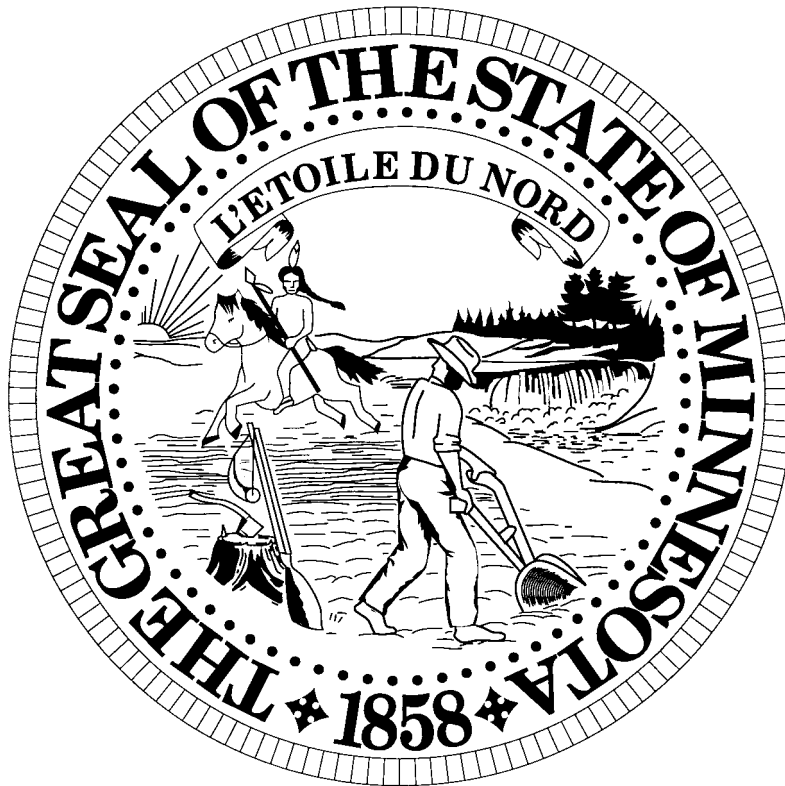


State of Minnesota

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:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
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Printing Schedule and Submission Deadlines

| 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 |
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| #39 | Monday 24 March | Noon Tuesday 18 March | Noon Wednesday 12 March |

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

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

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

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

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Proposed Rules

Comments on Planned Rules or Amendments

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

Rules to be Adopted After a Hearing

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

Rules to be Adopted Without a Hearing

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

Minnesota Department of Agriculture

Commissioner's Office

Notice of Intent to Repeal Obsolete Rules

Proposed Repeal of Rules Governing County Agriculture Inspectors; Nursery Stock; Seed Containers; Organic Standards and Certifications; and Data Privacy; *Minnesota Rules*, 1505.0760, 1505.0770, 1505.0790, 1505.0800, 1510.0110, 1510.0130 - 1510.0150, 1555.0005 - 1555.0012, 1556.0200 - 1556.0227, and 1558.0040, subd. 5

Introduction. The Department of Agriculture intends to repeal obsolete rules following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, section 14.3895.

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

Subject of Rules and Statutory Authority. The proposed repeal is of obsolete rules that set standards for county agriculture inspectors, rose bushes, and care of nursery stock, set labeling requirements for seed, set standards for organic food and requirements for organic certification and set privacy requirements for data submitted in release permit applications for genetically engineered organisms. The statutory authority to repeal the rules is *Minnesota Statutes*, sections 18.48, subd. 2; 21.85, subd. 11; 31.94; 31.95; and 18F.12. A copy of the proposed repeal is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on May 2, 2003 to submit written comment in support of or in opposition to the proposed repeal or any part or subpart of the repeal. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the rule proposed for repeal involved and the reason for the comment. You are encouraged to propose that any part or subpart not be repealed. Any comments that you would like to make on the legality of the proposed repeal must also be made during this comment period.

Request for an Alternative Process. If 25 or more people submit a written request, the agency will have to meet the requirements of sections 14.131 to 14.20 for rules adopted after a public hearing or the requirements of sections 14.22 to 14.28 for rules adopted without a public hearing, including preparation of a statement of need and reasonableness and the opportunity for a hearing. Your request must be in writing and be received by the agency contact person by 4:30 p.m. on, May 2, 2003. Your written request for an alternative process must include your name and address. You must identify the rule which you feel should not be repealed or state that you oppose the entire repeal. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether an alternative process is necessary. You are also encouraged to state the reason for the request.

Modifications. The proposed repeal may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the agency, but modifications can only alter which rules or parts are repealed. If the proposed repeal affects you in any way, you are encouraged to participate in the process.

Proposed Rules

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

Dated: 11 February 2003

Sharon Clark
Deputy Commissioner

REPEALER. *Minnesota Rules*, parts 1505.0760; 1505.0770; 1505.0790; 1505.0800; 1510.0110; 1510.0130; 1510.0140; 1510.0150; 1555.0005; 1555.0006; 1555.0007; 1555.0008; 1555.0009; 1555.0010; 1555.0011; 1555.0012; 1556.0200; 1556.0205; 1556.0207; 1556.0209; 1556.0211; 1556.0213; 1556.0215; 1556.0217; 1556.0221; 1556.0223; 1556.0225; 1556.0227; and 1558.0040, subpart 5, are repealed.

Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months. Specific *Minnesota Statutes* citations accompanying these emergency expedited rules detail the agency's rulemaking authority.

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules; Relating to Spring Wild Turkey Hunting

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the content of these rules is *Minnesota Statutes*, sections 97A.137, 97A.435, 97B.711, and 97B.723.

Dated: 24 February 2003

Gene Merriam
Commissioner of Natural Resources

6230.0200 SPECIAL PROVISIONS FOR WILDLIFE MANAGEMENT AREAS.

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

Subp. 5. **Areas closed to hunting and trapping.** The Boerner Wildlife Management Area in Sibley county, the Buelow Wildlife Management Area in Steele county, the Bryson Wildlife Management Area in Freeborn county, the Chapa Kay-Say-Za Wildlife Management Area in Steele county, and the Hutchinson Wildlife Management Area in McLeod county, ~~and~~ are closed to the hunting and trapping of all species. The Sand Prairie Wildlife Management Area in Sherburne county ~~are~~ is closed to the hunting and trapping of all species, except for wild turkey hunting for individuals with disabilities participating in a special hunt.

[For text of subps 6 to 12, see M.R.]

6232.4700 DEER AND BEAR REGISTRATION BLOCKS.

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

[For text of subps 2 to 30, see 26 SR 348]

[For text of subp 31, see M.R.]

[For text of subp 32, see 26 SR 348]

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[For text of subps 35 and 36, see 26 SR 348]

[For text of subp 37, see M.R.]

[For text of subps 38 and 39, see 26 SR 348]

[For text of subps 40 and 41, see 27 SR 348]

[For text of subps 42 to 53, see 26 SR 348]

[For text of subps 54 to 64, see M.R.]

Expedited Emergency Rules

[For text of subps 65 and 66, see 26 SR 348]

[For text of subps 67 and 68, see M.R.]

Subp. 69. **Registration Block 221.** Deer And Bear Registration Block 221 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 27 and County State Aid Highway (CSAH) ~~40 8~~, Morrison County; thence along CSAH ~~40 8~~ to CSAH 39, Morrison County; thence along CSAH 39 to CSAH 33, Morrison County; thence along CSAH 33 to CSAH 26, Morrison County; thence along CSAH 26 to CSAH 30, Morrison County; thence along CSAH 30 to CSAH 3, Benton County; thence along CSAH 3 to STH 25; thence along STH 25 to STH 95; thence along STH 95 to STH 23; thence along STH 23 to the Mississippi River; thence along the east shore of the Mississippi River to a point due west of the junction of CSAH 48, Morrison County, and STH 371; thence due east to said junction; thence along CSAH 48 to STH 25; thence along STH 25 to STH 27; thence along STH 27 to the point of beginning.

[For text of subp 70, see 26 SR 348]

[For text of subps 71 and 72, see M.R.]

Subp. 73. **Registration Block 225.** Deer And Bear Registration Block 225 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 23 and U.S. Highway 169; thence along STH 23 to ~~STH 65; thence along STH 65 to STH 70; thence along STH 70 to STH 107; thence along STH 107 to STH 65; thence along STH 65~~ the east boundary of the state; thence along the east boundary of the state to STH 95; thence along STH 95 to U.S. Highway 169; thence along U.S. Highway 169 to the point of beginning.

[For text of subp 74, see 26 SR 348]

[For text of subp 75, see 27 SR 348]

[For text of subps 75a to 77, see M.R.]

[For text of subps 77a and 77b, see 27 SR 348]

[For text of subps 78 and 79, see M.R.]

[For text of subps 80 and 81, see 27 SR 348]

[For text of subp 82, see M.R.]

Subp. 83. **Registration Block 249.** Deer And Bear Registration Block 249 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of the Mississippi River and State Trunk Highway (STH) 210 in Brainerd; thence along STH 210 to STH 25; thence along STH 25 to STH 18; thence along STH 18 to its junction with U.S. Highway 169; thence due east from said junction to the shore of Mille Lacs Lake; thence ~~to the center of Mille Lacs Lake; thence to the~~ along the west, north, east, and south shore of Mille Lacs Lake to a point due north of the junction of U.S. Highway 169 and County State Aid Highway (CSAH) 35, Mille Lacs County; thence due south to said junction; thence along U.S. Highway 169 to STH 27; thence along STH 27 to STH 25; thence along STH 25 to CSAH 48, Morrison County; thence along CSAH 48 to a junction with STH 371; thence due west to the Mississippi River; thence along the west bank of the river to the point of beginning.

[For text of subp 84, see M.R.]

[For text of subps 84a to 87, see 26 SR 348]

[For text of subp 88, see M.R.]

[For text of subps 89 and 90, see 26 SR 348]

[For text of subps 91 to 157, see M.R.]

