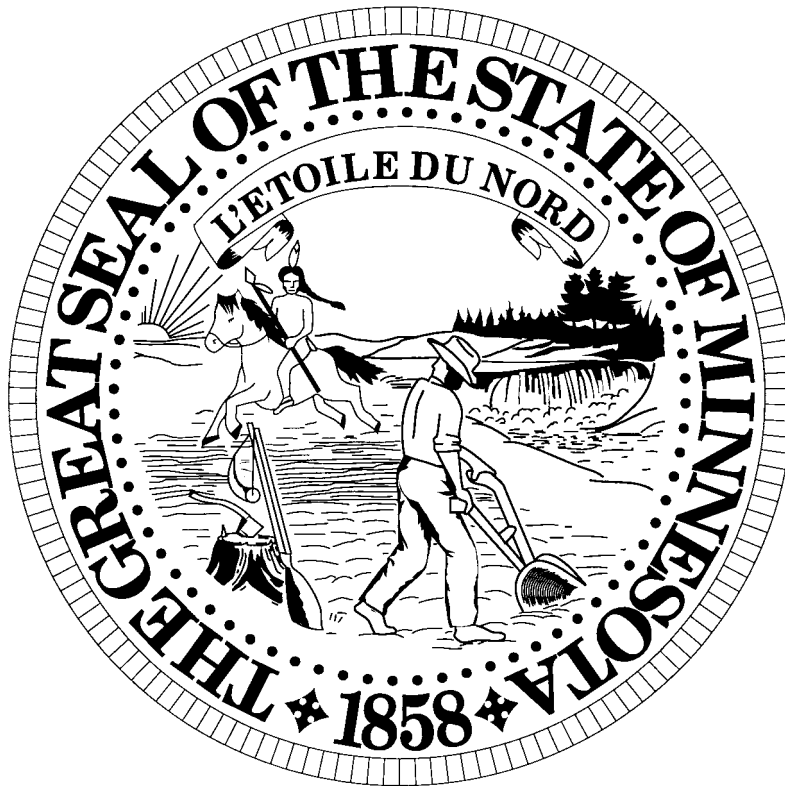


State of Minnesota

State Register

Rules and Official Notices Edition



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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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- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
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Vol. 27 Issue Number	PUBLISH DATE	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Both Adopted and Proposed RULES
#34	TUESDAY 18 FEBRUARY	Noon Tuesday 11 February	Noon Wednesday 5 February
#35	Monday 24 February	Noon Tuesday 18 February	Noon Wednesday 12 February
#36	Monday 3 March	Noon Tuesday 25 February	Noon Wednesday 19 February
#37	Monday 10 March	Noon Tuesday 4 March	Noon Wednesday 26 February

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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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Exempt Rules

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

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

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

These exempt rules are also reviewed for form by the Revisor or Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years from the date of publication of the rule in the *State Register*. Rules adopted, amended or repealed under clause (3) or (4) are effective upon publication in the *State Register*.

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

Department of Natural Resources

Division of Fisheries

Adopted Exempt Rules Relating to Experimental and Special Management Waters

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, sections 97C.001 and 97C.005

Dated: 4 February 2003

Gene Merriam
Comissioner of Natural Resources

6264.0300 DESIGNATED EXPERIMENTAL WATERS.

[For text of subs 1 to 12, see M.R.]

Subp. 14. [See repealer.]

Subp. 15. [See repealer.]

[For text of subs 19 to 31, see M.R.]

[For text of subp 32, see 26 SR 1141]

Subp. 33. **Annie Battle Lake including inlets and outlets experimental regulations.** ~~Effective March 1, 1997,~~ While on or fishing in ~~Annie Battle Lake~~ the following waters, the daily and possession limit for sunfish is five; and for black crappie is five. All black crappie in possession must be 11 inches or greater in length. All black crappie less than 11 inches in length must be immediately returned to the water. Angling for northern pike and largemouth bass ~~shall be~~ is limited to catch and release only, whereby any northern pike or largemouth bass caught must be immediately returned to the water. Catch and release angling for northern pike and largemouth bass ~~shall be~~ is legal during the open season for these species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any northern pike or largemouth bass while on or fishing in ~~Annie Battle Lake~~ the following waters. A person may not possess a motorized ice auger or electronic fish finding devices while on or fishing in ~~Annie Battle Lake~~ the following waters. Electronic fish finding devices include depth finders, fish finders, and other sonars, global positioning systems, and temperature and pH meters.

	Name	Location	County	End Date
A.	Annie Battle Lake	T.133, R.39,40, S.13,18,19,24	Otter Tail	3/1/2003 <u>3/1/2013</u>

Exempt Rules

B. Annie Battle inlet stream beginning at the exit point of Molly Stark Lake to the confluence with Annie Battle Lake T.133, R.40, S.24
Otter Tail 3/1/2013

C. Annie Battle outlet stream beginning at the northwest exit of Annie Battle Lake to Blanche Lake T.133, R.40, S.12
Otter Tail 3/1/2013

Subp. 34. [See repealer.]

Subp. 35. ~~Walleye 18-inch to 26-inch slot limits on Big Sand and Little McDonald Lakes limit.~~ All walleye in possession while on or fishing in the following waters must be less than 18 inches in length or greater than 26 inches in length. All walleye that are 18 to 26 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one walleye over 26 inches in length.

	Name	Location	County	End Date
A.	Big Sand Lake	T.141, R.34, S.Various	Hubbard	3/1/2005
B.	Little McDonald Lake (including Kerbs Lake)	T.136, R.40, S.Various	Otter Tail	3/1/2010
C.	<u>Big Pine Lake</u>	T.136, R.38, S.5,8,15,16,21,32,33	<u>Otter Tail</u>	<u>3/1/2013</u>
D.	<u>Little Pine Lake</u>	T.136,137, R.38,39, S.Various	<u>Otter Tail</u>	<u>3/1/2013</u>

[For text of subs 36 to 43, see M.R.]

Subp. 44. [See repealer.]

[For text of subp 45, see M.R.]

Subp. 46. [See repealer.]

Subp. 47. **Sunfish possession limits.** While on or fishing in the following waters the daily and possession limit for sunfish is ten. It is unlawful for anyone to have in possession, regardless of where taken, any sunfish in excess of the daily and possession limit while fishing in these waters. A person who is in transit, taking the most direct route back to the person's lodging or docking, and not fishing, may possess sunfish in excess of the daily and possession limit if the sunfish were legally taken from connecting waters or the Wisconsin waters of the Mississippi.

	Name	Location	County	End Date
E.	<u>Pimushe Lake</u>	T.147,148, R.30,31, S.Various	<u>Beltrami</u>	<u>3/1/2010</u>

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

For text of subs 48 to 57, see M.R.

Exempt Rules

Subp. 58. **Mink and Somers Lakes experimental regulations.** While on or fishing in the following waters, the following possession limits apply:

- A. sunfish, 5;
- B. crappie, 5;
- C. yellow perch, 10; ~~and~~
- D. largemouth bass, 1; and
- E. walleye, 2.

While on or fishing in the following waters, ~~angling for largemouth bass is limited to catch and release only. Any largemouth bass caught must be immediately returned to the water. Catch and release angling for largemouth bass is legal during the open season for largemouth bass in inland waters. It is unlawful for anyone to have in possession any largemouth bass while on or fishing in the following waters.~~ all largemouth bass in possession must be less than 12 inches in length. All largemouth bass 12 inches or greater must be immediately returned to the water. All northern pike in possession while on or fishing in the following waters must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length. Possession or use of minnows as bait is prohibited, except for processed minnows in a dried, frozen, or pickled condition.

	Name	Location	County	End Date
A.	Mink Lake	T.121, R.27, S.23-25	Wright	3/1/2003 <u>3/1/2008</u>
B.	Somers Lake	T.121, R.27, S.24-25	Wright	3/1/2003 <u>3/1/2008</u>

[For text of subps 59 to 65, see M.R.]

6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

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

Subp. 3. **Winter trout stream season.** These waters are open to angling during a winter trout season from January 1 through March 31. The following restrictions apply to the winter season. While on or fishing in these waters, ~~angling for trout shall be~~ is limited to catch and release only, whereby any trout caught must be immediately returned to the water. It is unlawful for anyone to have in possession, regardless of where taken, any trout while on or fishing in these waters. All legal methods of taking trout are allowed, except that barbed hooks are prohibited. A hook from which the barb has been removed by crimping or filing is allowed.

	Name	Location	County
A.	Middle Branch Whitewater River	T.107, R.10, S.9,16,17,19, 20,29,30 and R.11, S.24,25,26,35, from the mouth in the NE 1/4 SE 1/4, S.9 upstream approximately 4.2 <u>11.2</u> miles to the State Highway 74 <u>Olmsted County Road 9</u> bridge crossing in the SE 1/4 SW 1/4, S.20 <u>SW 1/4 SW 1/4, S.35</u>	Winona, Olmsted

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

D.	Hay Creek	T.112, R.14, S.19 and <u>R.15, S.12,13,23,24,26,27,</u> from the posted boundary at <u>the</u> point where Hay Creek crosses the SW 1/4 SE 1/4 <u>section line of S.24</u> state	
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Exempt Rules

- forest land boundary in the NW 1/4 NE 1/4, S.12 upstream approximately ~~4.2~~ 7.6 miles to the posted boundary at the 325th Street Bridge in the SW 1/4 SE 1/4, S.27 Goodhue
- E. Main Branch Whitewater River T.108, R.10, S.~~1,2,10,11,14,~~ 15,22,23,26,27,35, and T.170, R.10, S.2,3,9,10, from the Wabasha-Winona county Highway 30 bridge crossing in the SE 1/4, S.15, line, upstream approximately ~~6.9~~ 11.9 miles to the confluence of the North and Middle Branches of the Whitewater River in the NE 1/4 SE 1/4, S.9 Winona
- F. North Branch Whitewater River T.107, R.10, S.~~5,6,7,~~ 8,9, and R.11, S.1,2,3 from the mouth in the NE 1/4 SE 1/4, S.9 upstream approximately ~~2.2~~ 7.7 miles to the ~~first~~ bridge crossing in Fairwater at the boundary between sections 5 and 8 of T.107, R.10 confluence of Logan Creek in the NW 1/4 SE 1/4, S.3 Winona
- H. North Branch Creek [For text of item G, see M.R.] T.102, R.12, S.~~13,14,15,~~ from the confluence with South Branch of the Root River to ~~1 mile~~ upstream ~~on~~ that portion of the stream within Forestville state park 2.59 miles to the source (T.102, R.12, SW 1/4 NE 1/4, S.15) Fillmore
- M. Beaver Creek, West [For text of items I to L, see M.R.] T.102, R.6, S.~~5,6,7,~~ from the junction with East Beaver Creek (T.102, R.6, SW 1/4 SW 1/4, S.5) upstream 1.9 miles to the posted boundary (T.102, R.6, SW 1/4 SW 1/4, S.7) Houston

