



Rules and Official Notices Edition



Published every Monday (Tuesday when Monday is a holiday) by the Department of Administration – Communications Media Division

> Tuesday 3 September 2002 Volume 27, Number 10 Pages 315-342

State Register

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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:

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- proclamations and commendations • commissioners' orders • appointments
- official notices • state grants and loans contracts for professional, technical and consulting services
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Printing Schedule and Submission Deadlines

	rinning schedule and submission Deadlines							
	U U		Deadline for: Emergency Rules, Executive and					
	Vol. 27		Commissioner's Orders, Revenue and Official Notices,	Deadline for both				
Issue PUBLISH			State Grants, Professional-Technical-Consulting	Adopted and Proposed				
Number DATE		DATE	Contracts, Non-State Bids and Public Contracts	RULES				
	#10	TUESDAY 3 SEPTEMBER	Noon Tuesday 27 August	Noon Wednesday 21 August				
	#11	Monday 9 September	Noon Tuesday 3 September	Noon Wednesday 28 August				
	#12	Monday 16 September	Noon Tuesday 10 September	Noon Wednesday 4 September				
	#13	Monday 23 September	Noon Tuesday 17 September	Noon Wednesday 11 September				

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Minnesota Rules: Amendments and Additions =

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

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

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

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

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

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Water and Soil Resources Board

Proposed Rules

Comments on Planned Rules or Rule Amendments

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

Rules to be Adopted After a Hearing

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

Rules to be Adopted Without a Hearing

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

Board of Chiropractic Examiners

Proposed Permanent Rules Relating to Continuing Education

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

Proposed Amendment to Rules Governing Continuing Education Minnesota Rules, 2500.0100, 2500.0710, 2500.1100 to 2500.3000

Introduction. The Board of Chiropractic Examiners intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on October 4, 2002, a public hearing will be held in The University Room, University Park Plaza, 2829 University Avenue, Minneapolis Minnesota 55414, starting at 9:00 a.m. on Wednesday, October 30, 2002. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after October 4, 2002 and before October 30, 2002.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Micki King at the Minnesota Chiropractic Board, 2829

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

University Ave SE, Suite 300, Minneapolis Minnesota 55414; **phone:** (612) 617-2226; **fax:** (612) 617-2224; and **email:** *Micki.king@state.mn.us.* **TTY** users may call the Chiropractic Board at 1-800-627-3529.

Subject of Rules and Statutory Authority. The proposed rules will change the current biennial continuing education (CE) requirement to an annual requirement. It will also require that licensees maintain their own CE verification to present during revolving audits, in place of CE sponsors submitting verification to the Board and the Board maintaining all CE verification. The statutory authority to adopt the rules is *Minnesota Statutes*, 14.23 and 148.08, (2000). A copy of the proposed rules is published in the *State Register*, and on the Board's web page at *www.mn-chiroboard.state.mn.us*. You may contact the board to request a copy be mailed to you directly.

Comments. You have until 4:30 p.m. on Friday October 4, 2002, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Friday, October 4, 2002. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

Modifications. The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules, unless the procedure under *Minnesota Rules*, part 1400.2110, has been followed. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Cancellation of Hearing. The hearing scheduled for October 30, 2002, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (612) 617-2226 after October 4, 2002 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Barb Neilson is assigned to conduct the hearing. Judge Neilson can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **phone:** (612) 341-7604, and **fax:** (612) 349-2665.

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

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

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from the agency or downloaded from the Board's **website** at: *www.mn-chiroboard.state.mn.us*

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, **phone:** (612) 296-5148 or 1-800-657-3889.

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

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

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

Dated: 21 August 2002

Micki King Health Program Representative

2500.0100 DEFINITIONS.

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

Subp. 4a. **Continuing education unit.** "Continuing education unit" means one 50-minute session that qualifies under part 2500.1500 or 2500.1550 as an approved program.

[For text of subps 4b to 12, see M.R.]

2500.0710 CONTINUING EDUCATION HOURS UNITS FOR EXAMINERS.

Minnesota licensed chiropractors will receive up to six hours <u>units</u> of credit for continuing education for participation in the development of an examination, the administration of an examination, or the post-examination audit, when the hours <u>units</u> are verified in writing by the chief examiner or other designee of the board. Hours shall <u>Units must</u> be calculated in accordance with the provisions established in according to part 2500.0100, subpart 4a. No chiropractor may receive more than <u>18 hours 12 units</u> per biennium calendar year.

2500.1100 INDIVIDUAL ANNUAL LICENSE RENEWAL.

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

Subp. 3. **Penalty fees.** A licensee shall submit to the board, in addition to the license renewal fee, a penalty fee of \$150 per month for each month or portion of a month for which the license renewal fee is in arrears, the penalty not to or for which the licensee is unable to provide documentation of continuing education compliance. In no event shall the penalty exceed \$900.

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2500.1110 LICENSE TERMINATION PROCEDURE.

Subpart 1. For failure to renew license. A license which expires if it is not renewed by midnight of December 31 of any renewal calendar year, pursuant to part 2500.1100, subpart 2, by reason of failure to pay fees, failure to submit a completed application, or failure to complete all continuing education requirements shall be considered expired. for any of the following reasons:

A. failure to pay required fees;

B. failure to submit a completed application; or

C. failure to complete all continuing education requirements.

An expired license shall is not be considered a disciplined license solely as a result of the expiration. An expired license which remains unrenewed shall be terminated according to this part.

An expired license which continues to remain expired by reason of failure to pay fees, failure to submit a completed application, or failure to complete required continuing education shall comply with item A, B, or C must be terminated according to this part. A terminated license shall is not be considered a disciplined license solely as a result of the termination.

Subp. 2. Notice. By January 31 of each year, Within 30 days of a licensee's failure to comply with any provisions of subpart 1, the board shall send to a notice to the licensee at the address on file with the board, a notice to each licensee who has not made application for license renewal. The notice shall must state one or more of the following:

A. the licensee has failed to make application for renewal;

B. the amount of renewal and late fees;

C. the information required about continuing education hours as specified in part 2500.1200 which must be submitted in order for the license to be renewed the licensee has failed to comply with the continuing education requirements in part 2500.1110, subpart 1, or 2500.1200;

D. the licensee may voluntarily retire the license by notifying the board or that the licensee may apply for an inactive license; and

E. failure to respond to the notice by the date specified, which date must be at least 33 days after the notice is sent out by the board, either by submitting the renewal application and applicable fees, or the information required about verifying continuing education hours units, or by notifying the board that the licensee has voluntarily retired the licensee's license shall result in termination of the license to practice chiropractic in Minnesota.

Subp. 3. **Date of termination.** If the application for renewal, including required information about <u>verifying</u> continuing education, and the annual fees, late fees, or notice of voluntary retirement is not received by the board by the date specified in the notice, the license shall <u>must</u> be terminated. The termination shall is not be considered a disciplinary action against the licensee.

Subp. 4. **Deferment of continuing education deadline.** If a deferment of continuing education has been granted according to part 2500.2000, the license will expire expires at the end of the extension granted if unless the licensee does not submit within that time period submits evidence of having accumulated the required hours units of continuing education. Any continuing education hours units accumulated during the extension period shall do not count toward the meeting of requirements of the next year's renewal requirements.

Subp. 5. [See repealer.]

2500.1200 CONTINUING EDUCATION.

Subpart 1. **Purpose.** The primary purpose of <u>chiropractic</u> continuing chiropractic education is to assure the consumer of an optimum quality of chiropractic health care by requiring doctors of chiropractic to participate in continuing education programs designed to advance their <u>the chiropractor's</u> professional skills and knowledge.

