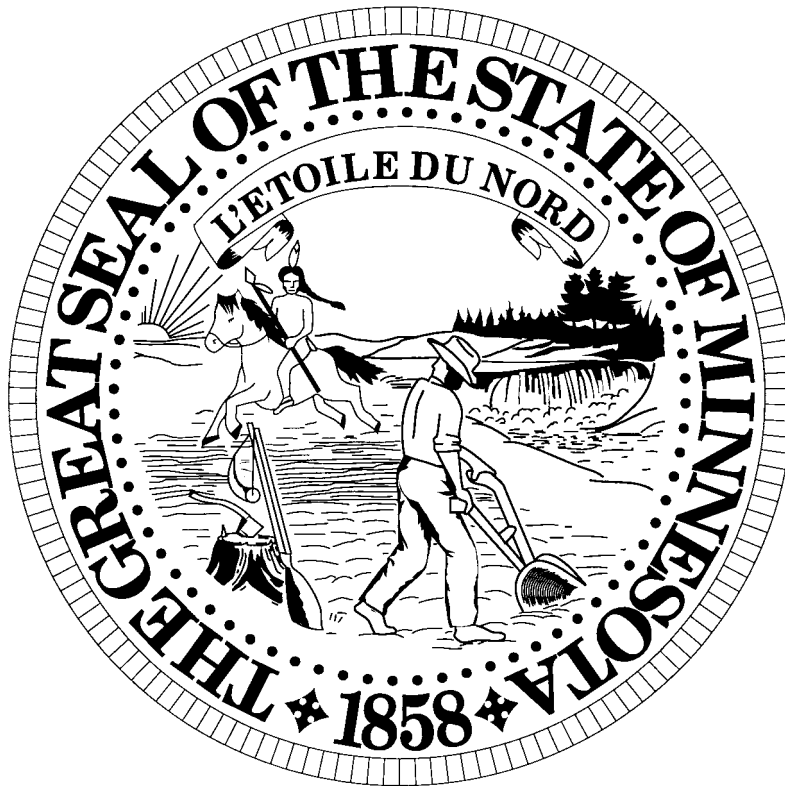


State of Minnesota

State Register

Rules and Official Notices Edition



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State Register

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

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- 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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#47	Monday 24 May	Noon Tuesday 18 May	Noon Wednesday 12 May
#48	TUESDAY 1 JUNE	Noon Tuesday 25 May	Noon Wednesday 19 May
#49	Monday 7 June	Noon Tuesday 1 June	Noon Wednesday 26 May
#50	Monday 14 June	Noon Tuesday 8 June	Noon Wednesday 2 June

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

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

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

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

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

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Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

Board of Chiropractic Examiners

Adopted Permanent Rules Relating to Acupuncture Registration

The rules proposed and published at *State Register*, Volume 28, Number 24, pages 775-777, December 15, 2003 (28 SR 775), are adopted as proposed.

Pollution Control Agency

Adopted Permanent Rules Relating to Technical Changes

The rules proposed and published at *State Register*, Volume 28, Number 26, pages 840-854, December 29, 2003 (28 SR 840), are adopted with the following modifications:

7019.3000 EMISSION INVENTORY.

Subp. 2. **Owner or operator error in reporting data.** If an owner or operator discovers an error in the data after having submitted it to the agency, the owner or operator shall submit corrected data, with a written explanation of the mistake and why it occurred. If the commissioner agrees that the correction is appropriate, the commissioner shall correct the data in the inventory. However, for purposes of assessing the emission fee under part 7002.0025, the commissioner shall not accept any correction submitted by an owner or operator which would result in a reduction of tons emitted if the correction is submitted more than 45 days after the ~~annual emissions inventory~~ mailing date of the previous year's air emissions summary.

Minnesota Racing Commission

Adopted Permanent Rules Relating to Horse Racing

The rules proposed and published at *State Register*, Volume 28, Number 30, pages 923-932, January 26, 2004 (28 SR 923), are adopted with the following modifications:

7873.0193 PLACE PICK ALL.

Subp. 4. **Place pick all pool.** The place pick all pari-mutuel pool consists of amounts contributed for a selection finishing first or second in each of the races designated by the association with the approval of the commission. Each person purchasing a place pick all ticket shall designate a horse that officially finishes first or second in each of the races comprising that ~~days~~ day's racing program.

Subp. 6. Calculation of pool.

B. One hundred percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate the most winning selections officially finishing first or second in each of the races comprising that ~~days~~ day's racing program.

C. (1) One hundred percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate a horse that officially finishes first or second in each of the races comprising that ~~days~~ day's racing program.