Exempt Rules

N.	<u>Bee Creek</u>	<u>T.101, R.6, S.29,32,33, from the posted boundary on the Minnesota state line (T.101, R.6, SW 1/4 SW 1/4, S.33) upstream 1.6 miles to the posted boundary at a driveway crossing (T.101, R.6, SW 1/4 SE 1/4, S.29)</u>	<u>Houston</u>
O.	<u>Coolridge Creek</u>	<u>T.105, R.9, S.26, from the junction with Pine Creek (T.105, R.9, NW 1/4 SE 1/4, S.26) upstream 0.13 miles to the posted boundary (T.105, R.9, SE 1/4 NW 1/4, S.26)</u>	<u>Winona</u>
P.	<u>Crooked Creek</u>	<u>T.102, R.5, S.16,21,22,23, 25,26,36, from the posted boundary upstream of the township road crossing (T.102, R.5, SE 1/4 SE 1/4, S.25) upstream 6.4 miles to the source (T.102, R.5, NW 1/4 NW 1/4, S.21)</u>	<u>Houston</u>
Q.	<u>Crooked Creek, South Fork</u>	<u>T.102, R.5, S.26, from the confluence with Crooked Creek (T.102, R.5, NW 1/4 SE 1/4, S.26) upstream 1.43 miles (T.102, R.5, SW 1/4 SW 1/4, S.26)</u>	<u>Houston</u>
R.	<u>Daley Creek</u>	<u>T.103, R.7, S.4,5,8, and T.104, R.7, S.33, from the posted boundary at State Highway 16 upstream 2.5 miles to the township bridge crossing in the SE 1/4 SW 1/4 of S.5, T.103, R.7</u>	<u>Houston</u>
S.	<u>Diamond Creek, including South Fork Diamond Creek</u>	<u>T.103, R.8, S.18,19 and R.9, S.11,13,14,24, from the third stream crossing (T.103, R.9, S.11) upstream from State Highway 16 bridge upstream 5.25 miles to the source of Diamond Creek (T.103, R.8, S.19) and to the source of South Fork Diamond Creek (T.103, R.8, S.24)</u>	<u>Fillmore</u>
T.	<u>Ferguson Creek</u>	<u>T.105, R.8, S.18 and R.9, S.12,13, from the confluence with Rush</u>	

Exempt Rules

		<u>Creek upstream 1.25 miles to the source (T.105, R.9, SE 1/4 NW 1/4, S.12)</u>	<u>Winona</u>
<u>U.</u>	<u>Garvin Brook</u>	<u>T.106, R.8, S.5,8, from the posted boundary where Garvin Brook enters the state forest land (T.106, R.8, NE 1/4 SE 1/4, S.5) upstream 1.0 mile to the posted end point at Arches (Farmer's) Park (T.106, R.8, SE 1/4 NW 1/4, S.8)</u>	<u>Winona</u>
<u>V.</u>	<u>Gribben Creek</u>	<u>T.103, R.9, S.16,21, 27,28, from the State Highway 16 bridge upstream 3.8 miles to the source (T.103, R.9, NW 1/4 SW 1/4, S.27)</u>	<u>Fillmore</u>
<u>W.</u>	<u>Hemmingway Creek</u>	<u>T.105, R.9, S.26,35, from the confluence with Pine Creek upstream 0.83 mile to the posted end point of state forest land (T.105, R.9, NW 1/4 NW 1/4, S.35)</u>	<u>Winona</u>
<u>X.</u>	<u>Money Creek, West</u>	<u>T.105, R.7, S.6,7,8,17, from the posted boundary 1,000 feet upstream of County Road 19 bridge (T.105, R.7, NE 1/4 NE 1/4, S.17) upstream 3.14 miles to the source (T.105, R.7, SE 1/4 SE 1/4, S.6)</u>	<u>Winona</u>
<u>Y.</u>	<u>Pine Creek</u>	<u>T.105, R.8, S.30,31,32,33 and R.29, S.25,26, from the confluence with Rush Creek (T.105, R.8, SW 1/4 SW 1/4, S.33) upstream 5.6 miles to the posted boundary upstream of the confluence of Hemmingway Creek (T.105, R.9, SW 1/4 SE 1/4, S.26)</u>	<u>Winona</u>
<u>Z.</u>	<u>Rush Creek</u>	<u>T.105, R.8, S.18,19,20,29, from the southernmost County Road 25 bridge upstream 6.4 miles to the northern line of S.18 (T.105, R.8, NW 1/4 NE 1/4, S.18)</u>	<u>Winona</u>

Exempt Rules

AA.	<u>South Fork Root River</u>	<u>T.102, R.8, S.8,9,17,18,19 and R.9, S.24,25,26, from the confluence with Nepstad Creek upstream 7.6 miles to the posted boundary near the upper springs (T.102, R.9, SW 1/4 NE 1/4, S.26)</u>	<u>Fillmore</u>
BB.	<u>Swedes Bottom Creek</u>	<u>T.103, R.6, S.10, from the township bridge (T.103, R.6, SW 1/4 NW 1/4, S.10) upstream 1.0 mile to the source (T.103, R.6, SW 1/4 SE 1/4, S.10)</u>	<u>Houston</u>
CC.	<u>Torkelson Creek</u>	<u>T.104, R.10, S.25,36, from the confluence with North Branch Root River (T.104, R.8, NE 1/4 NW 1/4, S.36) upstream 2.1 miles to the source (T.104, R.10, NW 1/4 NE 1/4, S.25)</u>	<u>Fillmore</u>
DD.	<u>Trout Run Creek</u>	<u>T.107, R.9, S.29, from the confluence with the Middle Branch of the Whitewater River upstream 1.0 mile to the end of state park property (SE 1/4 SW 1/4, S.29)</u>	<u>Winona</u>
EE.	<u>Trout Valley Creek</u>	<u>T.108, R.9, S.8,17, from the middle Winona County Road 31 bridge crossing in SE 1/4 SW 1/4, S.8 upstream 1.25 miles to the next Winona County Road 31 bridge crossing in SE 1/4 SW 1/4, S.17</u>	<u>Winona</u>
FF.	<u>Wisel Creek</u>	<u>T.102, R.8, S.19,20,29,30,32, from County Road 18 bridge downstream 4.0 miles to the junction with the South Fork of the Root River (T.102, R.8, NE 1/4 NE 1/4, S.19)</u>	<u>Fillmore</u>

[For text of subp 4, see 26 SR 1488]

[For text of subp 5, see M.R.]

Subp. 6. **Zumbro River special regulations.** While on or fishing in these waters, angling for smallmouth bass ~~shall be~~ is limited to catch and release only, whereby any smallmouth bass caught must be immediately returned to the water. Catch and release angling for smallmouth bass ~~shall be~~ is legal during the open season for that species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any smallmouth bass while on or fishing in these waters.

Exempt Rules

Name	Location	County
Zumbro River	T.109, R.13W, S.6; T.110, R.13W, S.31; T.110, R.14W, S.36; T.109, R.14W., S.1,2, 10,11,15,22,27, from the U.S. Highway 63 bridge at Zumbro Falls upstream approximately 12 miles to the posted boundary below the Zumbro Lake dam <u>including the</u> plunge pool	Wabasha

[For text of subps 7 to 12, see M.R.]

Subp. 13. **Largemouth bass and smallmouth bass catch and release regulations.** While on or fishing in these waters, angling for largemouth bass and smallmouth bass ~~shall be~~ is limited to catch and release only, whereby any largemouth bass or smallmouth bass caught must be immediately returned to the water. Catch and release angling for largemouth bass or smallmouth bass ~~shall be~~ is legal during the open season for largemouth bass and smallmouth bass in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any largemouth bass or smallmouth bass while on or fishing in these waters.

	Name	Location	County
A.	Clear Lake	T.107, R.22, S.4,5,8,9,16,17	Waseca
B.	<u>Portage Lake</u>	<u>T.141, R.31, S.23-26</u>	<u>Cass</u>

Subp. 14. **Largemouth bass catch and release regulations.** While on or fishing in the following waters, angling for largemouth bass is limited to catch and release only. Any largemouth bass caught must be immediately returned to the water. Catch and release angling for largemouth bass is legal only during the open season for largemouth bass in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any largemouth bass while on or fishing in the following waters.

	Name	Location	County
A.	Crooked Lake	T.31,32, R.24, S.4,33	Anoka
B.	DeMontreville Lake	T.29, R.21, S.4, 5,9	Washington
C.	Olson Lake	T.29, R.21, S.8,9	Washington
D.	<u>Moccasin Lake</u>	<u>T.141, R.29, S.28,32,33</u>	<u>Cass</u>

[For text of subps 15 and 16, see M.R.]

Subp. 17. **Restricted harvest lake.** While on or fishing in the following waters, the daily and possession limit for walleye is two, for crappie is five, and for northern pike is one. All northern pike in possession while on or fishing in these waters must be ~~38~~ 40 inches or greater in length. All northern pike less than ~~38~~ 40 inches in length must be immediately returned to the water.

Name	Location	County
Cedar Lake	T.127N, R.31W, S.7, 18; T.127N, R.32W, S.13	Morrison, Todd

[For text of subp 18, see M.R.]

Exempt Rules

Subp. 19. **Northern pike 24- to 36-inch protected slot limit.** All northern pike in possession while on or fishing in the following waters must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length.