Subp. 2. Biennial Annual requirement. Except as otherwise provided in this part, every person licensed to practice chiropractic in this state shall attend obtain a minimum of 40 20 continuing education units during the two calendar years year preceding the renewal. The continuing education courses must be recognized and approved by the board or a board approved sponsor. At least six three of the continuing education units shall must be devoted to radiographic or advanced imaging safety, technique, or interpretation. All chiropractors applying for license renewal must have completed, during the biennium, two hours of course work regarding the establishment and maintenance of, and at least one unit must be devoted to professional boundaries in the clinical setting. The continuing education courses must be recognized and approved by the board or a board-approved sponsor.

Subp. 4. Schedule of required continuing education units. Chiropractors must obtain 40 20 continuing education units by December 31 of each odd numbered calendar year.

A chiropractor who is initially licensed during any even numbered calendar year is required to obtain at least 20 continuing edueation units, with at least three of those continuing education units devoted to education in radiographic or advanced imaging safety, technique, or interpretation, by the end of the biennial continuing education requirement period is not required to obtain any continuing education units during the calendar year in which the chiropractor is initially licensed. A chiropractor who is initially licensed during any odd-numbered calendar year is not required to obtain any continuing education units during the biennial continuing education requirement period in which the chiropractor is initially licensed.

After a licensed chiropractor has completed the biennial continuing education cycle during which the chiropractor is initially licensed, that chiropractor is required to complete continuing education courses every two calendar years as described in subpart 2.

Subp. 6. Full-time faculty. Full-time faculty of a chiropractic college accredited by the Council on Chiropractic Education may have up to 12 six units of continuing education credit applied to each biennial annual requirement. Full-time faculty shall be defined as such by the chiropractic college by which they are employed. The faculty must have been employed as full-time faculty by the college for at least eight months during the calendar year for which credit is requested. Licensees applying for this credit shall have the college submit written verification of faculty status before any such credit may be applied. This credit may not be applied to the requirements for radiographic professional boundaries or radiographic/advanced imaging safety, technique, or interpretation; infection control; or professional boundaries.

2500.1410 SPONSORSHIP OF EDUCATION PROGRAMS.

The board shall register and approve organizations or individuals who wish to offer continuing education programs to individuals licensed to practice chiropractic in this state as described in items A to C.

A. The sponsor must submit an annual fee of \$500 for all programs given over <u>during</u> the year, or a fee of \$100 for each program given over <u>during</u> the biennium year.

B. The sponsor must complete and submit to the board annually a registration form developed by the board which includes at least:

(1) the name, address, and telephone number of the organization;

(2) the name, address, and telephone number of the person responsible and authorized to do business with the board regarding continuing education matters;

(3) a signed statement which indicates that the sponsor of the continuing education program knows, understands, and agrees to follow all criteria for the approval of programs as listed in part parts 2500.1500 and 2500.1550, and criteria for unapproved programs listed in part 2500.1600; and

(4) a signed statement which indicates that the sponsor agrees to send to the board a list of all chiropractors licensed in Minnesota who have taken courses offered by that sponsor provide original receipts of participation to each Minnesota licensed chiropractor whose participation obligations are met indicating:

(a) the attending chiropractor's name and address;

(b) the attending chiropractor's Minnesota chiropractic license number;

(c) the name of the program and the program identification number;

(d) the date on which the program was attended;

(e) the number of continuing education units obtained;

(f) the type of continuing education units obtained; and

(g) whether the units were obtained through traditional classroom participation, or whether the units were acquired through alternative formats in accordance with part 2500.1550.

C. The sponsor must sign a statement agreeing to allow any representative of the board to attend all or part of any program that the sponsor is offering. If the representative of the board is a chiropractor licensed in Minnesota, that person must pay the full registration fee in order to be awarded continuing education units for attending the program.

The board must consider, When granting approval to individual sponsors or instructors providing continuing education programs for credit, the board must consider whether the providers or instructors are qualified by training, experience, or licensure to provide

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such education. The board must also deny approval to individual sponsors or instructors who are the subject of current discipline by their licensing boards, or whose licensing boards have issued any notice of contested case hearing in which the allegations, if proven, would directly reflect on the provider's qualifications to provide such programs.

Within 15 business days, the sponsor must report to the board any changes in an instructor's eligibility to provide continuing education programs in accordance with the requirements in item C.

2500.1420 REPORTS TO BOARD.

The sponsor must report to the board any changes in the requirements in part 2500.1410 as soon as possible.

The sponsor must provide a list to the board within 21 days after each seminar given. The list must include the following:

A. the attending chiropractors' names and addresses;

B. the date on which the program was attended;

C. the number of continuing education units obtained; and

D. the type of continuing education units obtained.

In no event shall any report be submitted to the board later than January 15 for any seminar presented in the previous year.

<u>Subpart 1.</u> Maintenance of records by chiropractor. <u>The chiropractor shall affirm compliance with continuing education</u> requirements and to provide copies of such records when requested by the board. For this purpose the chiropractor shall:

A. maintain all continuing education records described in part 2500.1410, item B, subitem (4), or 2500.1720;

B. maintain the records until requested and verified for compliance by the board, but not for a period exceeding five calendar years; and

C. provide legible copies of records to the board within 21 calendar days of the board's request.

Subp. 2. Board notification. The board shall notify the chiropractor:

A. of the receipt of the submitted records; and

B. whether the records indicate compliance or noncompliance with requirements.

If the records indicate compliance, the board shall notify the licensee that the licensee is no longer obligated to maintain such records up to and including the period of the audit.

If the records indicate noncompliance, the board shall notify the licensee of the licensee's obligation to comply with part 2500.1800.

2500.1550 ALTERNATIVES TO TRADITIONAL CLASSROOM PRESENTATION.

A chiropractor may obtain up to <u>12 six</u> units of the <u>40 unit biennial 20-unit annual</u> requirement through alternatives to traditional classroom presentations. The programs must be approved by the board or a board-approved sponsor according to parts 2500.1200 to 2500.2000. The programs approved for continuing education credit under this part must include a written assessment instrument, designed to ensure that the chiropractor actively participated in the presentation of material and derived a measurable benefit from participation. For the purposes of this part, an instrument that provides a minimum of two questions from each hour <u>unit</u> of instruction, and of which 75 percent or more are correctly answered, satisfies this requirement.

2500.1710 SPONSORSHIP REVOKED.

The following acts shall result in the termination of the sponsorship status given to an organization or to an individual:

A. awarding continuing education units for programs which fail to meet the criteria in part 2500.1500;

B. failure to provide timely reports to the board as required in part 2500.1420;

C. reporting chiropractor attendance information which is false; and

D. B. making any false representation to the board or to the chiropractors who may attend a program; and

C. failure to comply with any of the provisions in parts 2500.1200 to 2500.2000.

At least 30 days prior to the proposed date of revocation, the board shall notify the sponsor in writing of its alleged infractions. The sponsor then has 30 days to notify the board in writing of its intent to contest. The intent to contest must include the sponsor's answer to the notice of alleged infractions.

Upon receipt of an intent to contest, the executive officers of the board shall notify the sponsor of a time and place to meet to review the proposed sponsorship revocation including the sponsor's answer.

Any decision of the executive officers terminating sponsorship following such a meeting shall be final and binding without a contested case hearing and shall not be subject to judicial review or to a judicial stay pending any attempt to seek such review.