(2) In the event there is no pari-mutuel ticket properly issued which correctly designates a horse that officially finishes first or second in each of the races comprising that ~~days~~ day's racing program, 75 percent of the pari-mutuel pool shall not be distributed but shall be retained by the association as a distributable amount and shall be carried over and included in the place pick all pari-mutuel pool for the next succeeding racing date as an additional net amount to be distributed among the holders of pari-mutuel tickets which correctly designate the official winner in each of the four races comprising the pick four pool that day.

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

Adopted Rules

The remaining 25 percent shall be distributed among the holders of place pick all tickets that correctly designate the most horses officially finishing first or second in each of the races comprising that ~~days~~ day's racing program.

7873.0199 PICK FOUR.

Subp. 6a. **Calculation of pool with a pick four pool designated to have a carryover.**

A. The association, with the approval of the commission according to the criteria in part 7873.0195, may add a carryover to the pick four wager. In that case, the pick four pari-mutuel pool must be calculated according to one of the two methods provided in item B or C, as approved by the commission.

7877.0170 DUTIES AND RESPONSIBILITIES OF CLASS C LICENSEES.

Subp. 2a. **Assistant trainers.** An assistant trainer shall be charged with the same responsibilities as a trainer. If warranted after full consideration by the stewards of all facts and circumstances as contained in chapter 7879 ~~by the stewards~~, the assistant trainer shall be held equally culpable with the trainer by whom ~~he or she~~ the assistant trainer is employed for any acts to which the assistant trainer has prior knowledge or involvement.

Subp. 9. **Veterinarians.** The following shall apply to veterinarians licensed by the commission:

C. A veterinarian may possess substances that are FDA approved, but not specifically for use on the horse, only ~~with the~~ by providing prior approval of notice to the commission's veterinarian and the Board of Stewards. Veterinarians shall not possess medications or substances without a specific manufacturer's name, lot number, and expiration date.

7878.0150 STANDARDS OF CONDUCT FOR SECURITY OFFICERS. [~~Withdrawn.~~]

REPEALER. *Minnesota Rules*, ~~parts~~ part 7878.0100, subpart 8 ; ~~and 7878.0150, subpart 1a, are,~~ is 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 Rules: Designated Infested Waters

NOTICE IS HEREBY GIVEN THAT the above entitled rule has been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, sections 84D.03, subdivision 1, and 84D.12, subdivision 3.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that:

- 1) Zebra mussels have been confirmed in Ossawinnamakee Lake, Crow Wing County, and in Pelican Brook, the outlet stream of the lake. These waters are in the middle of the Brainerd lakes area and are popular for fishing and the commercial harvest of bait.
- 2) Fishing and bait harvest are "high risk" activities with respect to the potential to spread zebra mussels to new non-infested, waters. Adult zebra mussels can be inadvertently caught on anchors or nets, or be attached to plant fragments, and be carried to other lakes/rivers by boaters or bait harvesters. The greatest risk may exist when zebra mussels are in their early larval life stage. The larvae are microscopic, free-floating, and not visible to water users. They cannot be removed by carefully sorting fish or a thorough inspection of boating equipment. Zebra mussel larvae will be present in Ossawinnamakee Lake and Pelican Brook from approximately late May through the end of September.
- 3) Minnesota has applicable statutes and rules that address this situation and would reduce the risk of zebra mussel spread. These statutes and rules become applicable once the lake is designated as "infested waters". Once designated as infested with zebra mussels, bait harvest is prohibited, water is required to be drained from boats and equipment prior to their travel on public roads, transport of the water for other uses is prohibited, and other restrictions apply (per *Minnesota Rules*, chapter 6216).
- 4) The expedited rules process would allow the "infested waters" designation to be in place by about June 1, the approximate time when zebra mussel larvae will be present in the lake and potential bait harvest would be peaking if the waters are not

Expedited Emergency Rules

designated. Designation through exempt emergency rules would take longer and would extend beyond the critical time when bait harvest would be expected to occur in Pelican Brook and Ossawinnamakee Lake.

Dated: 5 May 2004

Gene Merriam
Commissioner of Natural Resources

6216.0350 DESIGNATED INFESTED WATERS.

[For text of subps 1 to 5, see M.R.]

Subp. 6. **Listing of waters infested with zebra mussels.** The following water bodies are designated by the commissioner as infested with zebra mussels (*Dreissena* spp.). Activities at these waters are subject to parts 6216.0100 to 6216.0600, *Minnesota Statutes*, section 84D.13, and other applicable laws.

Name	DNR Protected Waters Inventory Number
<u>A. Crow Wing</u>	
(1) <u>Ossawinnamakee Lake</u>	<u>18-0352</u>
(2) <u>Pelican Brook</u>	<u>18-0000</u>
<u>B. Multiple Counties</u>	
(1) Lake Superior	16-0001
(2) Mississippi River, downstream of St. Anthony Falls	
(3) St. Louis River, downstream of the Fond du Lac dam	

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules: 2004 Moose and Elk Quotas and Seasons

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, sections 97A.431, 97A.433, 97B.505, and 97B.515.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that population and harvest data and analyses needed for setting quotas and areas are not available until March.