	<u>Name</u>	<u>Location</u>	<u>County</u>
A.	<u>Ada</u>	<u>T.139, R.29, S.Various</u>	<u>Cass</u>
B.	<u>Alexander</u>	<u>T.131,132, R.30, 31, S.Various</u>	<u>Morrison</u>
C.	<u>Ash</u>	<u>T.66, R.20, S.7-9,17,18</u>	<u>St. Louis</u>
D.	<u>Basswood</u>	<u>T.64,65, R.10,11, S.Various</u>	<u>Lake</u>
E.	<u>Beltrami</u>	<u>T.148, R.32,33, S.25,26,30,31,35,36</u>	<u>Beltrami</u>
F.	<u>Big Carnelian</u>	<u>T.31, R.20, S.26, 34,35</u>	<u>Washington</u>
G.	<u>Big Lake</u>	<u>T.146,147, R.31, S.Various</u>	<u>Beltrami</u>
H.	<u>Big Mantrap</u>	<u>T.141,142, R.33,34, S.Various</u>	<u>Hubbard</u>
I.	<u>Big Turtle</u>	<u>T.148, R.33, S. Various</u>	<u>Beltrami</u>
J.	<u>Birch Lake Reservoir</u>	<u>T.61, R.11, 12, S. Various</u>	<u>St. Louis</u>
K.	<u>Blueberry</u>	<u>T.138, R.35, S.2,3,10,11</u>	<u>Wadena</u>
L.	<u>Campbell</u>	<u>T.148, R.33,34, S.13,14,19,23,24</u>	<u>Beltrami</u>
M.	<u>Caribou</u>	<u>T.51, R.15,16, S.13,14,18,19,24</u>	<u>St. Louis</u>
N.	<u>Center, North</u>	<u>T.34, R.20, S.15, 21,22,27,28,34</u>	<u>Chisago</u>
O.	<u>Center, South</u>	<u>T.33,34, R.20, S.2,3,4,9,10,34,35</u>	<u>Chisago</u>
P.	<u>Child</u>	<u>T.140, R.29, S.9,10,15,16</u>	<u>Cass</u>
Q.	<u>Cotton</u>	<u>T.139,140, R.40, S.1,2,3,11,12,34,35,36</u>	<u>Becker</u>
R.	<u>Deer</u>	<u>T.148, R.34, S.5,8</u>	<u>Beltrami</u>
S.	<u>Farm</u>	<u>T.62,63, R.11, S.3,4,26-29,32-35</u>	<u>Lake</u>
T.	<u>Fish Trap</u>	<u>T.132, R.31, S.28-33</u>	<u>Morrison</u>
U.	<u>Fox</u>	<u>T.148, R.33, S.22,23,26,27</u>	<u>Beltrami</u>
V.	<u>Floyd, Big</u>	<u>T.139, R.41, S.3,4,9,10,15,16</u>	<u>Becker</u>
W.	<u>Floyd, Little</u>	<u>T.139, R.41, S.2,3,10,11</u>	<u>Becker</u>
X.	<u>Garden</u>	<u>T.63, R.11, S.20-22,27-30</u>	<u>Lake</u>
Y.	<u>George</u>	<u>T.143, R.34, S.15,16,21,22,27</u>	<u>Hubbard</u>
Z.	<u>Girl</u>	<u>T.140,141, R.28, S.3,4,32,33,34</u>	<u>Cass</u>
AA.	<u>Island</u>	<u>T.150, R.28, S.3-5,8-10,15,16,19-21</u>	<u>Itasca</u>
BB.	<u>Knife</u>	<u>T.40,41, R.23,24, S. Various</u>	<u>Kanabec</u>
CC.	<u>Latoka</u>	<u>T.128, R.38, S.14,22,23,27, 28,33,34</u>	<u>Douglas</u>
DD.	<u>Little Boy</u>	<u>T.140, R.28, S. Various</u>	<u>Cass</u>
EE.	<u>Little Cascade</u>	<u>T.62, R.2,3, S.12,14</u>	<u>Cook</u>
FF.	<u>Little Turtle</u>	<u>T.148, R.33, S.8,16,17,20,21</u>	<u>Beltrami</u>
GG.	<u>Little Woman</u>	<u>T.140, R.29, S.15</u>	<u>Cass</u>
HH.	<u>Long</u>	<u>T.46, R.25, S.3,4,9,10</u>	<u>Aitkin</u>
II.	<u>Long</u>	<u>T.128, R.30,32, S.16,17,20,21,28</u>	<u>Todd</u>
JJ.	<u>Minnie Belle</u>	<u>T.118, R.31, S.11,14</u>	<u>Meeker</u>
KK.	<u>Mission, Lower</u>	<u>T.135,136, R.27, S.4,5,8,9,33</u>	<u>Crow Wing</u>
LL.	<u>Mission, Upper</u>	<u>T.135,136, R.27, S.3,4,27,28,33,34</u>	<u>Crow Wing</u>
MM.	<u>Movil</u>	<u>T.147,148, R.33, S.3,4,27,33,34,35</u>	<u>Beltrami</u>
NN.	<u>North Branch Kawishiwi River</u>	<u>T.63, R.10, 11, S.25, 26,28, 29,30</u>	<u>Lake</u>

Exempt Rules

OO.	<u>North Star</u>	<u>T.55,59, R.26, S.4,5,20,28, 29,32,33</u>	<u>Itasca</u>
PP.	<u>Shamineau</u>	<u>T.123, R.31, S.8-10,15-18</u>	<u>Morrison</u>
QQ.	<u>South Farm</u>	<u>T.62,63, R.11, S.1,2,3,35,36</u>	<u>Lake</u>
RR.	<u>Turtle River Lake</u>	<u>T.147,148, R.32, S.Various</u>	<u>Beltrami</u>
SS.	<u>Three Island</u>	<u>T.148, R.32,33, S.18,19,23-26</u>	<u>Beltrami</u>
TT.	<u>Unnamed (Louise)</u>	<u>T.140, R.28, S.21,22</u>	<u>Cass</u>
UU.	<u>Vermilion</u>	<u>T.61-63, R.14-18, S.Various</u>	<u>St. Louis</u>
VV.	<u>Wabedo</u>	<u>T.140, R.28, S.Various</u>	<u>Cass</u>
WW.	<u>West Battle</u>	<u>T.133, R.39,40, S.Various</u>	<u>Otter Tail</u>
XX.	<u>White Iron</u>	<u>T.62,63, R.11,12, S.Various</u>	<u>St. Louis</u>
YY.	<u>Woman</u>	<u>T.140,141, R.28,29, S.Various</u>	<u>Cass</u>

Subp. 20. **Northern pike 30-inch minimum size limit.** All northern pike in possession while on or fishing in the following waters must be 30 inches or greater in length. All northern pike that are less than 30 inches in length must be immediately returned to the water. Possession and daily limit is one.

	<u>Name</u>	<u>Location</u>	<u>County</u>
A.	<u>Loon</u>	<u>T.65, R.3, S.25,28,32,36</u>	<u>Cook</u>
B.	<u>Otter Tail</u>	<u>T.133,134, R.39,40, S.Various</u>	<u>Otter Tail</u>
C.	<u>Prairie</u>	<u>T.50, R.20, S.Various</u>	<u>St. Louis</u>
D.	<u>Round</u>	<u>T.134,135, R.28,29, S.1,2,31,35,36</u>	<u>Crow Wing</u>

Subp. 21. **Northern pike 40-inch minimum size limit.** All northern pike in possession while on or fishing in the following waters must be 40 inches or greater in length. All northern pike that are less than 40 inches in length must be immediately returned to the water. Possession and daily limit is one.

	<u>Name</u>	<u>Location</u>	<u>County</u>
A.	<u>Crow Wing, 5th</u>	<u>T.140, R.33, S.19,20, 29,30</u>	<u>Hubbard</u>
B.	<u>Crow Wing, 6th</u>	<u>T.140, R.33, S.20,21, 22</u>	<u>Hubbard</u>
C.	<u>Crow Wing, 8th</u>	<u>T.140, R.32,33, S.1,6,7, 12</u>	<u>Hubbard</u>
D.	<u>Crow Wing, 9th</u>	<u>T.140,141, R.32, S.6,31, 32</u>	<u>Hubbard</u>
E.	<u>Crow Wing, 10th</u>	<u>T.141, R.32, S.28, 29,32</u>	<u>Hubbard</u>
F.	<u>Elephant</u>	<u>T.66, R.19, S.13,14, 15,22,23,24</u>	<u>St. Louis</u>
G.	<u>Mitchell</u>	<u>T.138, R.27, S.11-14</u>	<u>Crow Wing</u>

Subp. 22. **Largemouth bass and northern pike catch and release and spearing ban regulations.** While on or fishing in the following waters, angling for largemouth bass and northern pike is limited to catch and release only, whereby any largemouth bass and northern pike must be immediately returned to the water. Catch and release angling for largemouth bass and northern pike is legal during the open season for these species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any largemouth bass or northern pike while on or fishing in these waters. Spearing is prohibited from December 1 to February 15.

	<u>Name</u>	<u>Location</u>	<u>County</u>
	<u>Stieger</u>	<u>T.116, R.24, S.11,12,13,14</u>	<u>Carver</u>

Subp. 23. **Walleye 16-inch minimum size.** All walleye in possession while on or fishing in the following waters must be 16 inches or greater in length. Walleye less than 16 inches must be returned to the water immediately.

	<u>Name</u>	<u>Location</u>	<u>County</u>
	<u>Waconia</u>	<u>T.116, R.24,25, S. Var.</u>	<u>Carver</u>

Exempt Rules

Subp. 24. Largemouth bass, northern pike, and walleye regulations. While on or fishing in the following waters, the daily and possession limit for largemouth bass is one, for northern pike is one, and for walleye is two. All northern pike in possession while on or fishing in these waters must be 40 inches or greater in length. All northern pike less than 40 inches in length must be immediately returned to the water.

<u>Name</u>	<u>Location</u>	<u>County</u>
Bass Lake	T.128, R.32, S.9	Todd

Subp. 25. Largemouth bass and northern pike regulations. While on or fishing in the following waters, angling for largemouth bass is limited to catch and release only, whereby any largemouth bass must be immediately returned to the water. All northern pike in possession while on or fishing in the following waters must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length.

<u>Name</u>	<u>Location</u>	<u>County</u>
Ann	T.116, R.23, S.10,11	Carver

REPEALER. Minnesota Rules, parts 6262.0500, subpart 2a, item E, and 6264.0300, subparts 14, 15, 34, 44, and 46, are repealed effective March 1, 2003.

EFFECTIVE DATE. Minnesota Rules, parts 6264.0300, subparts 33, 47, and 58, and 6264.0400, subpart 3, are effective March 1, 2003. The amendments to Minnesota Rules, parts 6264.0300, subpart 35; and 6264.0400, subparts 6, 13, 14, 17, 19, 20, 21, 22, 23, 24, and 25, are effective May 10, 2003.

Appointments

Minnesota Statutes, Section 15.06, Subd. 5 requires a notice of the designation of a commissioner, or the assumption of office by a temporary commissioner, shall be filed with the president of the senate and the speaker of the house with a copy delivered to the secretary of state and published in the next available edition of the State Register.

Mediation Services Bureau

Notice of Appointment of Commissioner James Alex Cunningham, Jr.

NOTICE IS HEREBY GIVEN, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Tim Pawlenty appointed James Alex Cunningham, Jr. to the office of Commissioner of the Minnesota Bureau of Mediation Services effective February 10, 2003. He succeeds Acting Commissioner Lance Teachworth appointed January 6, 2003.

This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled. The laws and rules governing the Bureau of Mediation Services are:

- *Minnesota Statutes*, Chapters 179 and 179A
- *Minnesota Rules* 5505-5530

Commissioner Cunningham resides at 515 Westby Drive, Spring Lake Park, Minnesota 55432, Anoka County, Congressional District Six.

He can be reached at the Minnesota Bureau of Mediation Services, 1380 Energy Lane, Suite Two, St. Paul, MN 55108-5253. Telephone (651) 649-5421. Internet home page: <http://www.bms.state.mn.us>

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 Commerce

Presumed Legal Cigarette Prices

The presumed prices for wholesalers and retailers, as provided for by *Minnesota Statutes*, chapter 325D, are shown in this schedule. The computations are based on manufacturers' list prices available as of 11 February 2003. All cigarettes in a wholesaler's or retailer's inventory must be priced to reflect the new presumed prices within seven (7) calendar days after the manufacturer's price change is reflected on a purchase invoice. A wholesaler or retailer may sell for less if they can show that their actual costs of doing business are lower than the presumed minimum. For questions, contact the Department of Commerce at (651) 296-9428.