The sponsor may continue to present continuing education courses until the issuance of a final written decision of the revocation process by the executive officers of the board.

2500.1720 PROGRAMS DEVELOPED.

Doctors of chiropractic licensed in Minnesota may obtain report continuing education units for the development of a program which meets the standards set forth in part 2500.1500. No more than 12 six continuing education units may be awarded and applied to the next biennial requirement in part 2500.1200. reported for each year. For the purposes of a compliance review the chiropractor must submit a letter describing:

To obtain approval, the chiropractor must submit the following to the board:

- A. a summary of the program;
- B. a listing of at least one date on which the program was presented; and
- C. a statement of specifying which type of continuing education units the chiropractor wants to be awarded.

Continuing education units shall be awarded reported under this part only once for each chiropractor for each new program developed.

2500.1800 FAILURE TO COMPLY WITH CONTINUING EDUCATION REQUIREMENTS.

The board may refuse to renew, or may revoke, suspend, condition, limit, restrict, or qualify the license of any licensee failing to comply with the requirements of parts 2500.1200 to 2500.2000 and/or may publicly reprimand, censure, and place such person on probation with the board.

In accordance with part 2500.1110, the board shall provide written notice to any licensee who fails to comply with continuing education requirements. The licensee has 90 days from the date of the notice to:

A. acquire the continuing education which would have been necessary for renewal;

B. pay penalty fees established in part 2500.1100; and

C. verify attendance at an additional ten units of continuing education for each year the licensee is unable to verify compliance.

Only courses taken after the date of the notice may be used to satisfy this requirement. Courses taken to satisfy the requirements in part 2500.1800 may not be applied to current or future continuing education requirements. Failure to comply with this part shall cause the board to initiate termination proceedings under part 2500.1110.

2500.1900 LICENSE REINSTATEMENT.

The <u>A</u> license of any licensee which is terminated by reason of <u>the licensee's</u> failure to comply with the continuing education requirements of parts 2500.1200 to 2500.2000, or failure to submit a completed application for license renewal as prescribed by the board, may, at the election of the licensee or former licensee, be reinstated or restored to full status by either of the following procedures:

A. submission to the board of proof of the makeup of all continuing education course hour and subject matter requirements which would have been necessary for continuous licensure from the date of such the person's last license renewal or initial licensure, whichever is more recent, and proof of attendance at an additional ten hours <u>units</u> of board recognized and approved continuing education courses for each intervening renewal year; or

B. reexamination approved by the board at the time for which it next schedules license examinations. No such reexamination shall be conducted except upon a written application received by the board not less than 14 days prior to the examination date.

The <u>A</u> license of any licensee which is terminated by reason of <u>the licensee's</u> failure to submit fees <u>or comply with continuing</u> <u>education reporting requirements</u> may be reinstated subject to the procedures in this part, provided that the appropriate renewal fees and all accrued penalty fees are also paid.

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2500.2020 INACTIVE LICENSE.

A Minnesota licensed chiropractor may apply to the board for an inactive license according to items A to C. An inactive license is intended for those chiropractors who will be in active practice elsewhere.

A. Applicants must complete a board-approved application which must include a signed affidavit stating that the applicant will no longer be actively practicing chiropractic in the state of Minnesota.

B. Upon approval of an application, the board will modify the annual license certificate to indicate inactive licensure.

C. The board may refuse to approve an application if:

(1) a pending or final disciplinary action exists against an applicant's Minnesota license;

(2) a pending or final disciplinary action exists against an applicant's license in another state where the applicant has been licensed to practice chiropractic; or

(3) the applicant's Minnesota license is not current in fees and penalties paid, or in continuing education hours units obtained for annual license renewal.

2500.2040 REINSTATEMENT OF INACTIVE LICENSE.

An inactive license may be reinstated to a nonrestricted license according to items A to E:

A. completion of a board-approved application of reinstatement;

B. payment of a reinstatement fee in the amount of \$100;

C. submission of a certification of good standing from each state the doctor was granted a license;

D. submission of a notarized statement from the doctor stating:

(1) that the doctor has remained in active practice in another state or country during the period of inactive license status in Minnesota;

(2) that the doctor has met the continuing education requirements as approved by Minnesota or the states or countries in which the doctor practiced chiropractic, or has taken at least 12 hours units of continuing education each year of inactive license status, whichever is greater; and

(3) the specific addresses of where the doctor has been in active practice; and

E. completion of 20 hours units of continuing education as approved by the board the year prior to application for reinstatement.

If any of the requirements of items A to E are not met by the doctor, the board will deny approval of the application for reinstatement.

2500.2100 VOLUNTARILY RETIRED LICENSE.

Upon request of a Minnesota licensed chiropractor, the board may place a license in voluntary retirement unless:

A. a pending or final disciplinary action exists against an applicant's Minnesota license;

B. a pending or final disciplinary action exists against an applicant's license in another state where the applicant has been licensed to practice chiropractic; or

C. the applicant's Minnesota license is not current in fees and penalties paid or in continuing education hours units obtained for annual license renewal.

2500.2110 REINSTATEMENT OF VOLUNTARILY RETIRED LICENSE.

A licensee who has voluntarily retired a license for a period equal to or less than five years may be reinstated to a nonrestricted license after:

- A. completion of a board-approved application of reinstatement;
- B. payment of a reinstatement fee in the amount of \$100;
- C. payment of license fees for each year the license was voluntarily retired; and
- D. completion of 30 units of board-approved continuing education for each year the license was voluntarily retired.

None of the continuing education units obtained for the purpose of reinstating a voluntarily retired license apply to the current biennial <u>annual</u> requirement.

A license which has been voluntarily retired for more than five years by a chiropractor who has also not been in active practice in another state or country during the period of voluntary retirement in Minnesota may only be reinstated following successful completion of the written and practical licensing examinations as approved by the board.

2500.3000 ACUPUNCTURE.

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

Subp. 2. **Qualifications and fees.** Prior to any licensed chiropractor engaging in acupuncture, the chiropractor must complete 100 hours <u>units</u> of study, exclusive of other continuing education hours <u>units</u>, in the utilization of acupuncture. Courses or seminars offered by accredited schools, the National Acupuncturists' Association, or separately approved by the board according to parts 2500.1300 to 2500.1600 shall be accepted by the board. The chiropractor must submit certification of completion of the approved course of study in addition to a \$100 registration fee.

Doctors of chiropractic who do not have proof of 100 hours units of education in the practice of acupuncture may substitute the requirements in the preceding paragraph by providing the board with an affidavit stating the following:

A. the doctor of chiropractic has obtained 100 hours units of acupuncture-related education prior to December 31, 1989;

B. the doctor of chiropractic has performed 500 acupuncture-related patient visits per year for at least three years preceding application for registration; and

C. the doctor of chiropractic will obtain ten hours <u>units</u> of continuing education in acupuncture technique within six months following registration with the board and submit it to the board upon receipt.

Upon applying to the board for registration, the doctor of chiropractic must submit the affidavit in addition to a \$100 registration fee. An annual renewal fee of \$50 is required in order to maintain registered status with the board.

[For text of subps 3 to 6, see M.R.]

REPEALER. Minnesota Rules, part 2500.1110, subpart 5, is repealed.

Commissioners' Orders

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

Minnesota Pollution Control Agency

Notice of Intent to Approve the Creation of the Lake Washington Sanitary District in Accordance with *Minnesota Statues* §§ 115.18 to 115.20

The Townships of Jamestown, Kasota, and Washington have petitioned the Minnesota Pollution Control Agency (MPCA) to approve the creation of a sanitary district to be known as the Lake Washington Sanitary District. The purpose of the sanitary district is to promote the public health and welfare by providing the residents within its boundaries an adequate and efficient system and means of collecting, conveying, pumping, treating and disposing of domestic sewage.