6236.0600 SPRING TURKEY SEASON.

[For text of subps 1 and 2, see 26 SR 1112]

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

Subp. 4. **Open areas.** Wild turkey permit areas are open for the spring turkey season as prescribed by the commissioner. During the 2003 spring turkey season, the following wild turkey permit areas are open: 221; 223; 225; 227; 228; 235; 236; 244; 249; 337; 338; 339; 341; 342; 343; 344; 345; 346; 347; 348; 349; 410; 411; 412; 415; 416; 417; 418; 419; 422; 425; 426; 427; 428; 429; 431; 433; 440; 442; 443; 448; 450; 451; 454; 457; 459; 461; 462; 463; 465; 466; and 467.

[For text of subp 5, see 26 SR 1112]

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6236.0810 WILD TURKEY PERMIT AREA DESCRIPTIONS.

Wild turkey permit areas are comprised of partial, single, or grouped deer and bear registration blocks, as established in part 6232.4700, and are described as follows:

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

B. Wild turkey permit areas in Zone 2:

- (1) wild turkey permit area 221 consists of those portions of registration block 221 described as follows:

Beginning at the intersection of State Trunk Highway (STH) 23 and the Mississippi River; thence along the east shore of the Mississippi River to a point due west of the junction of County State-Aid Highway (CSAH) 48 and STH 371; thence east to said junction; thence east along CSAH 48 to STH 25; thence along STH 25 to STH 95; thence along STH 95 to STH 23; thence along STH 23 to the point of beginning;

[For text of subitems (2) to (11), see M.R.]

- (12) wild turkey permit area 249 consists of registration block 249;
(13) wild turkey permit area 251 consists of registration block 251;
~~(13)~~ (14) wild turkey permit area 286 consists of registration block 286; and
~~(14)~~ (15) wild turkey permit area 297-298 consists of registration blocks 297 and 298;

C. Wild turkey permit areas in Zone 3:

- (1) wild turkey permit area ~~337-338~~ 337 consists of registration ~~blocks block~~ block 337 and 338;
(2) wild turkey permit area 338 consists of registration block 338;
(3) wild turkey permit area 339 consists of registration block 339;
(4) wild turkey permit area ~~341-342~~ 341 consists of registration ~~blocks block~~ block 341 and 342;
(5) wild turkey permit area 342 consists of registration block 342;
~~(3)~~ (6) wild turkey permit area 343-347 343 consists of registration ~~blocks block~~ block 343 and 347;
~~(4)~~ (7) wild turkey permit area 344 ~~consist~~ consists of registration block 344;
~~(5)~~ (8) wild turkey permit area ~~345-348~~ 345 consists of registration ~~blocks block~~ block 345 and 348;
~~(6)~~ (9) wild turkey permit area 346 consists of registration block 346; ~~and~~
(10) wild turkey permit area 347 consists of registration block 347;
(11) wild turkey permit area 348 consists of registration block 348; and
~~(7)~~ (12) wild turkey permit area 349 consists of registration block 349;

D. Wild turkey permit areas in Zone 4:

[For text of subitems (1) to (7), see M.R.]

- (8) wild turkey permit area 411 consists of those portions of registration block 411 described as follows:

Beginning at the intersection of United States Highway (U.S.Hwy) 10 and State Trunk Highway (STH) 78 and STH 210; thence along STH 210 U.S. Hwy 10 in an easterly direction to STH 29 106; thence along STH 29 106 in a southerly direction to the intersection of STH 235 106 and STH 29; thence along STH 29 in a southerly direction to STH 235; thence along STH 235 in a westerly direction to County State Aid Highway (CSAH) 38; thence along CSAH 38 to the intersection of CSAH 38 and STH 78; thence along STH 78 in a northerly direction to the point of beginning;

[For text of subitems (9) to (11), see M.R.]

- (12) wild turkey permit area 415 consists of ~~those portions of registration block 415 described as follows:~~

~~Beginning at the intersection of Interstate Highway 94 (I 94) and State Trunk Highway (STH) 28; thence along STH 28 in a northeasterly direction to County State Aid Highway (CSAH) 2; thence along CSAH 2 in an easterly direction to STH 238; thence along STH 238 to CSAH 26; thence along CSAH 26 to the Mississippi river; thence along the Mississippi river in a southerly direction to STH 23; thence along STH 23 to the intersection of CSAH 75; thence along CSAH 75 to the intersection of I 94; thence along I 94 in a westerly direction to the point of beginning registration block 415;~~

- (13) wild turkey permit area 416 consists of registration block 416;

- (14) wild turkey permit area 417 consists of ~~those portions of registration block 417 described as follows:~~

~~Beginning at the intersection of State Trunk Highway (STH) 55 and STH 4; thence along STH 4 in a southerly direction to U.S. Highway 12; thence along U.S. Highway 12 to County State Aid Highway (CSAH) 104, Swift county; thence northerly on CSAH 104 to STH 55, Douglas county; thence along STH 55 in a southeasterly direction to the point of beginning registration block 417;~~

Expedited Emergency Rules

(15) wild turkey permit area 418 consists of ~~those portions of registration block 418 described as follows:~~

~~Beginning at the intersection of Interstate Highway 94 and County State Aid Highway (CSAH) 10; thence along CSAH 10 in a southerly direction to State Trunk Highway (STH) 23; thence along STH 23 to STH 55, Stearns County; thence along STH 55 to STH 15; thence along STH 15 to Interstate Highway 94; thence along Interstate Highway 94 to the point of beginning registration block 418;~~

[For text of subitems (16) to (21), see M.R.]

(22) wild turkey permit area 425 consists of registration block 435 and those portions of registration block 425; described as follows:

Beginning at the intersection of U.S. Highway 212 and County State-Aid Highway (CSAH) 23; thence along CSAH 23 in a northerly direction to the Renville county line; thence in an easterly direction along the Renville county line to the intersection of township road 10; thence in a southerly direction along township road 10 to the intersection of U.S. Highway 212; thence in a westerly direction along U.S. Highway 212 to the point of beginning;

[For text of subitems (23) to (27), see M.R.]

(28) wild turkey permit area ~~433 446 447~~ 433 consists of registration blocks 433, 446, and 447;

[For text of subitems (29) to (32), see M.R.]

(33) wild turkey permit area ~~448 449 451~~ 448 consists of registration blocks 448; ~~and 449; and 451;~~

[For text of subitem (34), see M.R.]

(35) wild turkey permit area ~~452 consists of registration block 452~~ 451 consists of registration blocks 451, 452, and 453;

(36) ~~wild turkey permit area 453 consists of registration block 453;~~

~~(37)~~ (37) wild turkey permit area ~~454 455 456 458~~ 454 consists of registration blocks 454, 455, 456, and 458;

~~(38)~~ (37) wild turkey permit area 457 consists of registration block 457;

~~(39)~~ (38) wild turkey permit area 459 consists of registration block 459;

~~(40)~~ (39) wild turkey permit area 461 consists of registration block 461;

(40) wild turkey permit area 462 consists of registration block 462;

(41) wild turkey permit area 463 consists of registration block 463;

(42) wild turkey permit area ~~464 465~~ 464 consists of registration ~~blocks block 464 and 465; and~~

(43) wild turkey permit area 465 consists of registration block 465;

(44) wild turkey permit area 466 467 466 consists of registration ~~blocks block 466 and 467; and~~

(45) wild turkey permit area 467 consists of registration block 467.

~~E. Wild turkey permit area 339 462 consists of registration blocks 339 and 462 in Zones 3 and 4.~~

6236.1060 TURKEY HUNT QUOTAS.

Quotas on hunter numbers are established annually by the commissioner for each wild turkey permit area and time period. Information on the quotas may be obtained in the application and annual hunting regulations and as follows:

A. Quotas by time period.

2003 SPRING WILD TURKEY PERMIT AREA QUOTAS

| <u>Wild Turkey Permit Area Number</u> | <u>A</u> | <u>B</u> | <u>C</u> | <u>D</u> | <u>E</u> | <u>F</u> | <u>G</u> | <u>H</u> |
|---|--------------|--------------|--------------|------------|-------------|--------------|--------------|--------------|
| | <u>April</u> | <u>April</u> | <u>April</u> | <u>May</u> | <u>May</u> | <u>May</u> | <u>May</u> | <u>May</u> |
| | <u>16-20</u> | <u>21-25</u> | <u>26-30</u> | <u>1-5</u> | <u>6-10</u> | <u>11-15</u> | <u>16-20</u> | <u>21-25</u> |
| <u>221</u> | <u>10</u> | <u>10</u> | <u>10</u> | <u>10</u> | <u>10</u> | <u>10</u> | <u>10</u> | <u>10</u> |
| <u>223</u> | <u>55</u> | <u>55</u> | <u>55</u> | <u>55</u> | <u>55</u> | <u>55</u> | <u>55</u> | <u>55</u> |
| <u>225</u> | <u>75</u> | <u>75</u> | <u>75</u> | <u>75</u> | <u>75</u> | <u>75</u> | <u>75</u> | <u>75</u> |
| <u>227</u> | <u>45</u> | <u>45</u> | <u>45</u> | <u>45</u> | <u>45</u> | <u>45</u> | <u>45</u> | <u>45</u> |
| <u>228</u> | <u>35</u> | <u>35</u> | <u>35</u> | <u>35</u> | <u>35</u> | <u>35</u> | <u>35</u> | <u>35</u> |
| <u>235</u> | <u>15</u> | <u>15</u> | <u>15</u> | <u>15</u> | <u>15</u> | <u>15</u> | <u>15</u> | <u>15</u> |
| <u>236</u> | <u>65</u> | <u>65</u> | <u>65</u> | <u>65</u> | <u>65</u> | <u>65</u> | <u>65</u> | <u>65</u> |
| <u>244</u> | <u>15</u> | <u>15</u> | <u>15</u> | <u>15</u> | <u>15</u> | <u>15</u> | <u>15</u> | <u>15</u> |
| <u>249</u> | <u>10</u> | <u>10</u> | <u>10</u> | <u>10</u> | <u>10</u> | <u>10</u> | <u>10</u> | <u>10</u> |
| <u>337</u> | <u>45</u> | <u>45</u> | <u>45</u> | <u>45</u> | <u>45</u> | <u>45</u> | <u>45</u> | <u>45</u> |
| <u>338</u> | <u>65</u> | <u>65</u> | <u>65</u> | <u>65</u> | <u>65</u> | <u>65</u> | <u>65</u> | <u>65</u> |