	Presumed Minimum Wholesale Price Per Carton	Presumed Minimum Retail Price Per Carton	Presumed Minimum Retail Price Per Pack
Major Brands	\$33.90	\$36.61	\$3.66

Benson & Hedges, Players, Lark, L & M, Saratoga, Winston, Merit, Commanders, Eve, Jade, Advance, Barclay, Kool, Lucky Strike, Raleigh (Kings, 100's, Plain End), Pall Mall (Gold, Red), Silva Thins, Tall, Tareyton, Capri, Camel, More, Now, Salem, Vantage, "B", Planet, Kent, Newport, Carlton, True, Satin, Triumph, Max
(Kings, Regulars, 100's, 120's)

Philip Morris	\$27.11	\$29.28	\$2.93
Marlboro, Parliament, Virginia Slims (Kings, Regulars, 100's, 120's)			
Old Gold, Bucks, Sterling, Doral, Magna, Cambridge, Bristol, Alpine, Maverick (Kings, Regulars, 100's, 120's)	\$31.08	\$33.57	\$3.36
Philip Morris Basic (Kings, Regulars, 100's, 120's)	\$24.29	\$26.23	\$2.62
Raleigh Extra (Kings, 100's)	\$29.82	\$32.21	\$3.22
Monarch, Best Value	\$21.83	\$23.58	\$2.36
GPC's, Viceroy's Misty's, Pall Mall Box	\$22.20	\$23.98	\$2.40
Liggett Pyramid (Kings, Regulars, 100's)	\$19.11	\$20.64	\$2.06
Liggett Select (Kings, 100's)	\$16.61	\$17.93	\$1.80
Star Tobacco Main Street, G-Smoke, Sport (Kings, 100's)	\$14.84	\$16.03	\$1.60
Winner Brand (Kings, 100's)	\$12.28	\$13.26	\$1.33

Minnesota Comprehensive Health Association

Notice of Meeting of the Actuarial Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA) Actuarial Committee will take place **Tuesday, February 18, 2003, 1:00 p.m.** at the MCHA Executive Office, 5775 Wayzata Blvd., Suite 910, St. Louis Park.

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

Official Notices

Minnesota Comprehensive Health Association

Notice of Meeting of the Actuarial Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA) Actuarial Committee will take place **Wednesday, February 26, 2003, 1:00 p.m.** 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 Human Services

Disabilities Services Division, Continuing Care Administration

Public Notice Regarding Amendments to the Waiver for Persons with Mental Retardation or Related Conditions Related to the Allocation of Resources to County Agencies for Waiver Services Including Crisis Respite Services

NOTICE IS HEREBY GIVEN to recipients, service providers, county agencies, tribal governments and to the public of proposed amendments to the federal Medical Assistance waiver for persons with mental retardation or related conditions. The proposed amendments govern the allocation of funds to counties for waiver services, including crisis respite services. The Department is seeking these amendments to provide county agencies greater flexibility in managing its allocated budget and to control the growth in expenditures. Upon federal approval, the proposed changes will be effective January 1, 2003.

Although the amendments have been submitted, public comment will be considered if received by March 10, 2003. The proposed changes are as follows (deletions are shown as stricken and additions are underlined).

Amendment affecting county agencies' waiver budget allocations:

~~The Minnesota legislature approved a plan to implement a methodology to allocate home and community based waived services resources for persons with mental retardation or related conditions based on the average resource need of persons with similar functional characteristics. The modification of the methodology used to allocate resources to county agencies is designed to improve access to home and community based waived services and to improve the correlation of resources with needs.~~

This Attachment describes how the Department establishes and adjusts the county agencies' budget allocations and how the budget allocations are managed by the county agencies.

The county agency budget allocation allows county agencies to plan and meet recipients' service needs with greater flexibility and local control. County agencies authorize waiver and State plan home care services within their budget allocations. Providers are paid through MMIS. This new methodology will have no negative impact on the health and safety of the clients receiving home and community based services. Minnesota

The Department will continue to provide the necessary safeguards to protect the health and welfare of persons receiving services under people using this the waiver. County agencies are responsible to offer and make available feasible home and community-based support options to eligible recipients within available resources.

~~There is no change to the cost effectiveness formula as approved in Minnesota's waiver plan as a result of the implementation of this allocation structure methodology. The MR/RC waived services program has been managed using a statewide annually determined aggregate allowable average daily reimbursement limit. County agencies have managed the costs for recipients for whom they are responsible within the established statewide allowable average daily reimbursement limit.~~

~~The allocation structure methodology approved by the Minnesota legislature directs home and community based resources to county agencies based on the needs of persons they will be serving beginning with new resources available after July 1, 1995. Home and community based waived services resources authorized prior to June 30, 1995 will be made available to local county agencies based upon current authorized levels. These resources will be considered part of a local agency's base allocation and will be allocated accordingly to ensure service continuity for recipients who received services prior to July 1, 1995. These base resources will not be reallocated according to the allocation structure methodology.~~

~~As of July 1, 1997 the appropriate waiver to serve persons with mental retardation or a related condition determined to need an ICF/MR level of care and inappropriately placed in nursing facilities will be the MR/RC Waiver. Home and community based waived services resources authorized by the commissioner prior to June 30, 1997 to support persons determined inappropriately placed in nursing facilities will be made available to local county agencies based on current authorized levels. Effective July 1, 1997, these resources become part of the local agency's base allocation and will not be reallocated according to the allocation structure.~~

Resources made available to county agencies after July 1, 1995, accordance with the growth approved in Minnesota's waiver plan, will be allocated using a methodology which correlates resource allocation with recipient profiles. Within the allocation structure methodology,

Recipient Profile Methodology

The methodology used to calculate funding for new waiver recipients (i.e., to fund new slots) is based on four broad recipient profiles ~~have been established in 1995. These~~ The recipient profiles result from ~~were developed through~~ an extensive empirical analysis of recipient characteristics and their ~~including the~~ level of functioning. Recipient specific data for the analysis was provided by Minnesota's DD Screening Document, which is used to evaluate and reevaluate recipient need. ~~Statistical procedures used during the analysis included principal components analysis, correlation analysis and descriptive statistics.~~

Factors which distinguished recipients from one another included:

- (1) ~~the~~ level of self care support needed, and,
- (2) ~~the~~ intensity of aggressive and/or destructive behavior, if any; and,
- (3) ~~the~~ presence of a diagnosis of mental illness combined with observable obstructive behavior.

~~Definitions were operationalized for each of these factors based upon assessment field codings from the DD Screening Document that were determined to be statistically significant. Further analysis of the average service costs for persons with similar characteristics was completed using information on historic, current, and estimated service costs (for recipients for whom service development was underway).~~

~~After consideration of the similarities and differences in the average daily service costs, four recipient profiles were established to reflect~~ This data was used to establish four broad average levels of reimbursement funding for each of the four recipient profiles. The Department may adjust the recipient profile amounts based on recipient characteristics and cost analysis, or as required by state law. The profile amounts for calendar year 2003 and thereafter will be based on the average daily waiver and home care services costs paid in state fiscal year 2000 for waiver recipients in that profile.

~~As of July 1, 1995, home and community based waived services funding for persons with mental retardation or related conditions will be allocated to county agencies based on the profiles of the recipients they serve and will be managed in one overall allowable daily average. Local county agencies will have unique allowable averages based on the characteristics of the recipients they serve. The unique local agency allowable daily average is determined by dividing the total dollar amount available to them (for both the "base" allocation and new funding made available using the allocation structure methodology), by the number of service days in a given period. In accordance with *Minnesota Laws of 1997* Chapter 203, Article 7, Sec. 27 the Commissioner may allocate additional waiver openings using the existing available total allocated dollar amount to a local county agency. Under written agreements, the state may allow a local agency to use efficiencies they experience to serve additional persons when the local agency has attained institutional discharge goals, assures its on going capacity to meet the changing needs of current recipients, provides for consumer directed service delivery, and implements quality assurance mechanisms beyond recipient health and safety.~~

~~Decisions regarding the authorization of funds for any individual recipient will be made based on the specific service plan for the recipient and the extent to which the services can be managed within the allowable average daily reimbursement rate established for the local county agency. The county agency's average cost per day for home and community based waived services provided to recipients for whom they are responsible may not exceed the allowable average reimbursement rate established for them.~~

County Agency Budget Allocations

The Department will establish and adjust county agencies' budget allocations. These budget allocations establish the maximum amount of Medical Assistance funding available for waiver and home care services for recipients who are the financial responsibility of that county agency. County agencies will be notified by the Department of the budget allocation available to serve waiver recipients (who are the financial responsibility of their county). The budget allocation amounts will be determined as follows.

1) Base Budget Allocations for Calendar Year 2003

Effective January 1, 2003, each county agency will receive a base budget allocation for MR/RC waiver services including State plan home care services authorized for waiver recipients. Within the budget allocation, county agencies shall authorize waiver and State plan home care services to recipients who are the financial responsibility of their county.

The base budget allocation effective January 1, 2003 will include five components:

(a) Paid claims, based on service date, for recipients' waiver and State plan home care for state fiscal year 2002 including an adjustment of two-tenths of a percent to account for outstanding payments, and an adjustment for the annualization of costs for state fiscal year 2002 recipients equivalent to 3.2% of the state fiscal year 2002 paid claims;

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- (b) A three percent provider cost of living increase authorized in state law;
- (c) A factored amount for changes in recipients' service intensity equivalent to 1% of the estimated waiver and home care spending for existing recipients;
- (d) Funding to pay for the additional service costs related to institutional closure or other agreements approved by the Department prior to December 31, 2002; and,
- (e) Annualization of recipients' profile amounts for people who received additional waiver slots between July 1, 2002 and December 31, 2002. The annualization will equal the recipient profile amount multiplied by 365.

2) Annual Budget Allocations for Calendar Year 2004 and Thereafter

For budget allocations effective January 1, 2004 and thereafter, county agency's budget allocations will be based on method A or B, whichever results in a lower budget allocation.

Method A includes:

- (a) The previous year's budget allocation;
- (b) Rate or limit changes required by state law;
- (c) Annualization of recipient profile amounts for recipients who began waiver services during the previous calendar year (i.e., new waiver recipients with an additional waiver slot). The annualization applies only to the recipient's first partial waiver service year after which, the recipient's waiver and State Plan home care costs are accounted for in the ongoing budget allocation. The annualization will equal the recipient profile amount multiplied by 365; and,
- (d) A factored amount for changes in recipients' service intensity equivalent to 1% of the estimated waiver and home care spending for existing recipients applied to (a) through (c) of this paragraph.

Method B includes:

- (a) The most recently completed state fiscal year paid claims including two-tenths of a percent to account for outstanding payments;
- (b) Annualization of recipients who began waiver services during the previous calendar year (i.e., new waiver recipients with an additional waiver slot and those who reused a slot). The annualization applies only to the recipient's first partial waiver service year after which, the recipient's waiver and State Plan home care costs are accounted for in the ongoing budget allocation. The annualization will equal the recipient's average daily cost for waiver and State plan home care multiplied by 365;
- (c) Rate or limit changes required by state law;
- (d) The reserve amount set aside by the county agency, not to exceed five percent of the most recent state fiscal year paid claims for that county agency; and,
- (e) A factored amount for changes in recipients' service intensity equivalent to 1% of the estimated waiver and home care spending for existing recipients applied to (a) through (c) of this paragraph.