The territory of the proposed district is located within Blue Earth and LeSueur Counties. The territory of the proposed sanitary district is legally described as:

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Commissioner's Orders

Within Washington Township:

Corner's Point Subdivision, LeSueur County, Minnesota.

All that part of Section 6, Township 109 North, Range 25 West, LeSueur County, Minnesota, lying southerly of North Shore Drive.

All that part of Section 7, Township 109 North, Range 25 West, LeSueur County, Minnesota, lying southerly of North Shore Drive.

All that part of Section 8, Township 109 North, Range 25 West, LeSueur County, Minnesota, lying southerly of North Shore Drive.

All that part of Section 9, Township 109 North, Range 25 West, LeSueur County, Minnesota, lying southerly of North Shore Drive and northerly of Patterson Road; also that part of the westerly 600 feet of the Southwest Quarter of said Section 9 lying southerly of Patterson Road.

Washington Park Subdivision, Washington Park Subdivision No. 2, Lundin's Lake Washington Subdivision, Loeffler's Subdivision No. 2, Loeffler's Subdivision No. 1, Linder Bay, and Block One, Hiniker's Rolling Acres; Section 17, Township 109 North, Range 25 West, LeSueur County, Minnesota. Also that part of said Section 17, lying westerly of the following described line; beginning at the southeast corner of said Hiniker's Rolling Acres; thence south to the south line of said Section 17 and there terminating.

Within Jamestown Township:

Gurni Subdivision No. 2, Gurni Subdivision No. 3, Section 20, Township 109 North, Range 25 West, Blue Earth County, Minnesota, and that part of said Section 20 lying northerly of County Road No. 2. Also that part of said Section 20 described as follows: beginning at the southwest corner of Lot 7, Block 2, Gurni Subdivision No. 3; thence south 400 feet; thence west 200 feet; thence northwesterly to the intersection of the south line of said Gurni Subdivision No. 3 and the shoreline of George Lake; thence east on said south line to the point of beginning.

Gurni Subdivision No. 2, Williwan Knolls Subdivision, and all that part of Section 19, Township 109 North, Range 25 West, Blue Earth County, Minnesota, lying northerly of Jessica Drive and northerly of County Road No. 2.

Within Kasota Township:

All that part of Section 18, Township 109 North, Range 25 West, LeSueur County, Minnesota, lying easterly and northerly of Crystal Cove Road. Also that part of said Section 18 lying northerly of the following described line: beginning at the southwest corner of West Addition to Kennywood Beach Subdivision; thence west to the west line of said Section 18 and there terminating.

All that part of Section 13, Township 109 North, Range 26 West, LeSueur County, Minnesota, lying northerly of Limberdink Road and easterly of County Road No. 19.

All that part of Government Lots 3 and 4, Section 12, Township 109 North, Range 26 West, LeSueur County, Minnesota, lying easterly of Baker's Bay Road, and lying southerly and easterly of the northerly and westerly lines of Wakefield's Sunrise Acres and Wakefield's Sunrise Acres No. 2. Also lying southerly of the following described line: beginning at the northwest corner of Wakefields's Sunrise Acres No. 2; thence west to County Road No. 19 and there terminating. Also that part of Government Lots 1 and 2, and that part of the east 600 feet of the Northwest Quarter of said Section 12, lying north-easterly of County Road No. 19.

All that part of Section 1, Township 109 North, Range 26 West, LeSueur County, Minnesota, lying southerly of North Shore Drive.

A map displaying the boundaries of the proposed district is available at the MPCA.

The public has 30 days to submit written comments on the petition. If a person objects to the petition, that person may submit a written request for a hearing that meets the requirements of *Minnesota Rules* parts 7000.1800 and 7000.1900. The written comments or a written request for a hearing must be submitted to the MPCA by 4:30 p.m. on October 2, 2002. If twenty-five (25) or more timely requests for hearing are received, the MPCA will schedule a hearing prior to making a determination on the petition.

Following the end of the comment period and, if held, the public hearing, the MPCA Commissioner will decide whether to approve the petition for creation of the district unless, as provided by *Minnesota Statutes* § 116.02, the MPCA Citizens' Board makes this decision. You have the right to submit a petition to the MPCA Commissioner requesting that the MPCA Citizens' Board

Commissioner's Orders

make the decision on approval of the petition for creation of the Lake Washington Sanitary District. Your petition must be in writing and must be received by MPCA staff during the public comment period. The MPCA Citizens' Board will only make the decision on approval of the petition for creation of the sanitary district if the MPCA Commissioner grants your petition or if an MPCA Citizens' Board member makes a timely request to have the decision made by the MPCA Citizens' Board.

A copy of the petition, resolution, map of the area within the proposed sanitary district with the legal description, and other documents relevant to the petition can be requested from the MPCA. Comments, questions, and requests for a hearing regarding the creation of the sanitary district and requests for information must be submitted in writing to:

Debra Moynihan Regional Environmental Management Division Southeast Region Minnesota Pollution Control Agency 18 Wood Lake Drive Southeast Rochester, Minnesota 55904 Phone: (507) 280-3589 Toll-free: 800-657-3864 TTY: (651) 282-5332 Fax: (507) 280-5513

This notice, the petition, and other documents relevant to the petition can be made available in other formats, including Braille, large print, audio-tape, and other languages upon request.

Dated: 3 September 2002

Karen A. Studders Commissioner

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 Administration

Office of Technology

Notice of the Technology Enterprise Board Meeting

NOTICE IS HEREBY GIVEN that the Minnesota Department of Administration and the Office of Technology are holding a Technology Enterprise Board meeting.

The meeting date/time and location are:

September 12, 2002 1:00 p.m. to 4:00 p.m. Minnesota Office of Technology First National Bank Building 332 Minnesota Street, Suite E1100 St. Paul, MN

Official Notices =

Minnesota Comprehensive Health Association

Notice of Meeting of the Care Management Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Care Management Committee will be held at 9:00 a.m., on Friday, September 6, 2002. The meeting will take place at the MCHA Executive Office, 5775 Wayzata Blvd., Suite 910, St. Louis Park.

For additional information, please call Lynn Gruber at (952) 593-9609.

Department of Labor and Industry

Labor Standards

Notice of Correction to Commercial Prevailing Wage Rates for Carpenters in Sherburne County

A correction has been made to the Commercial Prevailing Wage Rates certified 12/17/01, for Sherburne County, Labor Code 404, Carpenters.

A copy of the certification with the correction, may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, by **phone:** (651) 284-5091, or accessing our **website** at: *www.doli.state.mn.us*. Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

Shirley I. Chase Commissioner

Metropolitan Airports Commission

Notice of Public Hearing and Public Comment Period on Amendments to the Minneapolis-St. Paul International Airport Zoning Ordinance

The Joint Airport Zoning Board for the Minneapolis-St. Paul International Airport (Airport) is considering amendments to the *Minneapolis-St. Paul International Airport (Wold-Chamberlain Field) Zoning Ordinance* originally adopted by the Board in 1984. The 1984 Ordinance limits the height of structures and vegetation and prohibits certain land uses in an area extending approximately 2 miles from the outer boundaries of the Airport. Amendments to the 1984 Ordinance must be considered due to the construction of new runway 17-35, the planned 1,000-foot extension to the northeast of existing Runway 4-22 and other changes at the Airport since 1984. Maps which are part of the proposed amendments show the precise boundaries for application of the 1984 Ordinance and the proposed amendments.