Expedited Emergency Rules

| | | | | | | | | |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| 339 | 65 | 65 | 65 | 65 | 65 | 65 | 65 | 65 |
| 341 | 175 | 175 | 175 | 175 | 175 | 175 | 175 | 175 |
| 342 | 175 | 175 | 175 | 175 | 175 | 175 | 175 | 175 |
| 343 | 145 | 145 | 145 | 145 | 145 | 145 | 145 | 145 |
| 344 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| 345 | 175 | 175 | 175 | 175 | 175 | 175 | 175 | 175 |
| 346 | 275 | 275 | 275 | 275 | 275 | 275 | 275 | 275 |
| 347 | 150 | 150 | 150 | 150 | 150 | 150 | 150 | 150 |
| 348 | 175 | 175 | 175 | 175 | 175 | 175 | 175 | 175 |
| 349 | 350 | 350 | 350 | 350 | 350 | 350 | 350 | 350 |
| 410 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 |
| 411 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 |
| 412 | 30 | 30 | 30 | 30 | 30 | 30 | 30 | 30 |
| 415 | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 |
| 416 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| 417 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 |
| 418 | 45 | 45 | 45 | 45 | 45 | 45 | 45 | 45 |
| 419 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 |
| 422 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| 425 | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 |
| 426 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| 427 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| 428 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| 429 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 |
| 431 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| 433 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| 440 | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 |
| 442 | 155 | 155 | 155 | 155 | 155 | 155 | 155 | 155 |
| 443 | 65 | 65 | 65 | 65 | 65 | 65 | 65 | 65 |
| 448 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 |
| 450 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| 451 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| 454 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| 457 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| 459 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 |
| 461 | 75 | 75 | 75 | 75 | 75 | 75 | 75 | 75 |
| 462 | 65 | 65 | 65 | 65 | 65 | 65 | 65 | 65 |
| 463 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 |
| 464 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 |
| 465 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 |
| 466 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 |
| 467 | 35 | 35 | 35 | 35 | 35 | 35 | 35 | 35 |
| TOTAL | 3,127 | 3,127 | 3,127 | 3,127 | 3,127 | 3,127 | 3,127 | 3,127 |

Grand total = 25,016

B. For wild turkey permit area 337, two additional permits per time period are available for individuals with disabilities participating in a special hunt on the Minnesota Valley National Wildlife Refuge. For wild turkey permit area 223, one additional permit per time period is available for individuals with disabilities participating in a special hunt on the Sand Prairie Wildlife Management Area. Capable Partners is the sponsoring nonprofit organization.

REPEALER. The emergency amendment to *Minnesota Rules*, part 6230.0200, subpart 5, published in the *State Register*, volume 26, page 264, August 27, 2001, is repealed. The emergency amendments to part 6232.4700, subparts 69, 73, and 83, published in the *State Register*, volume 26, page 348, September 10, 2001, are repealed. The emergency amendment to *Minnesota Rules*, part 6236.0810, published in the *State Register*, volume 27, page 111, July 22, 2002, is repealed.

EFFECTIVE PERIOD. The emergency amendment to *Minnesota Rules*, part 6236.0600, subpart 4, expires December 31, 2003. The emergency amendments to *Minnesota Rules*, parts 6230.0200, 6232.4700, and 6236.0810, expire 18 months after adoption. After the emergency amendments expire, the permanent rules as they read prior to those amendments again take effect, except as they may be amended by permanent rule. *Minnesota Rules*, part 6236.1060, expires December 31, 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.

Department of Economic Security

Notice of Appointment of Commissioner Harry Mares

NOTICE IS HEREBY GIVEN, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Tim Pawlenty appointed Harry Mares to the office of Commissioner of the Minnesota Department of Economic Security effective February 21, 2003. Commissioner Mares replaces John Stavros appointed Acting Commissioner effective January 9, 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 Department of Economic Security are:

- *Minnesota Statutes*, Chapters 129A, 248, 268
- *Minnesota Rules* 3300-3499

Commissioner Mares resides at 2592 Crown Hill Court, White Bear Lake, Minnesota 55110, Ramsey County, Congressional District Four.

He can be reached at the Minnesota Department of Economic Security, 390 N. Robert Street, St. Paul, MN 55101. Telephone (651) 296-1821. Internet home page: <http://mn.jobsearch.org/>

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.

Minnesota State Agricultural Society (State Fair)

Board of Managers Meeting

The board of managers of the Minnesota State Agricultural Society will meet 9 a.m. Tuesday, March 4 at the Libby Conference Center on the State Fairgrounds. The Society is the governing body of the Minnesota State Fair. The session opens with a meeting of the board's sales committee, followed immediately by a general business meeting of the board. Agendas are available upon request; please phone the Minnesota State Fair at (651) 642-2200.

Dated: February 24, 2003

Minnesota Comprehensive Health Association

Notice of Meeting of the Board of Directors

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA) Board of Directors will be held at 9:00 a.m. on Wednesday, March 12, 2003, at Medica, 5601 Smetana Drive, Minnetonka, MN.

ATTENTION ALL INTERESTED MEMBERS OF THE PUBLIC:
FOR SECURITY REASONS, MCHA IS REQUIRED TO PROVIDE MEDICA
WITH ALL NAMES OF THOSE WHO PLAN TO ATTEND.
IN ADVANCE OF THE MEETING.

If you desire to attend the meeting at Medica, call Mary McCaffery at MCHA before March 12. (952) 593-9609

Official Notices

Minnesota Comprehensive Health Association

Notice of Meeting of Writing Carrier RFP Ad Hoc Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA) Writing Carrier RFP Ad Hoc Committee will be held on Tuesday, March 4, 2003, at MCHA's executive office, 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN, at 1:30 p.m.

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

Minnesota Higher Education Facilities Authority

Notice of Public Hearing on Revenue Obligations

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to the proposal to issue revenue bonds or other obligations on behalf of the College of St. Scholastica, Inc. (the "College"), as owner and operator of the College of St. Scholastica, at the Authority's offices at 380 Jackson Street, Suite 450, St. Paul, Minnesota on Wednesday, March 19, 2003 at 2:00 p.m. Under the proposal, the Authority would issue its revenue bonds or other obligations in an aggregate principle amount of approximately \$12,550,000 to (a) refund Revenue Bonds, Series Three-N (College of St. Scholastica, Inc.), dated March 1, 1993, issued by the Authority in the original aggregate principal amount of \$3,695,000 (the "Prior Bonds"), and (b) finance a portion of the costs of certain improvements to the College's educational facilities (the "Project"). The Prior Bonds were issued by the Authority to (i) finance the acquisition, construction, furnishing and equipping of an approximately 25,000 square foot (three-story) addition to and remodeling of Somers Hall, a residence hall, and (ii) improvement to the campus steam system; all including appurtenant site improvements and all owned and operated by the College and located on its main campus, the principal street address of which is 1200 Kenwood Avenue, Duluth, Minnesota (the "Main Campus"). The Project consists of (i) the acquisition, construction, furnishing and equipping of an approximately 59,000 square foot health and fitness center addition referred to as the Wellness Center and related improvements to the Reif Athletic Center, and (ii) the acquisition, construction, furnishing and equipping of an approximately 30,000 square foot, 96-bed student residence facility; all including appurtenant site improvements and all owned and operated by the College and located on its Main Campus.

At said time and place the Authority shall give all parties who appear or have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the Project and to refund the Prior Bonds.

Dated: March 3, 2003

By Order of the
Minnesota Higher Education Facilities Authority
Marianne Remedios
Executive Director

Department of Human Services

All Health Services Added or Changed from Authorization as a Condition of Minnesota Health Care Programs Payment

The following is a listing of adds and changes to the current authorization list. The newly added and changed codes will require authorization on or after April 1, 2003. As authorized by *Minnesota Statutes*, section 256B.0625, subdivision 25, the following list includes all health services that have been added or changed from authorization as a condition of Minnesota Health Care Programs (MHCP) payment. The list is presented in sections: Dental Services, Vision Care Services, Medical Supplies and Equipment, Prosthetics and Orthotics, Hearing Aids, Drugs, Rehabilitative Services, and All Other Services. The criteria used to develop this list are as follows:

- A. The health service could be considered, under some circumstances, to be of questionable medical necessity.
- B. Use of the health services needs monitoring to control the expenditure of program funds.
- C. Less costly, appropriate alternatives to the health services are generally available.
- D. The health service is newly developed or modified.
- F. The health service is of a continuing nature and requires monitoring to prevent its continuation when it ceases to be beneficial.
- G. The health service is comparable to a service provided in a skilled nursing facility or hospital but is provided in a recipient's home.
- H. The health service could be considered cosmetic.

These newly added or changed codes will require Authorization for services provided on or after April 1, 2003

I. DENTAL

ADDED CODES

| <u>Code</u> | <u>Description</u> |
|-------------|--|
| D4241 | Gingival flap procedure, including root planing - one to three teeth, per quadrant |
| D4261 | Osseous surgery (including flap entry and closure)- one to three teeth, per quadrant |
| D4275 | Soft tissue allograft |
| D4276 | Combined connective tissue and double pedicle graft |
| D4342 | Periodontal scaling and root planing - one to three teeth, per quadrant |
| D6053 | Implant/abutment supported removable denture for completely edentulous arch |
| D6054 | Implant/abutment supported removable denture for partially edentulous arch |
| D6253 | Provisional pontic |
| D6793 | Provisional retainer crown |
| D6985 | Pediatric partial denture, fixed |

CHANGED CODES

| <u>Code</u> | <u>Description</u> |
|-------------|---|
| D4210 | Gingivectomy or Gingivoplasty-four or more contiguous teeth or bounded teeth spaces per quadrant |
| D4211 | Gingivectomy or Gingivoplasty -one to three teeth, per quadrant |
| D4240 | Gingival flap procedure, including root planing-four or more contiguous teeth or bounded teeth spaces per quadrant |
| D4260 | Osseous surgery (including flap entry and closure) four or more contiguous teeth or bounded teeth spaces per quadrant |
| D4273 | Subepithelial connective tissue graft procedure (including donor site Surgery) |
| D4274 | Distal or proximal wedge procedure (when not performed in conjunction with surgical procedures in the same anatomical area) |
| D4341 | Periodontal scaling and root planing-four or more contiguous teeth or bounded teeth spaces per quadrant |
| D7290 | Surgical repositioning of teeth |

II. VISION CARE SERVICES

No updates this publication

III.MEDICAL SUPPLIES AND EQUIPMENT; PROSTHESES AND ORTHOSES

No update this publication

IV. HEARING AIDS

No updates this publication

V. DRUGS

ADDED DRUGS

In accordance with the recommendations of the Drug Formulary Committee, the department may require require authorization for the following drugs effective April 1, 2003. All Strengths and dosage forms will require PA unless otherwise noted.