3) Adjustments to the Base and Annual Budget Allocations

The Department may adjust the county agencies' budget allocation to: Serve additional recipients (i.e., to fund additional waiver slots); respond to recipient moves between counties (i.e., when a recipient's county of financial responsibility changes); implement changes required by state law; and, support recipients moving from institutions.

Funding of additional waiver slots will be based on the individual recipient's profile amount multiplied by the expected number of waiver service days for the current calendar year. If a recipient discontinues or is otherwise ineligible for waiver services, the budgeted allocation amount attributable to that recipient may be retained by the county of financial responsibility in their budget allocation.

The Department may rebase county agencies' budget allocations, as necessary, based on the relationship between the county agency's budget allocation and actual waiver and home care service costs.

County Agency Budget Allocation Management

1) Recipient Prioritization

If a county agency is not able to provide waiver services to all eligible individuals, they must develop a waiting list. The county agency shall establish policies and procedures to manage and prioritize the waiting list.

These policies and procedures must be submitted to the Department for approval initially and prior to any revision being implemented. The policies and procedures must be available to the public upon request.

The prioritization of individuals to be served on the waiver must comply with state law including preventing institutionalization.

2) Individual Service Plans(ISPs)

County agencies are responsible to develop recipients care plans, "Individual Service Plans (ISP)," within the available budget allocation. The ISP will include all waiver and State plan home care services necessary to avoid institutionalization. The plan must assure the recipient's health and safety and be authorized by the county agency.

Recipients who are using the waiver and are otherwise eligible, shall not be terminated from the waiver by a county agency for the sole purpose of the county agency's management of their budget allocation.

3)Waiver and Home Care Service Changes

The county agency shall not authorize Medical Assistance funding for waiver or State plan home care services beyond its budget allocation including accounting for future needs of current recipients. If a county agency wishes to re-evaluate an ISP, it must follow *Minnesota Rules*, Parts 9525.0004 to 9525.0036 and instructions provided by the Department. All applicable recipient notification and appeal rights apply.

4) Serving Additional Recipients

County agencies may serve additional people within their budget allocation (i.e., without the Department adjusting the budget allocation for additional slots). If a recipient leaves the waiver, a county agency may use the funds provided in its budget allocation for that individual to add waiver recipients or address the needs of current waiver recipients.

5)Reserve Amounts

County agencies must have and submit to the Department a plan to address changes in recipient's needs, including anticipated, unexpected and emergency needs, within their budget allocation. This plan shall be available to the public upon request.

County agencies may elect to establish a reasonable reserve amount to address these recipient needs. The reserve amount must be based on the county agency's experience, recipient utilization history, and anticipated recipient needs.

Amendment affecting Crisis Respite Services:

Crisis-respite services are specialized services which provide short-term care and intervention to an individual due to the need for relief and support of the caregiver and protection of the recipient or others living with the recipient. When out-of-home crisis-respite is used, long-term strategies are to be developed to prevent reoccurrence. Crisis-respite services will include the following recipient specific activities:

- A) Assessment to determine the precipitating factors contributing to the crisis.
- B) Development of a provider intervention plan in coordination with the service planning team.
- C) Consultation and staff training to the provider(s) and/or caregiver(s) as necessary to assure successful implementation of the recipient specific intervention plan.
- D) Development and implementation of a transition plan to aid the recipient in returning home if out of home crisis-respite was provided.
- E) On-going technical assistance to the caregiver or provider in the implementation of the intervention plan developed for the recipient.
- F) Provision of recommendations for revisions to the 24-hour plan of care (individual service plan) to prevent or minimize future crisis situations in order to increase the likelihood of maintaining the recipient in the community.

Crisis-respite services provide specific intervention strategies directed towards enabling the recipient to remain in the community. These services are a necessary service component of the 24-hour plan of care that is developed and monitored by the case manager and, as such, do not duplicate those services provided through case management.

Crisis-respite services can either be provided to the recipient living in his or her home or, when necessary for the relief of the caregiver and the protection of the recipient or others living in the home, in a specialized licensed foster care facility developed for the purpose of providing short-term respite and crisis intervention. Payment for out-of-home crisis-respite

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will include payment for room and board costs when the service is provided in a licensed foster care facility developed for the provision of crisis-respite that is not a private residence.

The following criteria must be met for a recipient to receive crisis-respite services:

- A) The caregiver and service providers are not capable of providing the necessary intervention and protection of the recipient or others living with the recipient.
- B) The crisis-respite service(s) will enable the recipient to avoid institutional placement.
- C) ~~The use of out of home crisis respite will not exceed 21 days except when authorized as part of an approved regional plan or by the Commissioner's designee upon evidence of need, assurances that the extension county must assure and document that the crisis-respite service(s) will not result in the recipient's inability to return home or to an alternative home in the community, and that the continued use of the crisis-respite service is a cost-effective alternative to institutionalization.~~
- D) The recipient has been screened and authorized as eligible to receive home and community-based services. Unlike other waived services, the crisis-respite service must be immediately available to a recipient as an alternative to institutional placement. Because of this, the determination of eligibility and modifications to the plan of care may occur within five working days of receiving crisis-respite services. However, no Medicaid payment will be made if the screening process determines that the recipient is not eligible for home and community-based services. The screening process is the same and uses the same instrument as used for all evaluations of eligibility for ICF/MR or home and community-based services.

Crisis-respite services will be offered in areas of the state authorized in accordance with Minnesota law. All local county agencies and providers of crisis services seeking Medicaid home and community-based reimbursement for crisis-respite services must have ~~an annually approved~~ a provider agreement ~~approved by the local county agency's board~~. The provider agreements will specify local agencies' responsibilities, provider responsibilities, the services to be provided, the network of specialized service providers to be utilized ~~the annual projected costs of the crisis respite services, the administrative responsibilities of the participating agencies, how the utilization and effectiveness will be monitored, and how the overall Medicaid cost-effectiveness of the service will be assured.~~ The provider agreement must be kept on file with the local county agency.

~~Cost Effectiveness: Minnesota assures that the provision of crisis respite services will be cost effective compared to the ICF/MR and acute care costs that would have been paid in the absence of the service. Allocation of resources for the purposes of providing crisis respite services will be made on an aggregate basis by county or within an agreed upon region of the state based on the annual plan approved by the Commissioner. Crisis respite resources will be allocated to approved projects and will be managed outside of individual counties' unique allowable average to provide flexibility to meet challenging needs of persons in the most effective and efficient manner. Projects will demonstrate on-going Medicaid cost effectiveness by operating within the costs of the approved plans and by reducing the institutional and acute services for crisis purposes.~~

The Department anticipates that managing growth in waiver expenditures will decrease forecasted Medical Assistance costs by \$2,500,000 through June 30, 2003 (the end of State Fiscal Year 2003), of which \$1,250,000 is projected to be state costs, and \$34,800,000 from July 1, 2003-June 30, 2004 (State Fiscal Year 2004), of which \$17,400,000 is projected to be state costs, and \$75,700,000 from July 1, 2004-June 30, 2005 (State Fiscal Year 2005), of which \$37,850,000 is projected to be state costs.

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

Kathleen Kelly
Disability Services Division
Minnesota Department of Human Services
444 Lafayette Road North
St. Paul, Minnesota 55155-3872
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Department of Human Services**Health Care Purchasing and Delivery Systems Division, Health Care Administration****Public Notice of the Maximum Allowable Costs of Medical Assistance Outpatient Prescribed Drugs**

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of additions, effective February 19, 2003, to the state Medical Assistance maximum allowable cost (MAC) list for outpatient prescribed drugs.

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

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

On January 13, 2003 at 27 SR 1117-1130, the Department published notice of the MAC list, showing the federal and state MACs. Effective February 19, 2003, the following drugs will have a state MAC:

<u>Generic Name</u>	<u>MAC</u>
ACETAZOLAMIDE 125MG TABLET	0.0761
ACETIC ACID/HYDROCORTISONE 2-1% DROPS	1.6372
AMITRIPTYLINE HCL 25MG TABLET	0.082
AMOXAPINE 100MG TABLET	1.0207
AMOXAPINE 150MG TABLET	1.1172
AMPICILLIN TRIHYDRATE 250MG/5ML ORAL SUSP	0.0389
ANTIPYRINE/BENZOCAINE/GLYCERIN 5.4-1.4% DROPS	0.1048
BETAMETHASONE DIPROPIONATE 0.05% CREAM	0.1314
BETAMETHASONE DIPROPIONATE 0.05%OINT. (ML)	0.2146
BETAMETHASONE VALERATE 0.10% OINT. (ML)	0.0717
BISACODYL 10MG SUPP. RECT	0.1043
BUSPIRONE HCL 5MG TABLET	0.1373
CEPHRADINE 250MG CASULE	0.3653
CHLOROTHIAZIDE 250MG TABLET	0.0488
CHLOROTHIAZIDE 500MG TABLET	0.1205
CHLORPROMAZINE HCL 100MG TABLET	0.3786
CHLORPROMAZINE HCL 10MG TABLET	0.1627
CHLORPROMAZINE HCL 200MG TABLET	0.4446
CHLORPROMAZINE HCL 25MG TABLET	0.2519
CHLORPROMAZINE HCL 50MG TABLET	0.3182
CLEMASTINE FUMARATE 0.67MG/5ML SYRUP	0.0423
CLEMASTINE FUMARATE 2.68MG TABLET	0.3573
CLOTRIMAZOLE 1% CREAM	0.1354
CLOTRIMAZOLE 1% CREAM/APPL	0.072
CLOTRIMAZOLE 1% SOLUTION	0.1168
CLOTRIMAZOLE/BETAMET DIPROP 1-0.05% CREAM	0.9177
CODEINE PHOSPHATE/ASPIRIN 30-325MG TABLET	0.0667
COLCHICINE 0.6MG TABLET	0.049
CORTISONE ACETATE 25MG TABLET	0.2927
CYCLOPENTOLATE HCL 1% DROPS	0.972
CYPROHEPTADINE HCL 4MG TABLET	0.2272
DANAZOL 200MG CASULE	2.8653