The proposed amendments would (1) limit the height of structures and vegetation in the north (Minneapolis) approach and the (south) Bloomington approach to new Runway 17-35, (2) extent to the northeast the height limitations on the northeast (St. Paul and Minneapolis) approach to existing Runway 4-22, and (3) change the land use restrictions applicable to property in the approaches to all runways at the Airport by reducing the length of Safety Zone A, increasing the length of Safety Zone B, increasing the number of uses and density of development permitted in Safety Zone B, and prohibiting in Safety Zone B the future construction of amphitheaters, hospitals, nursing homes, residential uses, schools, stadiums and ponds or other features which might attract waterfowl or other birds. The proposed amendments do *NOT* affect additions to existing residences, residential redevelopment or future residential development in established residential neighborhoods around or near the Airport.

THE PUBLIC COMMENT PERIOD ON THE AMENDMENTS WILL COMMENCE AT 8:00 A.M., ON WEDNESDAY, SEPTEMBER 4, 2002, AND CLOSE AT 5:00 P.M., ON FRIDAY, OCTOBER 4, 2002. During this period, written comments will be accepted and must be addressed to:

Ms. Jenn Unruh Secretary to the Joint Airport Zoning Board Metropolitan Airports Commission 6040 28th Avenue South Minneapolis, MN 55450

THE OPEN HOUSE AND PUBLIC HEARING ON THE AMENDMENTS WILL BE HELD FROM 5:00 P.M. TO 9:00 P.M., ON THURSDAY, SEPTEMBER 26, 2002, AT THE THUNDERBIRD INN, 7800 24TH AVENUE SOUTH, BLOOMINGTON, MINNESOTA (INTERSECTION OF I-494 AND 24TH AVENUE SOUTH). The open house will be held in the Menominee West Room from 5:00 p.m. to 6:30 p.m. A public presentation on the proposed amendments will be given in the Miami Room from 6:30 p.m. to 7:00 p.m. The public hearing will commence in the Miami Room at 7:00 p.m., and continue until 9:00 p.m., or until all persons wishing to address the Board have been heard.

Copies of the proposed amendments and the 1984 Ordinace will be available for review beginning September 4, 2002, at the following locations: the Metropolitan Airports Commission's Main Office, 6040 28th Avenue South, Minneapolis, Minnesota; and the city halls of the cities of Bloomington, Eagan, Mendota, Mendota Heights, Minneapolis, Richfield, and St. Paul.

For further information about the public comment period, the open house or the public hearing, please call Jean Unruh **phone** at: (612) 726-8189.

Metropolitan Council

Public Hearing on the Elm Creek Interceptor Facility Plan Update

City of Rogers Community Center, 21201 Memorial Drive, Rogers, MN 55374, Wednesday, October 9, 7:00 p.m., to 9:00 p.m.

The Metropolitan Council will hold a public hearing on the Elm Creek Interceptor Facility Plan Update. The Draft Facility Plan Update makes recommendations for providing wastewater collection and treatment services for a portion of northwestern Hennepin County.

- Serving Rogers and most of Hassan Township with an expanded Rogers Wastewater Treatment Plant to be owned by the Metropolitan Council.
- Serving Corcoran, Dayton, Medina, Brooklyn Park, Maple Grove, northwest Plymouth, and a portion of Hassan Township with the Elm Creek Interceptor, which conveys wastewater through additional interceptors to the Metropolitan Wastewater Treatment Plant in St. Paul.

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

- Metropolitan Council's Data Center, 230 E. Fifth St., St. Paul
- Rogers City Hall, 12913 Main St., Rogers
- Hassan Town Hall, 25000 Hassan Parkway, Hassan Township
- Corcoran City Hall, 8200 County Road 116, Corcoran
- Dayton City Hall, 12260 S. Diamond Lake Road, Dayton
- Medina City Hall, 2052 County Road 24, Medina
- Brooklyn Park City Hall, 5200 85th Ave. N., Brooklyn Park
- Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove
- Plymouth City Hall, 3400 Plymouth Blvd., Plymouth

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

Official Notices =

Comments, which must be received by the Council prior to October 21, 2002, may also be submitted as follows:

Send written comments to:

Tim O'Donnell Metropolitan Council Environmental Services 230 E. Fifth St, St. Paul, MN 55101 **Record Comments on:** (651) 602-1500 **Fax:** (651) 602-1003 **Email:** *data.center@metc.state.mn.us* **TTY:** (651) 291-0904

Upon request, the Council will provide reasonable accommodations to persons with disabilities. Please submit such request to Tim O'Donnell via mail or fax (see above) or by **phone** at: (651) 602-1269 before October 2, 2002.

Minnesota Department of Public Safety

Diver and Vehicle Services Division

REQUEST FOR COMMENT on Possible Rules Relating to Driver's License and Identification Card Image; Permanent Repeal of Part 7410.1800 Driver's License Photograph

Subject of Rules. The Minnesota Department of Public Safety, Driver and Vehicle Services Division (DVS), requests comment on possible rules relating to the capture of a full-face image on a state driver's license or state identification card and the permanent repeal of rule part 7410.1800 Driver's License Photograph.

Persons Affected. The possible rules affect or may be of interest to persons who apply for a state-issued driver's license, permit, or identification card, law enforcement, any person with an interest in public safety, and the general public.

Statutory Authority. *Minnesota Statutes*, sections 14.06; 171.015, 171.02; 171.04, 171.041, 171.05, 171.055, 171.06, 171.061, 171.07, 171.071, 171.10, 171.14; and 299A.01.

Public Comment. Interested persons or groups may submit comment or information on the subject of the planned rules in writing or orally until further notice is published in the *State Register* that DVS intends to adopt or withdraw proposed rules. DVS is not forming an advisory committee to review a draft of the rules, however agents of the commissioner will meet with representatives of potentially affected groups or individuals to discuss issues relating to the possible rules.

Rule Drafts. A draft of the possible rules will not be available before publication of the proposed rules.

Agency Contact Person. Written or oral comment, questions, and requests for more information on the possible rules should be addressed to: Jane Kaufenberg, Minnesota Department of Public Safety, Driver and Vehicle Services Division, Suite 175, 445 Minnesota Street 55101-5175. Phone: (651) 297-2983, fax: (651) 296-5697, and email: Jane.Kaufenberg@state.mn.us

Alternative Format. This Request for Comment can be made available in an alternative format such as large print, Braille, or cassette tape. To make such a request, contact the agency contact person listed above.

NOTE: Comment received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt the rule is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 22 August 2002

Charles R. Weaver, Commissioner Minnesota Department of Public Safety

State Grants & Loans

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

Department of Health

Notice of Grant Availability for MN ENABL (Education Now And Babies Later) Abstinence Program Funding

The Division of Family Health announces the availability of up to \$1,300,000 per year in federal and state funds, to nonprofit organizations, community health boards, school districts, and Tribal Governments. The maximum annual amount per grantee is \$55,000 and a match of 25% is required. The goal of the program is to reduce adolescent pregnancy by decreasing the number of adolescents who engage in sexual activity and by promoting abstinence until marriage. The target populations include boys and girls age 12-14 and their parents/primary caregivers and community. Three specific strategies must be implemented by grantees including curriculum implementation, community organizing, and a public awareness campaign.