Lexapro (escitalopram)10mg
Celexa (citalopram) 10mg
Celexa (citalopram) 20mg
Paxil (paroxetine) 10mg
Provigil (modafinil) 100mg
Clarinet (desloratadine)
Zyrtec (cetirizine)

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Zyrtec D (cetirizine/pseudoephedrine)
Accupril (quinapril)
Aceon (perindopril)
Altace (ramipril)
Lotensin (benazepril)
Mavik (trandolapril)
Monopril (fosinopril)
Accuretic (quinapril/HCTZ)
Lotensin HCT (benazepril/HCTZ)
Monopril HCT (fosinopril/HCTZ)

VI. REHABILITATIVE SERVICES

OCCUPATIONAL THERAPY

No change this publication

PHYSICAL THERAPY

No change this publication

SPEECH-LANGUAGE PATHOLOGY

No change this publication

VII. ALL OTHER SERVICES

No updates this publication.

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 changes to the state Medical Assistance maximum allowable cost (state MAC) list for certain outpatient prescribed drugs.

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

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 February 7, 2003, pursuant to *Minnesota Statutes*, §16A.152, subdivision 4, the Governor balanced the State Fiscal Year 2003 budget. The Governor's action permits the Department to will impose a state MAC for many multiple-source drugs that are on the federal MAC list, as long as the savings are at least as much as the savings would be using the federal MAC list.

On January 13, 2003 at 27 SR 1117-1130, the Department published the MAC list, listing the federal and state MACs. On February 18, 2003 at 27 SR 1331-1334, the Department published changes to the state MAC list.

Effective March 4, 2003, the Department will implement changes to the state MAC list. The first table lists additions to this list and the second lists deletions. The tables should be read in conjunction with the two prior *State Register* notices.

| GenericName | Strength | MAC |
|--------------------------------|------------|-----------|
| ACEBUTOLOL HCL | 400MG | \$0.46830 |
| ACEBUTOLOL HCL | 200MG | \$0.24191 |
| ACETAZOLAMIDE | 250MG | \$0.19448 |
| ACETYLCYSTEINE | 200MG/ML | \$0.53250 |
| ACETYLCYSTEINE | 100MG/ML | \$0.26110 |
| ACYCLOVIR | 200MG | \$0.15267 |
| ACYCLOVIR | 400MG | \$0.20875 |
| ACYCLOVIR | 800MG | \$0.27928 |
| ALBUTEROL SULFATE | 0.83MG/ML | \$0.09664 |
| ALBUTEROL SULFATE | 5MG/ML | \$0.28195 |
| AMANTADINE HCL | 50MG/5ML | \$0.03656 |
| AMIODARONE HCL | 200MG | \$0.58413 |
| AMITRIPTYLINE HCL | 150MG | \$0.21353 |
| AMITRIPTYLINE HCL/PERPHENAZINE | 10-2MG | \$0.13048 |
| AMPICILLIN TRIHYDRATE | 500MG | \$0.19672 |
| ATENOLOL | 100MG | \$0.16412 |
| ATENOLOL/CHLORTHALIDONE | 100-25MG | \$0.23936 |
| BENZONATATE | 100MG | \$0.28173 |
| BETAMETHASONE DIPROPIONATE | 0.05% | \$0.13286 |
| BETAMETHASONE DIPROPIONATE | 0.05% | \$0.17099 |
| BISOPROLOL FUMARATE/HCTZ | 5-6.25MG | \$0.23676 |
| BISOPROLOL FUMARATE/HCTZ | 2.5-6.25MG | \$0.22060 |
| BISOPROLOL FUMARATE/HCTZ | 10-6.25MG | \$0.21501 |
| BUMETANIDE | 2MG | \$0.25566 |
| BUSPIRONE HCL | 5MG | \$0.17915 |
| BUSPIRONE HCL | 15MG | \$0.32619 |
| BUSPIRONE HCL | 10MG | \$0.18352 |
| CAPTOPRIL | 100MG | \$0.13001 |
| CAPTOPRIL/HYDROCHLOROTHIAZIDE | 25-25MG | \$0.19303 |
| CAPTOPRIL/HYDROCHLOROTHIAZIDE | 25-15MG | \$0.14657 |
| CAPTOPRIL/HYDROCHLOROTHIAZIDE | 50-25MG | \$0.22643 |
| CARBAMAZEPINE | 200MG | \$0.10281 |
| CARBIDOPA/LEVODOPA | 10-100MG | \$0.23067 |
| CARBIDOPA/LEVODOPA | 25-100MG | \$0.24410 |
| CARBIDOPA/LEVODOPA | 25-250MG | \$0.27489 |
| CARISOPRODOL | 350MG | \$0.12238 |
| CARISOPRODOL/ASPIRIN | 200-325MG | \$0.10550 |
| CARTEOLOL HCL | 1% | \$2.25769 |
| CEFACLOR | 125MG/5ML | \$0.08527 |
| CEFACLOR | 187MG/5ML | \$0.11510 |
| CEFACLOR | 250MG/5ML | \$0.10850 |
| CEFACLOR | 375MG/5ML | \$0.16710 |
| CEFACLOR | 250MG | \$0.37785 |
| CEFACLOR | 500MG | \$0.74600 |

Official Notices

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| CEFADROXIL HYDRATE | 500MG | \$0.75637 |
| CEPHALEXIN MONOHYDRATE | 500MG | \$0.42629 |
| CHLORPROPAMIDE | 250MG | \$0.22484 |
| CIMETIDINE | 300MG | \$0.13010 |
| CIMETIDINE | 800MG | \$0.24409 |
| CIMETIDINE HCL | 300MG/5ML | \$0.06299 |
| CLINDAMYCIN HCL | 150MG | \$0.33075 |
| CLINDAMYCIN PHOSPHATE | 1% | \$0.09040 |
| CLOBETASOL PROPIONATE | 0.05% | \$0.20640 |
| CLOMIPRAMINE HCL | 25MG | \$0.16036 |
| CLOMIPRAMINE HCL | 75MG | \$0.26055 |
| CLOMIPRAMINE HCL | 50MG | \$0.18817 |
| CLONAZEPAM | 0.5MG | \$0.11710 |
| CLONAZEPAM | 1MG | \$0.12783 |
| CLONAZEPAM | 2MG | \$0.10385 |
| CLONIDINE HCL | 0.1MG | \$0.09146 |
| CLONIDINE HCL | 0.3MG | \$0.16856 |
| CLORAZEPATE DIPOTASSIUM | 3.75MG | \$0.20460 |
| CLORAZEPATE DIPOTASSIUM | 7.5MG | \$0.23880 |
| CLORAZEPATE DIPOTASSIUM | 15MG | \$0.28964 |
| CODEINE PHOS/ACETAMINOPHEN | 15-300MG | \$0.10185 |
| CODEINE PHOS/ACETAMINOPHEN | 60-300MG | \$0.08990 |
| CROMOLYN SODIUM | 4% | \$1.60371 |
| DESONIDE | 0.05% | \$0.30868 |
| DIAZEPAM | 10MG | \$0.11790 |
| DICLOFENAC POTASSIUM | 50MG | \$0.43392 |
| DICLOFENAC SODIUM | 50MG | \$0.16214 |
| DICLOFENAC SODIUM | 75MG | \$0.12750 |
| DICYCLOMINE HCL | 10MG | \$0.10354 |
| DIFLUNISAL | 500MG | \$0.71770 |
| DILTIAZEM HCL | 120MG | \$0.19629 |
| DILTIAZEM HCL | 90MG | \$0.14618 |
| DIPHENOXYLATE HCL/ATROP SULF | 2.5-.025MG | \$0.11142 |
| DIPIVEFRIN HCL | 0.10% | \$0.85068 |
| DOXAZOSIN MESYLATE | 2MG | \$0.21269 |
| DOXAZOSIN MESYLATE | 4MG | \$0.21359 |
| DOXAZOSIN MESYLATE | 1MG | \$0.18273 |
| DOXAZOSIN MESYLATE | 8MG | \$0.21909 |
| DOXEPIN HCL | 50MG | \$0.13249 |
| DOXEPIN HCL | 25MG | \$0.12793 |
| DOXEPIN HCL | 100MG | \$0.20795 |
| ESTAZOLAM | 2MG | \$0.64047 |
| ESTAZOLAM | 1MG | \$0.32589 |
| ESTRADIOL | 1MG | \$0.16576 |
| ESTRADIOL | 0.5MG | \$0.14925 |
| ESTRADIOL | 2MG | \$0.14376 |