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DESMOPRESSIN ACETATE 4MCG/ML AMPUL	20.8104
DESONIDE 0.05% CREAM	0.3031
DESOXIMETASONE 0.05% CREAM	0.5174
DEXAMETHASONE 0.25MG TABLET	0.0407
DEXAMETHASONE 0.75MG TABLET	0.0392
DEXAMETHASONE 1.5MG TABLET	0.0779
DEXAMETHASONE 4MG TABLET	0.1847
DICLOFENAC SODIUM 100MG TAB .SR 24H	1.2263
DICLOXACILLIN SODIUM 250MG CASULE	0.2694
DIFLORASONE DIACETATE 0.05% CREAM	0.567
DILTIAZEM HCL 120MG CASULE	0.5182
DILTIAZEM HCL 300MG CAP.SR 24H	1.377
DILTIAZEM HCL 60MG CAP.SR 12H	0.2272
DILTIAZEM HCL 90MG CAP.SR 12H	0.3342
DIPHENHYDRAMINE HCL 25MG CASULE	0.0251
DIPHENHYDRAMINE HCL 50MG/ML DISP SYRIN	1.7628
DISOPYRAMIDE PHOSPHATE 100MG CASULE	0.0872
DYPHYLLINE 200MG TABLET	0.4900
ERGOLOID MESYLATES 1MG TABLET	0.7118
ERYTHROMYCIN ESTOLATE 125MG/5ML ORAL SUSP	0.052
ERYTHROMYCIN ETHYLSUCCINATE 200MG/5ML ORAL SUSP	0.0336
ERYTHROMYCIN ETHYLSUCCINATE 400MG/5ML ORAL SUSP	0.034
ERYTHROMYCIN STEARATE 250MGTABLET	0.1114
ESTRADIOL 0.05 MG/24H PATCH TDWK	4.302
ESTRADIOL 0.1 MG/24H PATCH TDWK	4.512
ESTRADIOL VALERATE 20MG/ML VIAL	1.3392
ESTRADIOL VALERATE 40MG/ML VIAL	1.9668
ETODOLAC 400MG TAB.SR 24H	0.8902
FERROUS GLUCONATE 325MG TABLET	0.0199
FERROUS SULFATE 220MG/5ML ELIXIR	0.0063
FERROUS SULFATE 75MG/0.6ML DROPS	0.0442
FLECAINIDE ACETATE 100MG TABLET	1.2499
FLECAINIDE ACETATE 150MG TABLET	1.7168
FLECAINIDE ACETATE 50MG TABLET	0.7648
FLUOCINOLONE ACETONIDE 0.01% CREAM	0.0616
FLUOCINOLONE ACETONIDE 0.03% CREAM	0.076
FLUOXYMESTERONE 10MG TABLET	1.731
FLUPHENAZINE DECANOATE 25MG/ML VIAL	2.301
FLUPHENAZINE HCL 5MG/ML ORAL CONC.	0.5749
GENTAMICIN SULFATE 0.10% CREAM	0.1015
GENTAMICIN SULFATE 0.10% OINT. (ML)	0.1096
GENTAMICIN SULFATE 3MG/ML DROPS	0.3024
GUAIFENESIN 600MG TABLET	0.0409
GUANABENZ ACETATE 4MG TABLET	0.3407
GUANABENZ ACETATE 8MG TABLET	0.3293
HALOPERIDOL DECANOATE 100MG/ML VIAL	13.2024
HALOPERIDOL DECANOATE 50MG/ML AMPUL	12.576
HALOPERIDOL DECANOATE 50MG/ML VIAL	7.1232
HOMATROPINE HBR 2% DROPS	1.7136
HOMATROPINE HBR 5% DROPS	2.1912
HYDROCODONE BIT/ACETAMINOPHEN 10-325MG TABLET	0.2708
HYDROCODONE BIT/ACETAMINOPHEN 10-660MG TABLET	0.2766
HYDROCODONE BIT/ACETAMINOPHEN 2.5-167/5 ELIXIR	0.034

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HYDROCODONE BIT/ACETAMINOPHEN 2.5-500MG TABLET	0.0986
HYDROMORPHONE HCL 2MG TABLET	0.156
HYDROMORPHONE HCL 4MG TABLET	0.2925
HYOSCYAMINE SULFATE 0.125MG TABLET	0.0923
HYOSCYAMINE SULFATE 0.125MG TABLET	0.0338
HYOSCYAMINE SULFATE 0.125MG/ML DROPS	0.436
HYOSCYAMINE SULFATE 0.375MG CAP.SR 12H	0.1439
HYOSCYAMINE SULFATE 0.375MG TABLET	0.1269
ISONIAZID 100MG TABLET	0.0412
ISOSORBIDE DINITRATE 5MG TABLET	0.0456
ISOSORBIDE MONONITRATE 120MG TAB.SR 24H	1.0655
KETOCONAZOLE 2% CREAM	0.5467
KETOPROFEN 100MG CAP24H PEL	1.6272
KETOPROFEN 200MG CAP24H PEL	1.6866
LIDOCAINE HCL (ANEST) 5% OINT. (ML)	0.2989
LIDOCAINE HCL 5% OINT. (ML)	0.2989
LINDANE 1% LOTION	0.1148
LINDANE 1% SHAMPOO	0.1241
LITHIUM CARBONATE 300MG CASULE	0.12
LITHIUM CITRATE 8MEQ/5ML SYRUP	0.028
LORAZEPAM 2MG/ML DISP. SYRIN	2.664
MECLOFENAMATE SODIUM 100MG CASULE	0.2579
MECLOFENAMATE SODIUM 50MG CASULE	0.1976
MEPROBAMATE 200MG TABLET	0.0767
MEPROBAMATE 400MG TABLET	0.175
METAPROTERENOL SULFATE 10MG/5ML SYRUP	0.0226
METHENAMINE MANDELATE 500MG TABLET	0.2112
METHYLCLOTHIAZIDE 5MG TABLET	0.369
METHYLDOPA 250MG TABLET	0.1012
METHYLDOPA 500MG TABLET	0.1829
METHYLDOPA/HYDROCHLOROTHIAZIDE 250-15MG TABLET	0.1054
METHYLDOPA/HYDROCHLOROTHIAZIDE 250-25MG TABLET	0.1115
METHYLPREDNISOLONE 4MG TAB DS PK	0.1765
NADOLOL 120MG TABLET	0.3185
NADOLOL 160MG TABLET	0.3607
NIFEDIPINE 20MG CASULE	0.2015
NIFEDIPINE 30MG TABLET	0.9308
NIFEDIPINE 60MG TABLET	1.5163
NITROGLYCERIN .06MG/HR PATCH	0.9208
NITROGLYCERIN 0.1MG/HR PATCH	0.6619
NITROGLYCERIN 0.2MG/HR ADH. PATCH	0.5611
NITROGLYCERIN 0.4MG/HR PATCH	0.6619
NITROGLYCERIN 2.5MG CASULE	0.0289
NITROGLYCERIN 6.5MG CASULE	0.0364
NITROGLYCERIN 9MG CASULE	0.0538
ORPHENADRINE/ASPIRIN/CAFFEINE 50-770-60 ORAL SUSP	0.0944
ORPHENADRINE/ASPIRIN/CAFFEINE 50-770-60 TABLET	0.2731
OXYBUTYNIN CHLORIDE 5MG/5ML SYRUP	0.0709
OXYCODONE HCL 20MG/ML ORAL CONC.	0.7308
OXYCODONE HCL 5MG CASULE	0.1908
OXYCODONE HCL 5MG TABLET	0.2198
PENTOXIFYLLINE 400MG TABLET	0.1132
PHENAZOPYRIDINE HCL 100MG TABLET	0.0778

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PHENAZOPYRIDINE HCL 200MG TABLET	0.1678
PHENOBARBITAL 20MG/5ML ELIXIR	0.0082
PILOCARPINE HCL .050% DROPS	0.172
PILOCARPINE HCL 1% DROPS	0.1104
PILOCARPINE HCL 2% DROPS	0.1725
PILOCARPINE HCL 6% DROPS	0.6712
POTASSIUM CHLORIDE 10MEQ TABLET	0.1506
POTASSIUM IODIDE 1G/ML SOLUTION	0.2
PRAZOSIN HCL 1MG CASULE	0.1024
PRAZOSIN HCL 2MG CASULE	0.2076
PREDNISOLONE SOD PHOSPHATE 1% DROPS	1.832
PROCHLORPERAZINE EDISYLATE 5MG/ML DISP SYRIN	1.314
PROCHLORPERAZINE EDISYLATE 5MG/ML VIAL	2.01
PROPANTHELINE BROMIDE 15MG TABLET	0.4079
PROPOXYPHENE HCL/ASA/CAFFEIN 65MG CASULE	0.1027
PROPYLTHIOURACIL 50MG TABLET	0.0818
PROTRIPTYLINE HCL 10MG TABLET	0.6697
QUINIDINE SULFATE 300MG TABLET	0.6697
SALSALATE 500MG TABLET	0.0627
SALSALATE 750MG TABLET	0.0778
SODIUM FLUORIDE 0.5MG/ML DROPS	0.066
SOTALOL HCL 240MG TABLET	0.5245
SULFACETAMIDE SODIUM 10% OINT. (GM)	0.058
THEOPHYLLINE ANHYDROUS 200mg CAP.SR 12H	0.3038
THEOPHYLLINE ANHYDROUS 80mg/15ml ELIXIR	0.00732
THYROID 120MG TABLET	0.0125
THYROID 180MG TABLET	0.0698
THYROID 30MG TABLET	0.0113
THYROID 60MG TABLET	0.0407
TIMOLOL MALEATE 0.25% SOL-GEL	4.1098
TOLBUTAMIDE 500MG TABLET	0.0775
TOLMETIN SODIUM 200MG TABLET	0.4451
TOLMETIN SODIUM 400MG CASULE	0.8818
TOLMETIN SODIUM 600MG TABLET	0.8908
VERAPAMIL HCL 120MG TABLET	0.5492
WATER FOR INJECTION, STERILE AMPUL	0.063
YOHIMBINE HCL 5MG TABLET	0.03

This change is made to bring Medical Assistance reimbursement to pharmacists more closely in line with the actual acquisition cost of the drugs listed above. The Department estimates that there will be a state savings of \$900,000 from February 19, 2003 through June 30, 2003 (the remainder of State Fiscal Year 2003) and \$2.4 million for State Fiscal Year 2004 (July 1, 2003 through June 30, 2004).

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

Written comments and requests for information may be sent to:

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

Office of the Ombudsman for Mental Health and Mental Retardation**Notice of Committee Meeting**

The Ombudsman for MH/MR Advisory Committee will hold a meeting from 9:00 a.m. to 1:00 p.m. on Thursday Feb. 20, 2003. The meeting will be held in Suite 420 of the Metro Square Building, on 7th & Robert St., St. Paul.

Please RSVP to Paula at (651) 296-3848 or 800-657-3506. Thank you!

Public Employees Retirement Association**Notice of Meeting of the Board of Trustees**

A meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, February 20, 2003, at 9:30 a.m., in the PERA offices, 60 Empire Drive, Room 117, St. Paul, Minnesota.

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 Public Safety**Office of Drug Policy and Violence Prevention****Notice of Availability of Funds: Minnesota Criminal Gang Strike Force**

The Minnesota Department of Public Safety, Office of Drug Policy and Violence Prevention in coordination with the Criminal Gang Strike Force Oversight Council is pleased to announce the availability of funds to support participation in the Criminal Gang Strike Force.

PURPOSE

The purpose of this program is to reimburse local law enforcement agencies for the costs associated with the hiring of an officer to replace an officer assigned to the Criminal Gang Strike Force and to otherwise expand the capacity of agencies to successfully investigate and prosecute crimes committed by criminal gangs.