Application instructions and materials are available September 16, 2002. It is anticipated that an award decision will be made in December 2002, with a contract start date of January 1, 2003 for a three year period, renewable for an additional two years contingent upon program performance. To receive application materials please contact the MN ENABL Program, MCH Section, Golden Rule Bldg. Suite 400, Department of Health, PO Box 64882, St. Paul MN 55164-0882 or call (651) 281-9946.

Minnesota Department of Health

Tobacco Endowments – Tobacco Prevention and Control

Request for Proposals for Grants for Statewide Support Grants

The Minnesota Department of Health (MDH) is seeking qualified applicants interested in developing and implementing Statewide Support Projects. The purpose of these projects is to provide technical assistance in one or more of the six project categories to assist community intervention projects in reaching their goals. Statewide support projects are critical to the success of community efforts. They provide resources, materials, and strategic consultation that directly support community efforts. The goal of statewide support projects is to complement local partnership and populations-at-risk projects by offering additional expertise and assistance in implementing strategies. These projects will be funded for a two-year period.

School Based Technical Assistance

MDH plans to obtain the services of one or more organizations that can provide technical assistance linking health and learning to schools and community-based projects in their efforts to implement comprehensive school-based tobacco prevention programs. The funded applicant will support a coordinated approach to schools and local partnerships as they build relationships, assess the tobacco prevention activities in the schools, and implement tobacco prevention policies and curriculum. Up to \$300,000 is available per year for distribution.

• Policy Resource and Support for Eliminating Secondhand Smoke

MDH plans to obtain the services of one or more organizations that can provide technical assistance in the various aspects of secondhand smoke policy development, implementation, and enforcement. Local partnership grantees are required to work on eliminating exposure to secondhand smoke in their communities; however, they are not required to choose policy options as a tactic. The populations-at-risk grantees are encouraged, but not required, to work on eliminating exposure to secondhand smoke as a part of their project. Resources from this category of statewide support grants will be used to assist those who do strive to enact, strengthen or enforce community and/or institutional policies, as well as encourage and move others toward a policy approach. Grantees awarded through this category will be expected to have a strong working relationship with the grantee(s) from the media advocacy category. The same organization may apply for funds under both categories. Up to \$750,000 is available per year for distribution.

Media Advocacy Support

MDH plans to obtain the services of one or more organizations that can provide Media Advocacy technical assistance to Minnesota Youth Tobacco Prevention Initiative (MYTPI) grantees. The funded applicant would be responsible for assist-

State Grants & Loans

ing grantees in the development of media advocacy strategies that advance the general and specific policy goals of their MYTPI grant contract. Grantees awarded through this category will be expected to have a working relationship with the grantee(s) from the Policy Resource and Support category. The same organization may apply for funds under both categories. Up to \$150,000 is available per year for distribution.

Partnership Development

The Minnesota Department of Health (MDH) plans to obtain the services of one or more organizations capable of providing technical assistance in Partnership Development with populations-at-risk (PAR) communities and local partnerships. The funded applicants must be able to help develop linkages between these PAR communities and local health partnerships. The funded applicant will support the development of relationships between PAR communities and local partnerships that will promote joint efforts in assessing community needs, program planning, implementation, and evaluation of tobacco prevention programs. Examples of populations-at-risk communities include: communities of color; immigrants; people of low socio-economic status; blue collar workers; high school dropouts; and gay, lesbian, bisexual, and transgender populations. Up to \$200,000 is available per year for distribution.

• Youth Development Technical Assistance

MDH plans to obtain the services of one or more organizations that can provide technical assistance and support in the area of youth development to the local, statewide and population-at-risk grantees of the Minnesota Youth Tobacco Prevention Initiative (MYTPI). The focus population for the MYTPI is Minnesota youth, ages 12-17. The primary function of the funded applicant will be to provide training and technical assistance to our other grantees by promoting best practices in youth development, utilizing the latest research, and demonstrated, successful applications. The funded applicant will also support grantees in assessing needs, program planning and implementation, and evaluation of the youth development strategies for tobacco prevention. Up to \$350,000 is available per year for distribution.

Legal Resource Support

MDH plans to obtain the services of one or more organizations with significant legal technical assistance experience, particularly as it relates to local tobacco control policy options. The funded applicant(s) will serve as an objective legal resource to organizations that are in the process of developing, adopting, and/or enforcing local tobacco control policies. The intent of this grant is to enable communities pursuing local tobacco control policies to create strong, consistent, and legally defensible policies. The funded applicant(s) will be expected to provide factual legal information and analysis of legal strategies. The funded applicant(s) will not engage in lobbying, electioneering, or provide testimony at a policy hearing. The funded applicant(s) may conduct regional and/or statewide trainings. The funded applicant(s) may produce tools, handbooks or the like, and reports on existing policies and legal approaches to tobacco control that can be shared with the greater tobacco control community. To be considered, an organization will need to demonstrate its capacity to conduct or manage all aspects of the legal resource support needs for community-based and statewide funded grants of the Minnesota Youth Tobacco Prevention Initiative. This grant will not create an attorney/client relationship between the funded applicant and the organizations/agencies to which it provides assistance. Up to \$250,000 is available per year for distribution.

Grants will be awarded for a period of 2 years beginning on January 1, 2003 and go through December 31, 2004.

Copies of the RFP will be available on September 9, 2002, by mail or for pick-up. A copy will also be available on the department's web site on September 9, 2002 at *www.health.state.mn.us*. Scroll to middle of page and check under the Announcements heading.

To request a complete copy of the Request for Proposals, please contact the Tobacco Prevention and Control Section, Minnesota Department of Health, by **phone:** (651) 215-8958 or **email:** *tpc@health.state.mn.us*. Copies will be available for pick-up on or after September 9, 2002 between 8:00 a.m. and 4:30 p.m., at the Minnesota Department of Health, Suite 400, Golden Rule Building, 85 East Seventh Place, St. Paul, MN 55101. Questions regarding the Request for Proposal should be directed to:

Cindy Borgen Minnesota Department of Health Tobacco Prevention and Control Section **Phone:** (651) 281-9807. **Email:** *cindy.borgen@health.state.mn.us*

There will be a bidders' conference on October 3, 2002 from 1:00-3:00 p.m., in the Big Fork Room, MDH Snelling Office Park, 1645 Energy Park Drive, St. Paul, MN 55108. This meeting is an opportunity for interested applicants to find out more about statewide support grant requirements. Attendance is not required to submit a proposal.

To be considered for funding, completed proposals must be postmarked on or before Friday, November 1, 2002, and mailed to the Minnesota Department of Health, Tobacco Prevention and Control, PO Box 64882, St. Paul, MN 55164-0882. Proposals may

also be hand-delivered or sent by alternate carrier (e.g. FedEx or private courier) to the Minnesota Department of Health, Suite 400, Golden Rule Building, 85 East Seventh Place, St. Paul, MN 55101, but they must be delivered by 3:30 p.m., CST, Friday, November 1, 2002. Applicants must submit applications according to the requirements outlined in the RFP.

Minnesota Department of Health in Partnership with Minnesota Department of Children, Families and Learning

Notice of Grant Opportunity – Health Care and Long-Term Care Career Promotion Grant Program

The Minnesota Department of Health (MDH), in partnership with the Department of Children, Families, and Learning (CFL), is seeking applications from qualifying consortia or partnerships between school districts, health and/or long term care employers, and higher education. The grants program is intended to assist consortia to develop intergenerational programs to encourage middle and high school students to work and volunteer in health care and long-term care settings. To qualify for a grant, a consortium shall demonstrate its ability to: 1) develop and implement a health and/or long-term care careers curriculum that provides for the integration of academic and work based learning opportunities in a variety of clinical areas including long term care options; 2) align the health careers curriculum with the National Health Care Skill Standards, Minnesota Health Care Core Skills and the Minnesota Graduation Standards (available upon request); 3) offer program for high school students that provide training in health and long-term care careers with credit that articulate into post-secondary programs; 4) provide assistance and support to middle and junior high schools interested in developing information and exploration programs about health and long term care careers; 5) establish a Health/Long-term Care Careers Advisory Group to support the continued development of the program; 6) provide technical support to the participating health care and long-term care careers education; 7) include program planning, design, marketing and implementation activities, and demonstrate evaluation and sustainability.

