000 in grant funds available.

To receive an application for grant funds contact:

David Weinand  
Minnesota Department of Agriculture

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# Non-State Bids, Contracts & Grants

625 North Robert St.  
St. Paul, MN 55155  
[David.Weinand@state.mn.us](mailto:David.Weinand@state.mn.us)  
Phone: 651-201-6646  
Fax: 651-201-6114

Questions concerning the grant application should be directed to Mr. Weinand. Two copies of the application must be received by Mr. Weinand 4:00 pm C. D. T. on July 18, 2008. Faxed and emailed applications will be accepted. At the department's discretion, applicants may be asked to meet with the department or submit clarification.

Grant funds will be withheld from grantees that fail to submit reports. Applicants must include participants from the areas of extension and farm business management on the diagnostic teams. Preference will be given to those applicants whose proposals are aimed at small and medium sized farms, show low administrative cost versus services delivered to dairy producers and also for innovative ideas for delivering information and technology to dairy producers.

## Non-State Bids, Contracts & Grants

The *State Register* 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 commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the 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.

## County of Anoka

### Notice of Request for Proposals for Professional Services

NOTICE IS HEREBY GIVEN Anoka County is seeking proposals to provide professional services to complete certain specified tasks as part of an overall project to implement OnBase imaging software within the Department of Corrections – Field Services. Proposals shall be submitted in exact accordance with the Request for Proposals (RFP) Package. The Request for Proposals Package may be obtained at the Anoka County web site: <http://www.co.anoka.mn.us/bids>

Proposal due date: August 4, 2008 at 4:00 pm Central Daylight Saving Time.

If one needs an accommodation, such as an interpreter or printed material in an alternate format (i.e. Braille, large print, or audio), contact John Sullivan, Risk & Procurement Manager at 763-323-5370, TDD/TTY 763-323-5289.

## Metropolitan Council

### Notice of Request for Proposals (RFP) for Industrial Strength Charge Formula Study for the MCES

Reference Number 08P078

The Metropolitan Council is soliciting proposals for an Industrial Strength Charge Formula Study for the MCES.

|                             |                 |
|-----------------------------|-----------------|
| Issue Request for Proposals | June 16, 2008   |
| Proposals Due               | July 9, 2008    |
| Start of Services           | August 19, 2008 |

# Non-State Bids, Contracts & Grants

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All firms interested in submitting proposals for this contract and desiring to receive an RFP package are invited to make a request either by e-mail, fax, or mail to:

Miriam Lopez-Rieth  
Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
390 Robert Street  
St. Paul, MN 55101  
Fax: (651) 602-1083  
[miriam.lopez-rieth@metc.state.mn.us](mailto:miriam.lopez-rieth@metc.state.mn.us)

## Metropolitan Council Request for Proposals for Classical Reliability Centered Maintenance (RCM) Program Master Contract Number 08P084

The Metropolitan Council is soliciting proposals for a Master Contract relating to Classical RCM, which is a particular form of RCM, which in turn is a particular form of asset management. This solicitation involves only Classical RCM and not any other form of RCM or asset management. In the first three months of the contract the successful proposer shall train Council staff in Classical RCM, recommend software and complete a pilot project of the Council's choosing.

The Contractor for the remainder of the contract may provide, solely at the Council's discretion, support for other projects involving the application of Classical RCM to projects the Council may undertake in its sewage collection and treatment system.

The Council plans to execute one contract with a value of about \$200,000 and term ending January 31, 2010.

A Master Contract is structured to allow the Council to request specific services, generally valued at less than \$50,000, on an as-needed basis by issuing Work Orders. Each Work Order will include a specific scope of services, schedule, deliverables and cost for the services related to a particular classical RCM project.

The anticipated schedule for this procurement is:

|                    |                  |
|--------------------|------------------|
| Issue RFP          | June 24, 2008    |
| Proposals Due      | July 16, 2008    |
| Award of Contract  | July/August 2008 |
| Project Initiation | August 2008      |

Firms interested in providing these services should request a copy of the RFP from the contact listed below:

Miriam Lopez-Rieth, Administrative Assistant  
Metropolitan Council  
390 Robert Street North  
St. Paul, MN 55101-1805  
PHONE: 651-602-1095 FAX: 651-602-1083  
[Miriam.Lopez-Rieth@metc.state.mn.us](mailto:Miriam.Lopez-Rieth@metc.state.mn.us)

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## Non-State Bids, Contracts & Grants

### University of Minnesota (U of M) Subscribe to Bid Information Service (BIS)

The University of Minnesota offers 24-hour/day, 7-day/week access to all Request for Bids/Proposals through its web-based Bid Information Service (BIS). Subscriptions to BIS are free. Visit our website at <http://bidinfo.umn.edu> or call the BIS Coordinator at (612) 625-5534.

Request for Bids/Proposals are also available to the public each business day from 8:00 a.m. to 4:30 p.m. in the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Minneapolis, Minnesota 55454.

### Minnesota Workers' Compensation Assigned Risk Plan Notice of Request for Proposals for Safety Inspection Services

The Minnesota Workers' Compensation Assigned Risk Plan intends to contract with an inspection firm to conduct on-site safety inspections of Plan policyholders for purposes of a safety rating program. The contract period will commence on or about September 1, 2008. Interested parties may obtain the complete Request for Proposals by sending a written request by email (preferred), fax or regular mail to:

MWCARP Administrative Office  
Safety Inspection RFP  
4500 Park Glen Road Suite 410  
Minneapolis, MN 55416  
[info@mwcarp.org](mailto:info@mwcarp.org)  
FAX: (952)922-5423

Please provide an email address if you wish to receive the proposal via email. Deadline for proposals is Tuesday, August 12, 2008 at 4:00 p.m.

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