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| ESTROPIPATE | 1.5MG | \$0.22778 |
| ESTROPIPATE | 0.75MG | \$0.11491 |
| ESTROPIPATE | 3MG | \$0.12483 |
| ETODOLAC | 400MG | \$0.32255 |
| ETODOLAC | 200MG | \$0.25000 |
| ETODOLAC | 500MG | \$0.41942 |
| FAMOTIDINE | 20MG | \$0.16040 |
| FAMOTIDINE | 40MG | \$0.24596 |
| FENOPROFEN CALCIUM | 600MG | \$0.21470 |
| FLUOCINONIDE | 0.05% | \$0.14910 |
| FLUOCINONIDE | 0.05% | \$0.28000 |
| FLUOROMETHOLONE | 0.10% | \$1.59462 |
| FLUOXETINE HCL | 10MG | \$0.17912 |
| FLUOXETINE HCL | 20MG | \$0.15625 |
| FLUOXETINE HCL | 10MG | \$0.12002 |
| FLUOXETINE HCL | 20MG/5ML | \$0.12610 |
| FLUOXETINE HCL | 40MG | \$1.49452 |
| FLUPHENAZINE HCL | 1MG | \$0.12020 |
| FLUPHENAZINE HCL | 2.5MG | \$0.16395 |
| FLUPHENAZINE HCL | 5MG | \$0.16625 |
| FLUPHENAZINE HCL | 10MG | \$0.18423 |
| FLURBIPROFEN | 100MG | \$0.23237 |
| FUROSEMIDE | 10MG/ML | \$0.09962 |
| GEMFIBROZIL | 600MG | \$0.23331 |
| GLYBURIDE | 2.5MG | \$0.17848 |
| GLYBURIDE | 5MG | \$0.15739 |
| GLYBURIDE,MICRONIZED | 1.5MG | \$0.13087 |
| GLYBURIDE,MICRONIZED | 3MG | \$0.11363 |
| GUANFACINE HCL | 1MG | \$0.18982 |
| GUANFACINE HCL | 2MG | \$0.25116 |
| HALOPERIDOL LACTATE | 2MG/ML | \$0.10413 |
| HYDROCODONE BIT/ACETAMINOPHEN | 7.5-500MG | \$0.17880 |
| HYDROCODONE BIT/ACETAMINOPHEN | 2.5-167/5 | \$0.08419 |
| HYDROCODONE BIT/ACETAMINOPHEN | 10-650MG | \$0.16710 |
| HYDROCODONE BIT/ACETAMINOPHEN | 7.5-650MG | \$0.10615 |
| HYDROCODONE BIT/ACETAMINOPHEN | 10-500MG | \$0.16022 |
| HYDROCODONE BIT/ACETAMINOPHEN | 10-660MG | \$0.06813 |
| HYDROCORTISONE | 2.50% | \$0.46576 |
| HYDROXYCHLOROQUINE SULFATE | 200MG | \$0.28040 |
| IMIPRAMINE HCL | 10MG | \$0.19175 |
| IMIPRAMINE HCL | 50MG | \$0.34004 |
| IMIPRAMINE HCL | 25MG | \$0.18954 |
| ISOSORBIDE MONONITRATE | 20MG | \$0.22079 |
| ISOSORBIDE MONONITRATE | 10MG | \$0.13770 |
| ISOSORBIDE MONONITRATE | 60MG | \$0.19391 |

Official Notices

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| KETOCONAZOLE | 200MG | \$0.44878 |
| KETOPROFEN | 75MG | \$0.17872 |
| KETOPROFEN | 50MG | \$0.13783 |
| KETOROLAC TROMETHAMINE | 10MG | \$0.53384 |
| LABETALOL HCL | 100MG | \$0.14170 |
| LABETALOL HCL | 200MG | \$0.18344 |
| LABETALOL HCL | 300MG | \$0.23131 |
| LACTULOSE | 10G/15ML | \$0.01357 |
| LACTULOSE | 10G/15ML | \$0.00682 |
| LISINOPRIL | 2.5MG | \$0.20826 |
| LISINOPRIL | 5MG | \$0.23426 |
| LISINOPRIL | 10MG | \$0.24938 |
| LISINOPRIL | 30MG | \$0.39324 |
| LISINOPRIL | 40MG | \$0.42226 |
| LISINOPRIL-HCTZ | 20-25MG | \$0.44000 |
| LISINOPRIL-HCTZ | 20-12.5MG | \$0.40542 |
| LISINOPRIL-HCTZ | 10-12.5MG | \$0.34938 |
| LORAZEPAM | 0.5MG | \$0.16188 |
| LORAZEPAM | 2MG | \$0.23552 |
| LORAZEPAM | 1MG | \$0.16174 |
| LOVASTATIN | 10MG | \$0.54832 |
| LOVASTATIN | 20MG | \$0.85076 |
| LOVASTATIN | 40MG | \$1.25303 |
| MEDROXYPROGESTERONE ACET | 5MG | \$0.23491 |
| MEGESTROL ACETATE | 20MG | \$0.30113 |
| MEGESTROL ACETATE | 40MG | \$0.30841 |
| MEPERIDINE HCL | 50MG | \$0.35225 |
| MEPERIDINE HCL | 100MG | \$0.11287 |
| METHAZOLAMIDE | 25MG | \$0.21707 |
| METHAZOLAMIDE | 50MG | \$0.24475 |
| METHENAMINE MANDELATE | 1G | \$0.26738 |
| METHOCARBAMOL | 500MG | \$0.16687 |
| METHOTREXATE SODIUM | 2.5MG | \$0.45085 |
| METHOTREXATE SODIUM | 2.5MG | \$0.25680 |
| METHYLPHENIDATE HCL | 5MG | \$0.06795 |
| METHYLPHENIDATE HCL | 10MG | \$0.07026 |
| METHYLPHENIDATE HCL | 20MG | \$0.05966 |
| METHYLPREDNISOLONE | 4MG | \$0.21306 |
| METHYLPREDNISOLONE | 4MG | \$0.25162 |
| METHYLPREDNISOLONE | 4MG | \$0.23788 |
| METOCLOPRAMIDE HCL | 5MG | \$0.13695 |
| MEXILETINE HCL | 200MG | \$0.26166 |
| MINOCYCLINE HCL | 50MG | \$0.22945 |
| MINOCYCLINE HCL | 100MG | \$0.23205 |
| MINOXIDIL | 2.5MG | \$0.25363 |

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| MINOXIDIL | 10MG | \$0.51947 |
| NADOLOL | 40MG | \$0.19302 |
| NADOLOL | 20MG | \$0.17960 |
| NADOLOL | 80MG | \$0.26949 |
| NALTREXONE HCL | 50MG | \$2.17400 |
| NAPROXEN | 500MG | \$0.16849 |
| NAPROXEN | 250MG | \$0.17050 |
| NEOMY SULF/GRAMICID D/POLY | | \$0.53500 |
| NICARDIPINE HCL | 30MG | \$0.18675 |
| NICARDIPINE HCL | 20MG | \$0.09960 |
| NIZATIDINE | 150MG | \$0.92363 |
| NIZATIDINE | 300MG | \$1.65046 |
| NORTRIPTYLINE HCL | 75MG | \$0.21928 |
| NORTRIPTYLINE HCL | 25MG | \$0.13822 |
| NYSTATIN | 100K U/ML | \$0.02759 |
| ORPHENADRINE CITRATE | 100MG | \$0.27980 |
| OXAPROZIN | 600MG | \$0.29510 |
| OXAZEPAM | 10MG | \$0.29617 |
| OXAZEPAM | 15MG | \$0.45185 |
| OXAZEPAM | 30MG | \$0.89255 |
| OXYBUTYNIN CHLORIDE | 5MG | \$0.11824 |
| PENTOXIFYLLINE | 400MG | \$0.15767 |
| PERPHENAZINE | 2MG | \$0.13251 |
| PERPHENAZINE | 4MG | \$0.15609 |
| PERPHENAZINE | 16MG | \$0.25741 |
| PINDOLOL | 5MG | \$0.14665 |
| PINDOLOL | 10MG | \$0.12067 |
| POLYMYXIN B SULFATE/TMP | 10K U-0.1% | \$0.74218 |
| PREDNISOLONE | 15MG/5ML | \$0.16209 |
| PRIMIDONE | 250MG | \$0.48152 |
| PROBENECID | 500MG | \$0.38329 |
| PROCHLORPERAZINE MALEATE | 5MG | \$0.20908 |
| PROCHLORPERAZINE MALEATE | 10MG | \$0.19627 |
| PROMETHAZINE HCL | 6.25MG/5ML | \$0.04399 |
| PROPOXYPHENE HCL/ACETAMINOPHEN | 65-650MG | \$0.10168 |
| PROPOXYPHENE/ACETAMINOPHEN | 100-650MG | \$0.18220 |
| QUINIDINE GLUCONATE | 324MG | \$0.31945 |
| RANITIDINE HCL | 300MG | \$0.26076 |
| RANITIDINE HCL | 150MG | \$0.14277 |
| SELEGILINE HCL | 5MG | \$0.28851 |
| SPIRONOLACTONE | 25MG | \$0.26513 |
| SPIRONOLACTONE/HCTZ | 25-25MG | \$0.31125 |
| SUCRALFATE | 1G | \$0.23747 |
| SULFASALAZINE | 500MG | \$0.13280 |
| SULINDAC | 150MG | \$0.24914 |

Official Notices

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| SULINDAC | 200MG | \$0.28979 |
| TERAZOSIN HCL | 1MG | \$0.28192 |
| TERAZOSIN HCL | 5MG | \$0.27562 |
| TERAZOSIN HCL | 10MG | \$0.27009 |
| TERAZOSIN HCL | 2MG | \$0.24536 |
| THEOPHYLLINE ANHYDROUS | 100MG | \$0.11603 |
| THEOPHYLLINE ANHYDROUS | 300MG | \$0.14688 |
| THEOPHYLLINE ANHYDROUS | 200MG | \$0.12488 |
| THIORIDAZINE HCL | 10MG | \$0.15377 |
| THIORIDAZINE HCL | 25MG | \$0.20124 |
| THIORIDAZINE HCL | 50MG | \$0.22861 |
| THIORIDAZINE HCL | 100MG | \$0.28562 |
| THIOTHIXENE | 2MG | \$0.18161 |
| THIOTHIXENE | 5MG | \$0.12807 |
| THIOTHIXENE | 10MG | \$0.15635 |
| TICLOPIDINE HCL | 250MG | \$0.28907 |
| TIMOLOL MALEATE | 0.50% | \$0.84061 |
| TIZANIDINE | 2MG | \$0.73917 |
| TIZANIDINE | 4MG | \$0.87127 |
| TRAMADOL HCL | 50MG | \$0.15570 |
| TRAZODONE HCL | 150MG | \$0.26760 |
| TRIAMTERENE/HCTZ | 37.5-25MG | \$0.16371 |
| TRIAMTERENE/HCTZ | 37.5-25MG | \$0.14264 |
| TRIAZOLAM | 0.125MG | \$0.29499 |
| TRIFLUOPERAZINE HCL | 1MG | \$0.14579 |
| TRIFLUOPERAZINE HCL | 2MG | \$0.19846 |
| TRIFLUOPERAZINE HCL | 5MG | \$0.22539 |
| TRIFLUOPERAZINE HCL | 10MG | \$0.22621 |
| TRIHXYPHENIDYL HCL | 5MG | \$0.25178 |
| TROPICAMIDE | 0.50% | \$0.35667 |
| TROPICAMIDE | 1% | \$0.35667 |
| VALPROATE SODIUM | 250MG/5ML | \$0.00708 |
| VALPROIC ACID | 250MG | \$0.12862 |
| VERAPAMIL HCL | 240MG | \$0.31886 |
| VERAPAMIL HCL | 40MG | \$0.13527 |
| VERAPAMIL HCL | 180MG | \$0.31742 |
| VERAPAMIL HCL | 120MG | \$0.38622 |
| VERAPAMIL HCL | 180MG | \$0.39320 |
| VERAPAMIL HCL | 240MG | \$0.47408 |
| GENERIC NAME | STRENGTH | FORM |
| DYPHYLLINE | 200MG | TA |
| SODIUM FLUORIDE | 0.5MG/ML | SO |
| PHENOBARBITAL | 20MG/5ML | SE |
| MEPROBAMATE | 200MG | TA |
| ANTIPYRINE W/BENZOCAINE | 5.4-1.4% | SO |