SOURCE OF FUNDING

Pursuant to *Minnesota Statute* 299A.66, the Commissioner of Public Safety, upon recommendation of the Criminal Gang Strike Force Oversight Council, may award Criminal Gang Strike Force participation grants.

GENERAL INFORMATION

The application deadline is March 31, 2003. To receive a copy of the application contact:

Debi Edwards
Office of Drug Policy and Violence Prevention
Minnesota Department of Public Safety
444 Cedar St.
Suite 100-D Town Square
St. Paul, MN 55101
Telephone: (651) 284-3320 **TTY:** 651-282-6555
E-Mail: Deborah.Edwards@state.mn.us

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.

Department of Administration

Division of State Building Construction

Notice of Request for Proposals (RFP) for Professional Services of Minnesota Department of Health Licensed Designers and Industrial Hygiene Services for Asbestos and Other Hazardous Materials Removal

To Minnesota Licensed Asbestos Abatement Design Professionals and Industrial Hygiene Services Professionals:

The Department of Administration, Division of State Building Construction (State) is soliciting proposals from firms and individuals (Consultant) for the following professional services:

- Minnesota Department of Health (MDH) licensed asbestos abatement designer to design, prepare construction drawings and manage construction of asbestos and other hazardous materials remediation projects, and/or
- Industrial hygiene services for air monitoring, sampling and testing. Air monitoring, sampling and testing includes site surveys, on-site and bulk material sampling and analysis, recommendations and reports on hazardous material projects.

The full Request for Proposal is available at <http://www.dsbc.admin.state.mn.us>, click on "Solicitation Announcements", click on "RFP for Hazardous Material Professional Services".

This request does not obligate the STATE to complete the work contemplated in the Request for Proposal, and the STATE reserves the right to cancel this solicitation if it is considered in its best interest.

Questions may be faxed to the attention of Sharon Schmidt, Contracts Officer, at (651) 296-7650 or emailed to sharon.schmidt@state.mn.us. Questions must be received no later than February 27, 2003.

Proposals must be received no later than **3 p.m. CST on Friday, March 7, 2003**. Late proposals will not be considered.

NOTE: The current master contracts used by the Minnesota Department of Administration, Division of State Building Construction for licensed designer and industrial hygiene services for hazardous materials/asbestos abatement projects expires on March 31, 2003. Consultants with a master contract expiring on March 31, 2003 must submit a proposal to be considered for a new master contract.

Department of Administration

State Designer Selection Board

Request for Proposals for The Department of Military Affairs, for Design Services for Upgrades at Minnesota Army National Guard Facilities Located in Ortonville, Appleton and Alexandria, MN. (Project 03-11)

To Minnesota Registered Design Professionals:

The State of Minnesota (State) through its State Designer Selection Board has been requested to select a design team for the above project. Proposals from interested firms must be received by, 1:00 p.m. Monday, March 3, 2003 to:

Terry Lewko, Executive Secretary
State Designer Selection Board
Department of Administration
c/o Materials Management Division
50 Sherburne Avenue, Room 112
St. Paul, Minnesota 55155
(651) 297-1545

PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.

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

1. PROJECT 03-11

a. PROJECT DESCRIPTION:

Life Safety, ADA, electrical and Building Code upgrades; roof replacements; exterior repair; facility survey; remodeling and upgrading of spaces for Minnesota Army National Training and Community Centers (Armories). Locations: Ortonville, Appleton and Alexandria, Minnesota.

Project Scope:

1. Ortonville

Renovate office area.

Renovate men's shower and locker room in basement.

Add toilet partitions in existing restrooms.

Add handicapped restrooms with shower on the main floor.

Replace exit / panic hardware. Replace doors and frames as required.

Install new suspended ceilings throughout the building.

Provide fire rate corridors, door and hardware to allow sleeping in the facility.

Electrical service upgrade, and lighting/power upgrade throughout the facility, interior and exterior.

Replace phone/data wiring throughout the building.

Install fire alarm and emergency lighting system throughout the building.

Install a fire sprinkler system throughout the building.

Convert existing steam boiler system to a hydronic system. Add air handling/exhaust to the basement and shower/restrooms/cooling to the offices, and classrooms.

2. Appleton

Miscellaneous brick tuckpointing and brick sealant.

Replace concrete entrance steps, hand rails. Replace / redesign front entrance to allow wheelchair access.

Renovate office area.

Repair plaster damage and mold/mildew on basement walls.

Add handicapped restrooms with shower on the main floor.

Install new suspended ceilings throughout the building.

Provide fire rate corridors, door and hardware to allow sleeping in the facility.

Remove and replace concrete floor in basement. Renovate unit storage caging and locker room. Replace all the asbestos floor tile in the entire facility.

Replace exit/panic hardware. Replace exterior doors and frames as required.

Electrical service upgrade, and lighting/power upgrade throughout the facility, interior and exterior.

Replace phone/data wiring throughout the building.

Install fire alarm and emergency lighting system throughout the building.

Install a fire sprinkler system throughout the building.

Convert existing steam boiler system to a hydronic system. Add air handling exhaust to the basement and shower/restrooms/cooling to the offices, and classrooms.

3. Alexandria

Tuckpoint and repair/replace stucco. Seal exterior envelope.

Replaster/ stucco exterior wainscot.

Renovate office wing. Add men's restroom in front lobby.

Provide fire rate corridors, door and hardware to allow sleeping in the facility.

Replace exit/panic hardware. Replace/redesign front entrance to allow wheelchair access.

Replace/redesign back door exterior stair.

Install new suspended ceilings throughout the building.

Install fire alarm and emergency lighting system throughout the building.

Install a fire sprinkler system throughout the building.

Electrical service upgrade, and lighting upgrade for the entire facility, interior and exterior.

Replace phone/data wiring throughout the building.

Add central air conditioning system and ventilation.

b. REQUIRED CONSULTANT SERVICES:

The consultant will: The work includes investigating the sites; provide certified property survey of each site, which shall include research of legal description and placement of property boundary markers; obtaining *all* code reviews by the State/cities, preparation of schematic, preliminary and final drawings and specifications to include issuing the bidding documents; and fielding questions during the bidding phase. General observation of the work for the Owner, assisting in the preparation of supplemental agreements, approving payment requests, review shop drawings, etc. during the construction phase. The architect may use his standard document format normally associated with commercial work, tailored to the project. The fees will include any site surveys, investigative / correction / services required to prepare the facilities to comply with regulations for construction and subsequent occupancy.

The Owner has limited existing drawings and specification documents for the three facilities. The Owner has "AutoCAD" architectural floor plans available. The documents for the Ortonville, Appleton, and Alexandria facilities are not complete and an exhaustive investigative visit(s) is required. The architect will need to verify all existing conditions including but not limited to, finishes, sizes, room configuration, mechanical, electrical and exterior conditions to allow for design work.

c. SERVICES PROVIDED BY OTHERS:

In addition to the licensed architects, mechanical and electrical engineers, the design team must include the following: Certified Building Code Official, Fire Protection Engineer, Fire Alarm System Engineer, and a registered Land Surveyor.

d. SPECIAL CONSIDERATIONS: None

e. PROJECT BUDGET/FEES: Construction Budget: \$2,100,000.00.

The fee for all services will be a negotiated lump sum fee. This lump sum fee will be divided into three parts: Type A services (investigative), Type B Services (design/bidding) and Type C Services (construction administration). According to Federal funding rules, the Type B Services portion cannot exceed 6% of the project budget. The total lump sum fee (Types A, B & C) will include all costs for travel and other typical reimbursable expenses.

f. PROJECT SCHEDULE:

Because this project is being funded with a combination of state and Federal funds from different fiscal years, a bid opening date is expected around November 13, 2003. It is expected that construction will start early in 2004 and be complete by September 1, 2004.

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions**

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *proposal*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and Coverages sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this response that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions**

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

g. PROJECT PRE-DESIGN INFORMATION: None

h. PROJECT INFORMATIONAL MEETING (S)/SITE VISIT (S): None

i. STATE DESIGNER SELECTION BOARD SCHEDULE:

<i>Project Information Meeting and/or Site Visit:</i>	None
<i>Project Proposals Due:</i>	Monday, March 3, 2003, by 1:00 p.m.
<i>Project Shortlist:</i>	Tuesday, March 18, 2003
<i>Project Information Meeting for Shortlisted firms:</i>	<i>To be set by user agency if needed</i>
<i>Project Interviews and Award:</i>	Tuesday, April 1, 2003

j. PROJECT CONTACT(S):

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

Patrick Rolph, Department of Military Affairs
Camp Ripley
15000 Highway 115
Little Falls, MN 56345
Phone #: (320) 632-7312 **Fax#:** (320) 632-7473
E-mail address: *Patrick.Rolph@mn.ngb.army.mil*

k. SAMPLE CONTRACT

The successful responder will be required to execute the Department of Military Affairs' Basic Services Agreement which contains standard contract terms and conditions and includes insurance requirements. A copy is available by contacting Ms. Carol Prozinski at telephone (320) 632-7303 or *Carol.Prozinski@mn.ngb.army.mil*.

No terms and conditions in the contract may be changed. You must respond in your proposal that you accept the Department's contract as written.

NOTE TO RESPONDERS: CHANGES MAY HAVE BEEN MADE IN THE FOLLOWING AS OF 11 JUNE 2002.

2. PROPOSAL REQUIREMENTS

- a. 9 copies
- b. 8 ½ X 11, soft bound, portrait format
- c. Maximum 20 faces (excluding front and back covers and blank dividers)
- d. All pages numbered

3. PROPOSAL CONTENTS

a. COVER

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

b. COVER LETTER

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

- Brief overview of proposal
- Statement that proposal contents are accurate to the best knowledge of signatory

c. INFORMATION ON FIRM(S)

For prime firm and each consultant firm provide brief description including:

- Name and location
- Year established
- Legal status
- Ownership
- Staffing by discipline
- For firms with multiple offices briefly summarize for each office

d. PROJECT TEAM

- Brief statement of team's past or present working relationships
- For each team member provide:
 - Name and position in firm, include name of firm
 - Home base (if in multi-office firm)
 - Responsibility on this project
 - Years of experience
 - Relevant recent experience (if in another firm, so note)
 - Registration (including specialty if engineer)

e. TEAM ORGANIZATION

If planning or design consultants are a part of the team explain how they will be utilized (e.g. major role during design, absent during construction, etc). Matrix or chart *may* be used.

f. PROJECT EXPERIENCE

For architectural, planning, and/or landscape architecture firms, provide examples of relevant projects recently completed or in progress including:

- Photographs, sketches and/or plans
- Name and location
- Brief description (e.g. size, cost, relevance)
- Firm of record
- Involvement of proposed project team members (*may* be separate matrix; if in another firm so note)
- Completion date or current status

For engineering or technical firms provide examples of relevant projects recently completed or in progress including the above except that photographs, sketches and/or plans are to be for only that portion of the work for which firm was responsible.

g. APPROACH/METHODOLOGY

Describe your understanding of the project, significant issues to be addressed and your *specific* approach to the planning, design and construction process for *this* project.