\$148,000 is available in 2003, with maximum grant awards to be no more than \$20,000, and a maximum \$30,000 allocation within the two-year 2002-2003 funding cycle. Applications will be postmarked to the address listed below through October 15, 2002. Grant awards will be announced by November 15, 2002, for the contract period beginning January 1, 2003, though December 31, 2003.

Applications are available at the following **websites:** *http://www.health.state.mn.us/divs/chs/grants.htm* or *http://children.state.mn.us/wrkgrnt.html*

Prospective applicants who have questions, and/or would like a written copy of the application form may contact the Office of Rural Health and Primary Care, Minnesota Department of Health, **phone:** (651) 282-6336 or **toll free:** 1-800-366-5424.

Submit applications no later than October 15 to:

Karen Welle Office of Rural Health & Primary Care Minnesota Department of Health

By mail: P.O.Box 64975 St. Paul, MN 55164-0975 By courier: 121 E. 7th Place, Suite 460 St. Paul, MN 55101

Minnesota Job Skills Partnership

Training Grant Deadlines

The Minnesota Jobs Skills Partnership (MJSP) Board solicits grant proposals from educational and training institutions for training programs designed for specific businesses. Proposals will be accepted for the Job Skills Partnership Program, the Pathways Program, the Health Care and Human Services Training Program, Distance Work Program, and the MJSP Short Form Program. A participating business is limited to one active grant in each grant program at any given time, with the exception of businesses that have multiple locations or businesses engaged in projects that involve a consortium of businesses.

The deadline for submission of proposals is **4:00 p.m., on October 7, 2002.** Ten final copies must be submitted at this time for consideration at the MJSP Board meeting to be held on November 18, 2002. **No proposals will be accepted after October 7, 2002.** For more information, please call Rick Caligiuri **phone** at: (651) 282-9829.

State Contracts

Informal Solicitations: Effective March 1, 2002, informal solicitations for all contracting opportunities for professional/technical (consultant) contracts with values estimated to be over \$5,000 and under \$50,000 must be posted on the Department of Administration, Materials Management Division web page (www.mmd.admin.state.mn.us) and access P/T Contracts.

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

Minnesota State Colleges and Universities (MnSCU)

Normandale Community College

Administrative Services

Notice of Intent to Solicit Qualified Vendors for Normandale Community College New Science Building Nursing Laboratory AV Project

NOTICE IS HEREBY GIVEN that Normandale Community College is seeking qualified vendors for a project to furnish and install audio, video and remote control systems for presentations and meetings in the Nursing Laboratory, which are constructed in Normandale Community College's new Science Addition, Phase 1.

Cost of the project is estimated at \$375,000. This proposal does not obligate Normandale Community College to spend the estimated \$375,000.

Specifications and requirements for the A/V project are detailed in the design documents, which can be accessed at *http://www.normandale.edu/phase1/nursing/av/*.

For a copy of the full Request for Proposals, or more information, contact:

Niels R. Jensen Normandale Community College 9700 France Avenue South - Room L2777 Bloomington, MN 55431 **Phone:** (952) 487-8177

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

Interested parties should submit a letter of interest by 12:00 noon on Tuesday, September 17, 2002 to:

Niels R. Jensen Normandale Community College 9700 France Avenue South - Room L2777 Bloomington, MN 55431 **Phone:** (952) 487-8177

Dated: 22 August 2002

Department of Corrections

Minnesota Correctional Facility - Stillwater

Finance Department

Notice of Intent to Accept Bids for the Sale and Removal of House #1

NOTICE IS HEREBY GIVEN that the State of Minnesota, acting through its Department of Corrections, is accepting bids for the sale, removal and site cleanup of House #1, located on the grounds of the Minnesota Correctional Facility - Stillwater, at 970 Pickett Street North, Bayport, MN, 55003-1490. Contact David Hinrichsen **phone** at: (651) 779-2807 for an Invitation to Bid on Building.

Department of Health

Division of Disease Prevention and Control STD and HIV Section

Notice HIV/AIDS Conference Planning Request for Proposals

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health is requesting proposals for a conference planner to design and implement an educational event for HIV-positive persons and their families or caregivers and service providers whose clients include HIV-positive persons.

A Request for Proposals (RFP) will be available by mail from this office through Friday, September 20, 2002. A written request (by direct mail or fax) is required to receive the Request for Proposal. After September 20, the RFP must be picked up in person.

The Request for Proposal can be obtained from:

Debra Ehret STD and HIV Section Minnesota Department of Health PO Box 9441 (717 Delaware Street SE) Minneapolis, MN 55440 Fax: (612) 676-5739 Email: debra.ehret@health.state.mn.us

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

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **4:00 p.m., on Monday, September 30, 2002. Late proposals will not be considered.** Fax or emailed proposals will **NOT** be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota Historical Society

Request for Proposals for Professional Architectural Services for Powder Magazine Restoration, Fort Ridgely Historic Site, Fairfax, Minnesota September 3, 2002

The Minnesota Historical Society is soliciting proposals for professional services to complete a building assessment, historic research, develop design and construction documents, and to perform bid administration and construction administration/observation services for the restoration of the Fort Ridgely Powder Magazine, a 20-foot square log structure.

The Request for Proposals is available by calling or writing Mary Green-Toussaint, Contracting and Procurement Assistant, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102. Phone: (651) 297-7007, email: mary.green-toussaint@mnhs.org

There will be a **MANDATORY** pre-proposal meeting for all interested parties on **Wednesday**, **September 25th**, **2002 at 11:00 a.m.**, **Local Time**, at the Fort Ridgely Historic Site.

All proposals must be received by Chris M. Bonnell, Contracting Officer for the Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102 or an authorized agent no later than 2:00 p.m., Local Time, Wednesday, October 2, 2002. A proposal opening will be conducted at that time. Late proposals will not be considered.

Minnesota Department of Human Services

Request for Proposal to Conduct a Study of Businesses and Long-Term Care Insurance

The Minnesota Department of Human Services seeks proposals from qualified applicants to design and manage a study of how many businesses offer group long-term care insurance policies to employees and what incentives or barriers exist for Minnesota businesses to offer policies to employees.

The Minnesota Legislature, under *Minnesota Session Laws 2001*, Chapter 9, Article 8, Long-Term Care Insurance, Section 13, and *Minnesota Statutes 2000*, Section 256.975, call for the MBA to promote the provision of employer-sponsored long-term care insurance. This study is an important step in determining what barriers and incentives may exist for employers to offer long-term care insurance policies to employees.

Eligible applicants are non-profit agencies, for-profit entities and units of government who are expert in crafting and managing such studies.

Available funding is \$25,000. The deadline for submission is September 30, 2002.

Send requests for a copy of the complete RFP to Ted Gredvig via **email** at: *Ted.Gredvig@state.mn.us* or via mail at 444 Lafayette Road, St. Paul, Minnesota 55155-3843. The RFP is also available online at *www.dhs.state.mn.us*

Proposals are due no later than 4:00 p.m. on September 30, 2002. Late proposals will not be considered.