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| CHLORPROMAZINE HCL | 10MG | TA |
| PROTRIPTYLINE | 10MG | TA |
| METAPROTERENOL SULFATE | 10MG/5ML | ST |
| THYROID | 120MG | TA |
| THYROID | 60MG | TA |
| PROPYLTHIOURACIL | 50MG | TA |
| DEXAMETHASONE | 0.25MG | TA |
| DEXAMETHASONE | 0.75MG | TA |
| DEXAMETHASONE | 1.5MG | TA |
| CLOTRIMAZOLE | 1% | KW |
| LIDOCAINE HCL | 5% | OA |
| FLUOCINOLONE ACETONIDE | 0.01% | KA |
| FLUOCINOLONE ACETONIDE | 0.03% | KA |
| GENTAMICIN SULFATE | 0.10% | KA |
| GENTAMICIN SULFATE | 0.10% | OA |
| PILOCARPINE HCL | 1% | SO |
| PILOCARPINE HCL | 6% | SO |
| TIMOLOL MALEATE | 0.25% | JS |
| HOMATROPINE HYDROBROMIDE | 5% | SO |
| CYCLOPENTOLATE HCL | 1% | SO |
| CHLOROTHIAZIDE | 250MG | TA |
| CHLOROTHIAZIDE | 500MG | TA |
| AMPICILLIN TRIHYDRATE | 250MG/5ML | PD |
| ERYTHROMYCIN ETHYLSUCCINATE | 200MG/5ML | SC |
| ERYTHROMYCIN STEARATE | 250MG | TA |
| ISONIAZID | 100MG | TA |
| PHENAZOPYRIDINE HCL | 100MG | TA |
| ASPIRIN W/CODEINE | 30-325MG | TA |

The Department's cost savings estimate resulting from implementation of these changes is available from Cody Wiberg.

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

Written comments and requests for information may be sent to:

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

Official Notices

Department of Human Services

Health Care Administration

Request for Information (RFI) for a Pharmacy Benefit Manager (PBM) to Perform the Drug Benefits Management Functions of the State of Minnesota's Pharmacy Programs

The Minnesota Department of Human Services is seeking information from Pharmacy Benefit Management entities.

Overview

The Minnesota Department of Human Services (DHS) Pharmacy Program was formed to incorporate the functions of Formulary Management, Drug Utilization Review, and Drug Rebates into one unit. The unit also administers a state-funded program that helps eligible senior citizens and disabled individuals under the age of 65 pay for their medications. The pharmacy unit also provides educational outreach, along with support for providers and agency staff.

There are two rebate programs administered by the Pharmacy Program staff: Federally mandated rebates from the manufacturers of drugs dispensed to Medicaid recipients and State mandated rebates from the manufacturers of drugs dispensed to Prescription Drug Program enrollees.

Solicitation of Information

The Minnesota Department of Human Services, through its Health Care Administration, is seeking information from vendors to develop a Pharmacy Benefit Management package for the Department of Human Services. Interested vendors should specifically address the drug benefit management functions of a PBM. A detailed list of the information the Department is requesting can be accessed via the Internet at: <http://www.dhs.state.mn.us/provider/pbmrfi/>

Although the Department intends to use the information it obtains from this RFI to develop a Statement of Work or a Request for Proposal for this project, The Department of Human Services does not guarantee a procurement will be forthcoming, or that any vendor responding to this RFI will be awarded a contract to perform work on this project. The Department reserves the right to waive minor irregularities in the vendor's responses to this RFI at its sole discretion.

Responses may be sent electronically to gina.kiser@state.mn.us. Responses must be received no later than the close of business on **Friday, March 21, 2003**.

Please direct all correspondence regarding this RFI to:

Gina Kiser
Minnesota Department of Human Services
444 Lafayette Road North
St Paul MN 55155-3849

Department of Natural Resources, and Pollution Control Agency

Closed Landfill Program

Notice of Proposed Conveyance for the Purpose of Resolving Boundary Line Issues Affecting the Ownership Interests of the State and Adjacent Landowners

NOTICE IS HEREBY GIVEN that, in accordance with *Minnesota Statutes*, section 84.0273, the State of Minnesota, by and through its Pollution Control Agency and Department of Natural Resources intends to correct a boundary discrepancy which affects land presently owned by the State and land owned by Louis H. Reiter and Rosemary T. Reiter. The State originally acquired its property by Warranty Deed from Olmsted County recorded in the Office of the Olmsted County Recorder February 22, 1996, as Document No. 722271. The State will issue a quit claim deed to the adjacent owners and the adjacent owners will issue a quit claim deed to the State in order to resolve the boundary discrepancy. The deed from the State to Louis H. Reiter and Rosemary T. Reiter will contain the following legal description:

That part of the Southwest Quarter and the Northwest Quarter of Section 27, Township 108 North, Range 14 West, Olmsted County, Minnesota, EXCEPTING therefrom the North 50 acres of the East 124 acres of said Northwest Quarter, lying easterly of the following described line:

Commencing at a cast iron monument at the southwest corner of said Section 27; thence on a bearing of North 89 degrees 05 minutes 12 seconds East, (based on a CERTIFICATE OF SURVEY prepared by Edward P. Kuisle, R.L.S. #15809, dated 9-26-1994, for Olmsted County Public Works) a distance of 592.22 feet along the south line of said Southwest Quarter to a monu-

ment as shown on said CERTIFICATE, and the POINT OF BEGINNING of the line to be described; thence North 00 degrees 37 minutes 55 seconds West, a distance of 2029.47 feet to a ½" rebar monument with a cap as shown on said CERTIFICATE being also the southwest corner of PARCEL 1 as shown on said CERTIFICATE; thence North 89 degrees 13 minutes 48 seconds East, a distance of 771.00 feet along the south line of said PARCEL 1 to a ½" rebar monument with a cap as shown on said CERTIFICATE being also the southeast corner of PARCEL 1; thence North 00 degrees 41 minutes 37 seconds West, a distance of 577.00 feet along the east line of said PARCEL 1 to a ½" rebar monument with a cap as shown on said CERTIFICATE being also the northeast corner of said PARCEL 1; thence North 00 degrees 32 minutes 43 seconds West, a distance of 1540.22 feet to a ½" rebar monument with a cap as shown on said CERTIFICATE being also the southeast corner of PARCEL 3 on said CERTIFICATE and a point on the south line of the North 50 acres of the East 124 acres of said Northwest Quarter and there terminating.

And the deed from Louis H. Reiter and Rosemary T. Reiter to the State will contain the following legal description:

That part of the Southwest Quarter and the Northwest Quarter of Section 27, Township 108 North, Range 14 West, Olmsted County, Minnesota, EXCEPTING therefrom the North 50 acres of the East 124 acres of said Northwest Quarter, lying westerly of the following described line:

Commencing at a cast iron monument at the southwest corner of said Section 27; thence on a bearing of North 89 degrees 05 minutes 12 seconds East, (based on a CERTIFICATE OF SURVEY prepared by Edward P. Kuisle, R.L.S. #15809, dated 9-26-1994, for Olmsted County Public Works) a distance of 592.22 feet along the south line of said Southwest Quarter to a monument as shown on said CERTIFICATE, and the POINT OF BEGINNING of the line to be described; thence North 00 degrees 37 minutes 55 seconds West, a distance of 2029.47 feet to a ½" rebar monument with a cap as shown on said CERTIFICATE being also the southwest corner of PARCEL 1 as shown on said CERTIFICATE; thence North 89 degrees 13 minutes 48 seconds East, a distance of 771.00 feet along the south line of said PARCEL 1 to a ½" rebar monument with a cap as shown on said CERTIFICATE being also the southeast corner of PARCEL 1; thence North 00 degrees 41 minutes 37 seconds West, a distance of 577.00 feet along the east line of said PARCEL 1 to a ½" rebar monument with a cap as shown on said CERTIFICATE being also the northeast corner of said PARCEL 1; thence North 00 degrees 32 minutes 43 seconds West, a distance of 1540.22 feet to a ½" rebar monument with a cap as shown on the said CERTIFICATE being also the southeast corner of PARCEL 3 on said CERTIFICATE and a point on the south line of the North 50 acres of the East 124 acres of said Northwest Quarter and there terminating.

The deeds are necessary to resolve issues relating to the description of the State's and Reiters' respective ownership in terms of acres. For example, the State owns the West 36 acres of the W1/2SW1/4 of Section 27, Township 108N, Range 14W and the Reiters own most of the East 44 acres of the W1/2SW1/4. However, this parcel, according to survey, is not a true 80 acres, but contains only 77.36 acres. The south line of the W1/2SW1/4 is not 1320 feet, but only 1316.05. The deeds recognize an apportionment of the south line of the W1/2SW1/4 between the two owners in accordance with the proportion owned by each and describe their mutual boundary line via a monumented metes and bounds description not dependant on acreage descriptions.