h. UNIQUE QUALIFICATIONS

Briefly summarize your team's unique qualifications for this project.

i. OTHER REQUIREMENTS

- A statement of acceptance of the Department's contract as written.
- A statement of commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in the proposal along with adequate staff to meet requirements of the work.
- A statement indicating that consultants listed have been contacted and have agreed to be a part of the team.
- A complete Affidavit of Non-collusion
- If appropriate, provide a list of all entities that create a conflict of interest (see 5.b.)
- A completed Affirmative Action Data Page regarding compliance with Minnesota Human Rights Requirements. A copy of the form is available on **Web Site** <http://www.dsbcb.admin.state.mn.us>, click on forms.
- A list of all State and University of Minnesota current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

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

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

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

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

4. SELECTION CRITERIA

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

5. CONTRACT REQUIREMENTS

a. AFFIDAVIT OF NONCOLLUSION:

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

b. CONFLICTS OF INTEREST:

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

State Contracts

c. DISPOSITION OF RESPONSES:

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

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

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

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

d. CONTINGENCY FEES PROHIBITED:

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

e. ORGANIZATIONAL CONFLICTS OF INTEREST

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

f. STATE EMPLOYEES:

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

g. PREFERENCE TO TARGETED GROUP AND ECONOMICALLY DISADVANTAGED BUSINESS AND INDIVIDUALS:

In accordance with *Minnesota Rules* 1230.1810, subpart B and *Minnesota Rules* 1230.1830, certified Targeted Group Businesses or individuals and certified Economically Disadvantaged Businesses or individuals submitting proposals as prime contractors (consultants) will receive up to six percent preference in the evaluation of their proposals. For information regarding certification, contact the Department of Administration, Materials Management **Helpline** at (651) 296-2600, **TTY** (651) 282-5799.

h. HUMAN RIGHTS REQUIREMENTS

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

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

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

Minnesota State Colleges and Universities

North Hennepin Community College

Notice of Intent to Solicit Bids for Audio-Visual Equipment and Installation in the New Center for Liberal Arts

Project Scope: North Hennepin Community College is requesting proposals for audio-visual equipment and installation for its new Center for Liberal Arts. The Center for Liberal Arts building project involves remodeling of an existing building and new construction. Completion is scheduled for January 1, 2004. The building includes 16 classrooms and one lecture/auditorium. The above rooms shall all be equipped with data projection, VCR/DVD playback, audio amplification, and visual presentation equipment as specified on a room-by-room basis in an attachment to the request for bid.

Further, two of the classrooms and the lecture/auditorium will be equipped with video camera recording. Also, two television monitors will be located in hallways of the building for connection to the campus closed-circuit information system.

Sealed Proposals to be submitted to:

Dawn Reimer
Educational Services Room ES12
North Hennepin Community College
7411 - 85th Avenue North
Brooklyn Park, MN 55445

Due Date & Time: 12:00 noon on Tuesday, March 4, 2003

Vendor Selection to be made by March 12, 2003.

Pre-bid Meeting: 9:00 a.m. on Friday, February 21, 2003. A vendors' Q & A meeting will be held at North Hennepin Community College, Educational Services Building, Room ES 36 to give vendors the opportunity to ask questions in person about the RFP or the RFP process. Attendance at this meeting is optional.

Complete Bid Packages are available at the North Hennepin Community College web site <http://www.nhcc.edu/AV-RFP-1.pdf>.

Proposal Contact:

Name:	Jane Wilson
Title:	Instructional Technology Coordinator
Address:	North Hennepin Community College, 7411 85th Avenue North, Brooklyn Park, MN 55445
Phone:	(763) 424-0740
E-mail:	jane.wilson@nhcc.mnscu.edu

Minnesota Board of Dentistry

Request for Proposals for Establishing a Donated Dental Services (DDS) Program

The Minnesota Board of Dentistry has issued a Request for Proposals for an organization to develop and operate a Donated Dental Services (DDS) program in Minnesota. The DDS program will match public program recipients and the uninsured with dentists who will provide pro bono services.

The DDS program has funding available for FY03-05. The Request for Proposals does not obligate the state to award the contract or complete the project, and the state reserves the right to cancel solicitation if it is considered to be in its best interest.

The Request for Proposals contains additional information, and is available on-line at: www.dentalboard.state.mn.us.

Questions may be directed and applications sent to:

Minnesota Board of Dentistry
Marshall Shragg, Executive Director
2829 University Avenue SE, Suite 450
Minneapolis, MN 55414
(612) 617-2257

Applications are due no later than 2:30 p.m., Tuesday, March 11, 2003.

State Contracts

Minnesota House of Representatives

Request for Bid (RFB) for Financial Audit for Fiscal Year 2002

The Minnesota House of Representatives is requesting proposals to audit the financial statements of the House for the fiscal year ending June 30, 2002. The audit is to be performed by an independent certified public accounting firm licensed to do business in the State of Minnesota.

The deadline for receipt of proposals is 1:00 p.m., Friday, March 14, 2003. Copies of the RFB are available from:

Minnesota House of Representatives
Room 198 State Office Building
100 Rev Dr Martin Luther King Jr Blvd
St. Paul, MN 55155-1298
(612) 296-3572
Attention: Helen Arend

Department of Transportation

Program Support Group

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

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

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

Mn/DOT is currently requesting application from consultants in the following service areas: preliminary design, highway design, bridge inspection and environmental studies. Technical and administrative qualification requirements are located on the web site indicated below. In the future, Mn/DOT will be requesting applications for additional highway related consulting services as those services become available. Following advertisement of a particular category of services, applications will be accepted on a continual basis.

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

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

Send completed application material to:

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

NOTE: Due Date: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

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 M/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 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 editor for further details.

Metropolitan Council

Notice of Request for Proposals (RFP) for Occupational Health and Medical Services

The Metropolitan Council (Council) is seeking proposals to provide Occupational Health and Medical Services, on an as needed basis. Services required include, but are not limited to DOT and Routine Pre-employment physicals, Respiratory Testing and Evaluation, Audiometric Evaluations and Return to Work/Fitness for Duty Evaluations. These services will be provided for the Council's Environmental Services (MCES) and Transit Operations (MCTO) divisions. Required services will be performed at Clinic and On-site Council locations. A tentative schedule for the project is shown below:

<i>Issue Request for Proposals</i>	February 18, 2003
<i>Proposals Due</i>	March 13, 2003
<i>Award of Contract</i>	April 2003
<i>Term of Contract</i>	Three Years

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

Sunny Jo Emerson, Senior Administrative Assistant
Metropolitan Council
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1499 **Fax:** (651) 602-1083
Email: sunny.jo.emerson@METC.state.mn.us

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

Non-State Contracts & Grants

Metropolitan Council - Metro Transit

Sealed Bids Sought for Downtown Minneapolis Mini-Station

The Metropolitan Council is soliciting sealed bids for Metro Transit's Downtown Minneapolis Mini-Station. Bids are due at **2:00 p.m. on March 6, 2003**. Bids must be submitted in accordance with the Invitation for Bids document available from:

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

Prior Lake-Spring Lake Watershed District

Request for Bids for Spring Lake Park Curlyleaf Pondwater Projects

Request for Bids for the 2003 Spring Lake Curlyleaf Pondweed Aquatic Plant Harvesting Project, and the 2003 Spring Lake Curlyleaf Pondweed Treatment Project.

The Prior Lake-Spring Lake Watershed District is seeking bids from qualified firms for two projects; 1) the 2003 Spring Lake Curlyleaf Pondweed Aquatic Plant Harvesting Project, and 2) the 2003 Spring Lake Curlyleaf Pondweed Aquatic Plant Treatment Project. All work will be in accordance with the General conditions, the Contract, and the Request for Bids.

The successful bidder(s) must agree to the terms and conditions and insurance requirements as outlined in the contract in the request for bids.

The Request for Bid for both projects is available by calling or writing Paul Nelson, District Administrator, Prior Lake-Spring Lake Watershed District, 16670 Franklin Trail S.E., Suite 110, Prior Lake, MN 55372. Telephone: (952) 447-4166.

All bids must be received by Paul Nelson or an authorized agent no later than 3:00 P.M. Friday February 28, 2003. A bid opening will be conducted at that time. A bid Bond must be included in the amount of \$2,000.00 for each project bid. Late bids will not be considered.

Complete specifications and details concerning submission requirements are included in the Request for Bids.

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 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 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.

Best-Sellers & Old Favorites



Landscaping for Wildlife

Packed with color photos and diagrams, this guide will show you how to attract wildlife to your property using inexpensive, easy-to-follow landscaping plans. Attract everything from butterflies to deer, cardinals to wood ducks. Spiral-bound, 144pp. **Stock No. 9-15 \$10.95**

Woodworking for Wildlife

Full-color, spiral-bound book includes diagrams for building bird houses, nest boxes and platforms to attract and keep your favorite wildlife coming back to your property. Features 50 species of birds and mammals. Spiral-bound, 112pp. **Stock No. 9-14 \$9.95**

Wild About Birds

Feed the birds with this excellent guide designed to increase the number of species using your feeder. This, the third book by Carroll Henderson, includes woodshop basics for construction of 26 different feeders and tips on 44 types of food, plus detailed descriptions and photos of almost all the feeder-using species east of the Rocky Mountains. Over 425 color photos. Spiral-bound, 288pp. **Stock No. 9-24 \$19.95**

Buy a Set and SAVE \$\$\$

Purchase BOTH *Landscaping for Wildlife* and *Woodworking for Wildlife* and save \$2.40 **Stock No. 9-20 \$18.50**

Purchase *Landscaping for Wildlife*, *Woodworking for Wildlife* AND *Wild About Birds* and save \$3.90 **Stock No. 9-25 \$36.95**

www.minnesotasbookstore.com

A Guide to Minnesota's Scientific & Natural Areas

This Guide presents Minnesota's landscape: Aspen Parkland, Prairie Grasslands, Deciduous Woods, and Coniferous Forests and introduces specific SNAs (scientific & natural areas) that preserve representative examples. Each site listing features a map and a description of geological formations, landscape types, and selected key plant and animal types. Includes township/range/section listing, acreage and how to access the site. Spiral-bound, 240pp. **Stock No. 9-8 \$14.95**

A Guide to the Nature Conservancy's Preserves in Minnesota

Learn the location and unique ecological features at 52 preserves established by the Nature Conservancy. Explore the Northern Tallgrass Prairies, Prairie Forest Borders, and the Superior Mixed Forests and Great Lakes region. Discover prairie chickens, sandhill cranes, wild iris, Peregrine falcons, lady's slippers, and more varied species of animals, birds and plant life with the aid of this guide. Spiral-bound, 121pp. **Stock No. 9-69 \$14.95**



Scenic Trading Cards: Minnesota Prints

A selection of 12 beautiful and colorful Minnesota scenes. Great for trading or a guest gift. Each card measures 3.25" x 2.5". **Stock No. 15-170 \$1.99**

Minnesota's Bookstore

Ford Building
117 University Ave. Room 110A
St. Paul, MN 55155