Department of Human Services

Request for Proposals for a Contractor to Provide Services to the Minnesota Child Support Payment Center

The Minnesota Department of Human Services, Child Support Enforcement Division, is seeking proposals from qualified contractors to assist in the processing of child support payments at its central facility. The State of Minnesota is interested in securing a contractor to perform the receipting functions at the Child Support Payment Center which include: the opening and sorting of mail; reviewing payment information; entering payment information into the automated child support payment front end receipting system currently in place; balance and reconcile payment information; and provide for record retention of payment information. All work functions must be completed at the Payment Center site in St. Paul, Minnesota.

The deadline for submitting proposals is October 28, 2002. To receive a full copy of the Request for Proposals contact the Minnesota Department of Human Services at the following address:

Minnesota Department of Human Services Attention: Michael Glenn 444 Lafayette Road St. Paul, MN 55155-3871 **Phone:** (651) 296-2538 **Email:** michael.glenn@state.mn.us

State Board of Investment

Notice of Request for Proposal for Accounting/Investment Management System

The State Board of Investment is soliciting proposals from providers of accounting services for the assets of the Basic Retirement Funds, Post Retirement Fund, Supplemental Retirement Funds and other non-retirement trust funds. Responses to this request for proposal will be used to select a vendor to supply the SBI with these services.

All interested vendors should contact the person below by letter or telephone to request a copy of the complete Request For Proposal.

Michael Schmitt Administrative Director Suite 355 60 Empire Drive St. Paul, MN 55103-3555 Phone: (651) 296-3328 Fax: (651) 296-9572 Email: mike.Schmitt@state.mn.us

All proposals must be submitted before **3:00 p.m., Central Time, October 10, 2002** as specified in the Request For Proposal. **NO PROPOSAL RECEIVED AFTER THAT DATE AND TIME WILL BE CONSIDERED.**

Minnesota Department of Transortation

Request for Proposals (RFP) for Construction Engineering Services for the Wakota River Bridges

The State of Minnesota through its Department of Transportation (Mn/DOT) requests proposals to provide construction engineering services for the I-494 Wakota River Bridges, I-494 Eastbound and I-494 Westbound, spanning the Mississippi River between South St. Paul and Newport. The bridges are similar post tension concrete box girder structures. They have each been designed to utilize both conventional falsework and segmental cast-in-place construction. The anticipated construction letting date is November 2002. There will be a five-year construction schedule with work concluding November 2007 (est.).

The successful responder will serve as an extension of Mn/DOT's staff to administer the construction contract in accordance with Mn/DOT's plans, specifications, special provisions, standards, and construction administration and testing standard operating procedures. The successful responder will observe activities and submittals to verify that the project and portions thereof are constructed in substantial conformity to the Contract Documents through the use of accepted control measures.

The proposed term of this contract will be from November 25, 2002 to November 25, 2007. The successful responder will be required to have key personnel on-site the entire five-year construction period.

Requests for Proposals (RFP) are available by mail or in person. Please submit, in writing, a request for the RFP for "Construction Engineering Services -Wakota River Bridges."

Requests for the RFP may be mailed, faxed, or emailed to:

Minnesota Department of Transportation Request for Proposals (RFP) for Construction Engineering Services for the Wakota River Bridges

Bob Miller, Agreement Administrator Minnesota Department of Transportation Office of Bridges and Structures 3485 Hadley Avenue North, Mail Stop 610 Oakdale, MN 55128-3307 Fax: (651) 747-2108 Email: bob.miller@dot.state.mn.us

In order to obtain the RFP in time, requests for the RFP must be received on or before September 20, 2002. Requests made after that date must be in person.

NOTE: PROPOSALS ARE DUE ON September 26, 2002 AT 2:00 P.M. DAYLIGHT SAVING TIME. LATE PROPOSALS WILL NOT BE CONSIDERED.

Department of Transportation

Program Support Group

Notice Concerning Professional/Technical Contract Opportunities

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

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

Non-State Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Minneapolis Public Housing Authority

Request for Proposals to Assist with Development, Delivery, Installation and Implementation of New Work Order System

NOTICE IS HEREBY GIVEN that the Minneapolis Public Housing Authority (MPHA) is seeking Proposals submitted electronically from a qualified vendor to assist MPHA in the development, delivery, installation and implementation of a new Work Order System with technology that meets the needs of the current size and complexity of its maintenance operations.

Deadline for Proposals is 3:00 p.m., CST on Friday, September 13, 2002

Submit Proposals to MPHA electronically at *PROCUREMENT@MPLSPHA.ORG*. Mail Attachments by due date and time to MPHA, Purchasing Department, 1001 Washington Avenue North, Minneapolis, Minnesota, 55401.

Request for proposal materials may be obtained without charge by calling MPHA **phone** at: (612) 342-1489 or (612) 342-1469, refer to number PH-02.54. MPHA reserves the right to reject any or all Proposals and to waive any informality in solicitation. All costs of proposals preparation and submittal shall be borne by the respondent. Contact Emilio Bettaglio, Director of Capital Improvements **phone** at: (612) 342-1419.

MINNEAPOLIS PUBLIC HOUSING AUTHORITY IS AN EQUAL HOUSING/EQUAL OPPORTUNITY AGENCY

PrimeWest Health System

Request for Proposals for Providing Financial Management Operations Support

NOTICE IS HEREBY GIVEN that the Joint Powers and County-based Purchasing entity of PrimeWest Health System comprised of the Minnesota Counties of Big Stone, Douglas, Grant, McLeod, Meeker, Pipestone, Pope, Renville, Stevens and Traverse is requesting proposals from qualified firms and individuals for providing financial management operations support to PrimeWest Health System. PrimeWest Health System will be responsible for purchasing health care goods and services for the Medical Assistance (MA) and General Assistance Medical Care (GAMC) populations of the state counties through Minnesota's Prepaid Medical Assistance Program.

In order to conduct its day-to-day operation in the most cost-efficient manner, PrimeWest Health System is considering engaging a vendor to perform financial management activities typical of those conducted by a CFO and controller of a small managed care organization. The vendor will serve at the direction of the PrimeWest Health System Chief Executive Officer and Joint Powers Board.

Proposals are due by **September 20, 2002.** The formal Request for Proposals can be obtained by contacting Jim Przybilla, CEO, PrimeWest Health System **phone** at: (320) 762-2911 or **email:** *jim.przbilla@primewest.co.douglas.mn.us*

University of Minnesota

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

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

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

University of Minnesota

2003 Consultant Prequalification Program - Request for Qualification (RFQ)

The University of Minnesota is issuing a Request for Qualification (RFQ) for Architects, Engineers, and other Professional Consultants interested in providing professional services for small University design and construction projects.

This Prequalification Program will cover small projects where a consultant's fee is under \$100,000. Larger projects are not covered in this program. The prequalification period will be for the calendar year 2003.

The RFQ document is available for distribution September 3, 2002. The Prequalification Questionnaire Form and instructions will be available September 13, 2002 (instructions for downloading the form are included in the RFQ document).

Submittals for this RFQ are due on or before 2:00 p.m. CST Monday October 28, 2002.

Request for copies of the RFQ document should be addressed to:

Kevin McCourt University of Minnesota Design and Construction Services 400 Donhowe Building 319 15th Avenue Southeast Minneapolis, MN 55455 Fax: (612) 625-0770 Email: mccourtk@facm.umn.edu



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