The State and the Reiters propose to issue their respective deeds after 20 days following the date of publication of this Notice.

For further information, contact Donald B. Abrams at the Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155, **phone** (651) 296-9543.

Minnesota Pollution Control Agency

Amended Request for Comments on Planned Rule Amendments to Minnesota Rules Chapters 7001 and 7035 Governing Solid Waste Management

In response to comments received from the October 29, 2001 Request for Comments Notice published in the *State Register* (CITE 26 SR 572), the Minnesota Pollution Control Agency (MPCA) has determined that additional rule amendments are needed than previously noticed. This notice is meant to clarify the proposed amendments the MPCA is considering and to request additional comment.

Subject of Rules: The MPCA is planning to amend parts of *Minnesota Rules* Chapters 7001 and 7035 that govern management of solid waste to address "beneficial use" of solid waste and demonstration/research projects. In addition, the MPCA will amend portions of Chapters 7001 and 7035 to eliminate inappropriate cross-references, clarify permitting requirements during site remediation and emergencies, establish protocols for characterization of waste, and make other miscellaneous changes necessary to update certain sections of existing rule.

The information that follows describes the areas of proposed rule modification the MPCA is considering during this rule revision and describes how you can provide input to the MPCA.

Official Notices

Beneficial Use of Solid Waste: The present rule is ambiguous in regard to the regulatory status of projects that involve utilization of solid wastes. The proposal being discussed would establish standards for storage prior to use, a list of beneficial uses that need no agency contact, and a procedure for obtaining MPCA approval for non-listed uses of solid wastes.

Demonstration/Research Projects: Present rules require persons who seek to demonstrate or test innovative solid waste management techniques to obtain variances or permit amendments. The MPCA is considering amending rules to allow demonstration and research of new technologies for solid waste management under enforceable agreements. The proposed rule will allow temporary non-compliance with rule standards for research/demonstration plans with commissioner approval of the research/demonstration plan and the signing of the enforceable agreement. Commissioner approval would be dependent on evidence that human health and the environment would be protected during the project and that federal standards would be met.

General Changes: The MPCA is considering using this rulemaking to make the following changes: amend rule citation error corrections; remove conflicts with new standards of demonstration/research projects and beneficial use of solid waste; create an exemption from solid waste permitting for remediation sites where waste would be managed under the auspices of MPCA cleanup programs; grant increased authority of the commissioner to suspend rule requirements during emergencies where large amounts of solid waste must be managed on an expedited basis (floods, tornadoes, etc.); and modify the provisions that allow sewage containing wastes to be disposed of in a land disposal facility.

Persons Affected: The rule amendments would primarily affect individuals and generators of solid wastes who are interested in beneficially using solid wastes. The rule would also affect parties such as owners and operators of land disposal facilities, and generators of solid wastes that are interested in conducting research or demonstration projects on so alternatives for solid waste management that are not currently being used. The rule may also affect local units of government that regulate management of solid wastes in some situations.

Statutory Authority: *Minnesota Statutes*, section 116.07 authorizes the MPCA to adopt standards for the control of the collection, transportation, storage, processing, and disposal of solid waste.

Rule Revision Timeline: At this time, the MPCA intends to publish the proposed rule amendments in April of 2003. The planned completion date for the rule is July 2003. The MPCA has been working with stakeholders to obtain input prior to drafting the rule. Information on how stakeholders have been involved and minutes from meetings of the solid waste utilization advisory group can be found on the web site cited below or by contacting the MPCA.

Public Comment: Affected, interested persons or groups may submit comments or information on this planned rulemaking in writing or orally until 4:30 p.m. on May 2nd 2003.

Rules Drafts: The MPCA has not yet prepared a draft of the possible rule amendments.

Where to Get More Information

Web Site: A web site has been established where supplemental information will be posted as it becomes available: <http://www.pca.state.mn.us/waste/swrules.html>

Agency Contact: Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these proposed rule amendments should be directed to: Patricia Burford at Minnesota Pollution Control Agency, 520 Lafayette Road N., St. Paul, Minnesota 55155-4194, **Phone** (651) 296-8745, **Fax:** (651) 297-8676 and **email:** pat.burford@pca.state.mn.us. TTY users may call the MPCA at TTY (651) 292-5332 or (800) 657-3864.

Alternative Format: Upon request, the Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

State Grants & Loans

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

Minnesota Job Skills Partnership

Training Grant Deadlines

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

The deadline for submission of proposals is 4:00 p.m. on April 28, 2003. Ten final copies must be submitted at that time for consideration at the MJSP Board meeting to be held on June 9, 2003. No proposals will be accepted after April 28, 2003. For more information, please call Rick Caligiuri at (651) 282-9829.

Minnesota Center for Crime Victim Services

Notice of Availability of Funds for a Parenting Time Center in Itasca County - FY04

The Minnesota Center for Crime Victim Services (MCCVS) announces the availability of grant funds for a Parenting Time Center in Itasca County. The funds are for the 12-month period July 1, 2003, through June 30, 2004, and are available through a competitive funding process. Private non-profit organizations, Indian tribal governments, and local units of government are eligible to apply.

The grant award will be in the amount of \$41,000, but will be contingent on actual funding received from state and federal sources. The intent of the funding is to provide a healthy environment to reduce children's vulnerability to violence and trauma related to parenting time, where there has been a history of domestic violence or abuse within the family. Applicants must demonstrate their ability to meet the minimum programmatic standards for a parenting time center as detailed in the application packet.

Applications are due Monday, March 31, 2003. To receive an application packet that provides complete information and describes how to apply, please fax the request information below to (651) 205-4808, or contact: Minnesota Center for Crime Victim Services, 445 Minnesota Street, Suite 2300, St. Paul, MN 55101, (651) 282-6256, Toll-free (888) 622-8799, TTY (hearing impaired): (651) 205-4827.

Department of Trade and Economic Development

Business and Community Development Division

Brownfields and Community Assistance

Notice of Intent to Apply for Federal Financial Assistance for Brownfield Revitalization and Solicitation of Comments

On January 11, 2002, President George W. Bush signed into law the Small Business Liability Relief and Brownfields Revitalization Act. The Brownfields Law expands potential federal financial assistance for brownfield revitalization, including grants for assessment, cleanup, and job training. Under the new law an eligible entity may apply for up to \$1,000,000 for capitalization of a Revolving Loan Fund to clean up sites contaminated by petroleum and hazardous substances, pollutants or contaminants. Applications for the first round of competition were due on December 13, 2002.

The Department of Trade and Economic Development submitted a first-round application to EPA for \$1,000,000 to establish the Minnesota Cleanup Revolving Loan Fund. If funds are awarded, the MCRLF will market loans and grants for the cleanup of soils and ground water affected by petroleum and/or hazardous substances, pollutants or contaminants to cities, counties, developers, sub-units of local governments including EDAs, HRAs, port authorities, for-profit businesses or non-profit organizations which are likely to develop industrial, commercial, retail, office space, housing, mixed-use or public purpose developments.

State Grants & Loans

NOTICE IS HEREBY GIVEN that DTED's application was selected in the first round of competition, and DTED has been invited to participate in the second competitive round. DTED is currently drafting the application for the second round of competition, which is due to EPA offices on March 19, 2003. For a summary of the DTED proposal, please go to DTED's web page at www.dted.state.mn.us and follow the listed links: go to "Communities" go to "Assistance Programs"; go to "Financial Resources"; go to "Contamination Cleanup Grant Program"; then go to "Minnesota Cleanup Revolving Loan Fund EPA Application Summary."

DTED is soliciting comments or suggestions from the public, other concerned governmental agencies, the scientific/environmental community, industry, or any other interested party concerning the development of the Minnesota Cleanup Revolving Loan Fund Proposal. DTED will accept written and e-mailed comments and information until 4:30 p.m. on March 13, 2003. If you wish to comment, you may submit your written comments and information to:

Meredith Udoibok, Director
Brownfields and Community Assistance Unit
Department of Trade and Economic Development
121 - 7th Place East
500 Metro Square
St. Paul, Minnesota 55101-2146
Or:
meredith.udoibok@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

"REVISED" 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~~ . Proposals must be received no later than 3 p.m. CST on Friday, March 7, 2003. Late proposals will not be considered.
- 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. Proposals must be received no later than 3 p.m. CST on Friday, March 14, 2003. Late proposals will not be considered.

The full Request for Proposal is available at <http://www.dsbcb.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 expire 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 Children, Families and Learning

Notice of Request for Proposals to Evaluate the Reading Excellence Program

The Department of Children, Families and Learning is soliciting proposals from qualified parties to design and implement a comprehensive evaluation plan for the Reading Excellence Program, including the Local Reading Improvement programs at 24 schools and the Tutorial Assistance programs at 7 schools, for the 2 year grant program, July 1, 2002 - July 1, 2004. The evaluation plan will include both formative and summative evaluations, and completion of yearly federal evaluation reports.

The Department of Children, Families and Learning has estimated the cost of this project should not exceed \$300,000.

The anticipated project period is April 7, 2003 to September 30, 2004.

For a complete copy of the Request for Proposals, please contact Matthew Mohs, Department of Children, Families and Learning, 1500 Highway 36 West, Roseville, Minnesota 55113, **telephone** (651) 582-8614, **fax** (651) 582-8727, **E-mail** matthew.mohs@state.mn.us.

Responses are due by 3:00 p.m., Monday, March 24, 2003. **Late proposals will not be considered.** Fax or E-Mail proposals will *not* be considered.

Colleges and Universities, Minnesota State (MnSCU)

2003 Request for Qualifications and Proposals to Examine Selected 2-year College Campuses

Minnesota State Colleges and Universities Facilities Planning and Programming will be selecting an Mechanical/Electrical team to review various 2 year college campus infrastructures. Purpose will be to:

- Physically inspecting, observing, and evaluating major systems, capacity and their distribution components.
- Evaluate cost estimation for renovation or new systems and what minor repair that might extend overall life of system.
- Assist the MnSCU office in reporting HVAC, steam, boiler, chiller, electrical, and water system conditions at the campus level including life expectancy and energy efficiency
- Consultant will create a preliminary prioritized listing of needs based on criticality of system and provide a ranking of the least to the most critical needs among campuses.
- Replace the original 1998 data of deferred maintenance with information obtained.

Full Request for Qualification proposal available by contacting Mailor Moua at mailor.moua@so.mnscu.edu. Or by writing at 500 World Trade Center, 30 East 7th Street, St Paul MN 55101. Responses to RFQ are due by March 24 with possible interviews the week of April 8 for execution of work to be done in spring/summer 2003.

Department of Transportation

Engineer Services Division

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

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

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

Mn/DOT is currently requesting 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.

State Contracts

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

Engineer Services Division

Notice Concerning Professional/Technical Contract Opportunities

NOTICE TO ALL: The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on 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 Invitation for Bids (IFB) for Computer Hardware Maintenance Services Contract Number 03P005

The Metropolitan Council is requesting bids for Computer Hardware Maintenance Services. Services will include recommended OEM preventive maintenance, scheduled repair, and maintenance services, and unscheduled repair services for critical equipment. The hardware to be serviced is mid-range computer equipment and peripherals, including 9 IBM RS 6000 Workstations and 12 IBM RISC servers installed at two separate Council locations in Minneapolis and St. Paul. The term of the contract will be three years.

The anticipated schedule for this procurement is:

| | |
|---|----------------------|
| <i>Issue Invitation for Bids</i> | March 3, 2003 |
| <i>Bids Due</i> | April 1, 2003 |
| <i>Award Contract</i> | May 2003 |

All firms interested in receiving an IFB package are invited to submit an e-mail or written request to:

Amanda Houston, Administrative Assistant
Contracts and Procurement Unit
Metropolitan Council
230 East Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1585
Fax: (651) 602-1138
E-mail: amanda.houston@metc.state.mn.us

Note: The IFB is **NOT** available in electronic form.

Non-State Contracts & Grants

Metropolitan Council

Notice of Request for Proposals (RFP) for Regular Route and Peak Services in the Twin Cities

Contract Number 03P009

The Metropolitan Council is requesting service proposals for regular route and peak services in the Twin Cities area including the cities of Minnetonka, St. Louis Park, Hopkins, communities west of Lake Minnetonka, Brooklyn Center, Brooklyn Park, Crystal, White Bear Lake, Maplewood, Woodbury, and St. Paul. There is a potential of up to thirteen routes.

| | |
|---|--------------------------|
| <i>Issue request for Proposals</i> | February 28, 2003 |
| <i>Pre-Proposal Meeting</i> | March 13, 2003 |
| <i>Receive Proposals</i> | April 8, 2003 |
| <i>Contract negotiated, executed, NTP</i> | May, 2003 |

The proposal process will be conducted to make it eligible for potential future FTA funding. All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

Harriet Simmons, Senior Administrative Assistant
Contracts and Procurement Unit
Metropolitan Council
230 East Fifth Street
Mears Park Centre
St. Paul, MN 55101
Phone: (651) 602-1086 **Fax:** (651) 602-1138
E-mail: harriet.simmons@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.

Metropolitan Council

Notice of Request for Proposals (RFP) for Web Hosting and Maintenance

Metropolitan Council RFP / Contract Number 03P018

The Metropolitan Council is requesting proposals to provide managed server hosting for the Metropolitan Council's web site from about mid June 2003 to mid June 2005. Managed server hosting includes, at least, personnel, service, software, hardware and connectivity required to host, monitor and diagnose a web site and application environment. The site has HTML and database components. The approximate size of the site and its associated files is currently 5 Gigabytes with approximately 1,900 pages. The site is located at www.metrocouncil.org.

The anticipated solicitation schedule is shown below.

| | |
|------------------------------------|---|
| <i>Issue Request for Proposals</i> | March 3, 2003 |
| <i>Receive Proposals</i> | 1:00 PM on Thursday, April 3, 2003 |
| <i>Award of Contract</i> | April or May 2003 |

All firms interested in receiving an RFP package are invited to submit an e-mail or written request to:

Amanda Houston, Administrative Assistant
Contracts and Procurement Unit
Metropolitan Council
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1585
Fax: (651) 602-1138
E-mail: amanda.houston@metc.state.mn.us

Note: RFB are **NOT** available in electronic form.

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 Truck-Mounted Crane and Aerial Basket

Metro Transit, a division of the Metropolitan Council, is soliciting bids for a truck-mounted crane and an aerial basket. This equipment will be installed on a Sterling LT7500 truck. Bids are due by 2:00 PM on March 21, 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

Ramsey County Regional Railroad Authority

Notice of Request for Proposal for the Union Depot Analysis

NOTICE IS HEREBY GIVEN that the Ramsey County Regional Railroad Authority is soliciting proposals from professional consultants to conduct a technical analysis that will focus on identifying factors and conditions to the implementation of the Union Depot as a multi-modal transit facility. The anticipated budget for the contracting of professional services is not-to-exceed \$100,000 and the projected study completion date is 12 months from the contract award date.

This request for proposals does not obligate the Ramsey County Regional Railroad Authority to award a contract.

Firms interested in receiving this RFP should contact:

Kathryn DeSpiegelaere, Director
Ramsey County Regional Railroad Authority
665 Ramsey County Government Center West
50 West Kellogg Boulevard
Saint Paul, MN 551102
Phone: (651) 266-2762
Fax: (651) 266-2761
E-mail: Kathryn.DeSpiegelaere@Co.Ramsey.MN.US

This RFP can also be downloaded at the Rail Authority's **web site:** <http://www.co.ramsey.mn.us/rail/index.asp>

Deadline for proposals is Noon CST on Monday 17 March 2003. No late proposals will be considered.

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.

University of Minnesota Center for Transportation Studies Request for Proposal for Editing Services

NOTICE IS HEREBY GIVEN that the Center for Transportation Studies at the University of Minnesota (CTS) is seeking qualified vendors to provide professional editing services.

Qualified vendors shall be considered who have:

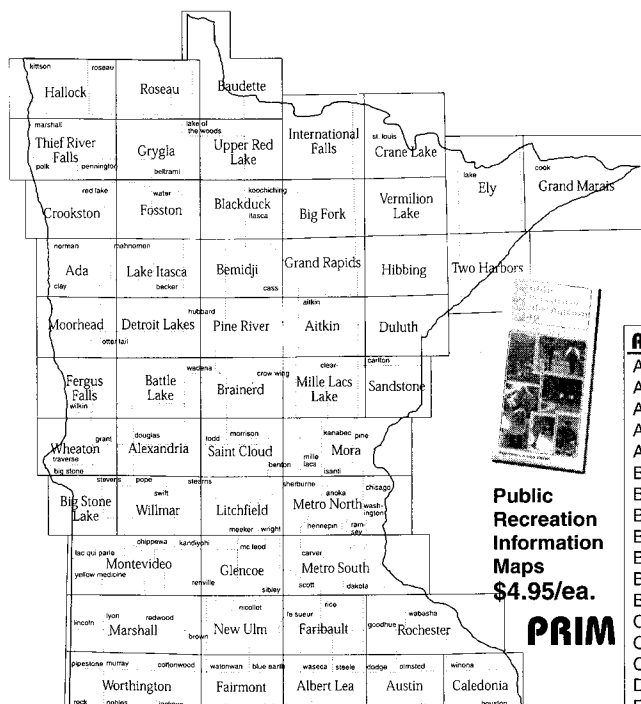
- 1) Strong editing and writing skills
- 2) Verifiable editing experience
- 3) Knowledge of the document review process and the editor's role in that process.
- 4) Returned the information requested in the Request For Proposal by the assigned deadline.

This RFP does not obligate the University of Minnesota to any particular vendor, award, nor to renewal other than the terms and conditions of the original contracting instrument.

For a copy of the full Request for Proposal, or more information, Contact:

David McLaughlin, Outreach Coordinator
Center for Transportation Studies
200 Transportation and Safety Building
511 Washington Ave. S.E.
Minneapolis, MN 55455
Phone: (612) 624-8398
Fax: (612) 625-6381

Deadline for proposals is 4 p.m. March 24, 2003. Late proposals will not be considered in this round.



Public Recreation Information Maps

Produced by the MN Dept. of Natural Resources, 51 PRIM maps chart all county, state and federal public lands. With an easy map legend and charts, you will find trails for hiking and biking, areas where hunting is allowed, camp sites, boat access, wildlife refuges, and more. Includes topographical information.

| Area | Stock No. | Area | Stock No. | Area | Stock No. |
|----------------|-----------|---------------------|-----------|-------------------|-----------|
| Ada | 12-148 | Ely | 12-132 | Mille Lacs | 12-109 |
| Aitkin | 12-108 | Fairmont | 12-149 | Montevideo | 12-145 |
| Albert Lea | 12-147 | Faribault | 12-142 | Moorhead | 12-135 |
| Alexandria | 12-123 | Fergus Falls | 12-136 | Mora | 12-146 |
| Austin | 12-115 | Fosston | 12-119 | New Ulm | 12-127 |
| Battle Lake | 12-122 | Glencoe | 12-144 | Pine River | 12-104 |
| Baudette | 12-129 | Grand Marais | 12-134 | Rochester | 12-114 |
| Bemidji | 12-103 | Grand Rapids | 12-107 | Roseau | 12-117 |
| Big Fork | 12-106 | Grygla | 12-118 | Saint Cloud | 12-141 |
| Big Stone Lake | 12-101 | Hallock | 12-128 | Sandstone | 12-113 |
| Black Duck | 12-124 | Hibbing | 12-111 | Thief River Falls | 12-140 |
| Brainerd | 12-105 | International Falls | 12-125 | Two Harbors | 12-126 |
| Caledonia | 12-116 | Lake Itasca | 12-120 | Upper Red Lake | 12-130 |
| Crane Lake | 12-131 | Litchfield | 12-139 | Vermilion Lake | 12-110 |
| Crookston | 12-150 | Marshall | 12-143 | Wheaton | 12-151 |
| Detroit Lakes | 12-121 | Metro North | 12-138 | Willmar | 12-102 |
| Duluth | 12-112 | Metro South | 12-137 | Worthington | 12-152 |



Admin MINNESOTA

Department of Administration

117 University Avenue • St. Paul, Minnesota 55155
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