Dated: 5 May 2004

Gene Merriam
Commissioner of Natural Resources

6232.3855 QUOTAS FOR TAKING MOOSE.

The number of available licenses for the 2004 moose hunting season is 246. Licenses are distributed by zone as follows:

- A. Moose Zone 20: 25;
- B. Moose Zone 21: 5;
- C. Moose Zone 22: 5;
- D. Moose Zone 23: 4;
- E. Moose Zone 24: 9;
- F. Moose Zone 25: 8;
- G. Moose Zone 26: 7;
- H. Moose Zone 27: 5;
- I. Moose Zone 28: 5;
- J. Moose Zone 29: 7;
- K. Moose Zone 30: 7;

Expedited Emergency Rules

- L. Moose Zone 31: 14;
- M. Moose Zone 32: 5;
- N. Moose Zone 33: 5;
- O. Moose Zone 34: 7;
- P. Moose Zone 35: 5;
- Q. Moose Zone 36: 14;
- R. Moose Zone 60: 4;
- S. Moose Zone 61: 11;
- T. Moose Zone 62: 16;
- U. Moose Zone 63: 7;
- V. Moose Zone 64: 20;
- W. Moose Zone 70: 3;
- X. Moose Zone 72: 5;
- Y. Moose Zone 73: 8;
- Z. Moose Zone 74: 9;
- AA. Moose Zone 76: 9;
- BB. Moose Zone 77: 8;
- CC. Moose Zone 79: 6; and
- DD. Moose Zone 80: 3.

6232.4300 SEASONS AND 2004 SEASON DATES AND QUOTAS FOR TAKING ELK.

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

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

- A. Season A: September 18 to 26, 2004; and
- B. Season B: November 20 to 28, 2004.

Subp. 3. Quotas. The number of available licenses for the 2004 elk hunting season is five, distributed as follows:

- A. Season A: one license valid for a legal antlered bull elk; and
- B. Season B: four licenses valid for legal antlerless elk only.

Subp. 4. Open area. Licenses are valid for taking elk within the primary elk zone prescribed in part 6232.4600, subpart 1.

6232.4400 GENERAL REGULATIONS FOR TAKING ELK.

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

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

6232.4500 ELK LICENSE APPLICATION PROCEDURE.

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

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

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

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

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

Subp. 3. Drawing procedure. If one or more qualified landowners apply, a drawing to select one landowner shall occur first. Four more parties shall then be selected in a general drawing for a total of five successful parties. From this pool of five successful parties, a second drawing shall take place to determine which party will receive the single Season A bull license. The remaining four parties shall be issued antlerless licenses for Season B. The remaining landowner parties and ten parties from the general pool shall also be selected in case successful parties decide not to purchase their permit. Alternate parties shall not be notified unless they may purchase an elk license. If no qualified landowners apply, all five licenses shall be drawn from the general pool of applicants.

Expedited Emergency Rules

6232.4600 ELK ZONES.

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

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

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

EFFECTIVE PERIOD. Minnesota Rules, part 6232.3855, expires December 31, 2004. The emergency amendments to Minnesota Rules, parts 6232.4300, 6232.4400, 6232.4500, and 6232.4600, expire December 31, 2004. 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.

Revenue Notices

The Department of Revenue began issuing revenue notices in July of 1991. Revenue notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue revenue notices is found in *Minnesota Statutes* § 270.0604

Department of Revenue

Revenue Notice # 04-05: Sales and Use Tax - Lawn Care - Revocation of Revenue Notices # 91-02, # 94-04, and # 02-18

The application of sales and use tax to lawn, garden, and arborist services is governed by *Minnesota Statutes*, section 297A.61, subdivisions 3(g)(6)(vi) and 4(f). Under *Minnesota Statutes*, section 297A.67, subdivision 25, lawn care services used in the maintenance of cemetery grounds are exempt.

Lawn Care

Under *Minnesota Statutes*, section 297A.61, subdivision 3(g)(6)(vi), lawn care services are subject to tax. For purposes of this provision the following definitions apply:

“Lawn” is a tended area of ground covered with grass or other ground cover, and can include, for example, yards, parks and golf courses. However, ditches and medians along roads, freeways, and railroad right-of-ways are not considered lawns.

“Lawn care service” means any business service related to the maintenance of lawns. Lawn care services include services such as: mowing; raking; trimming; watering; fertilizing; killing weeds, insects, rodents, pests, or fungi; spraying; sprigging; and diagnosing the condition of lawns by physical examination of the lawn or of other physical evidence.

Improvement of Real Property

Under *Minnesota Statutes*, section 297.61, subdivisions 3(g)(6)(vi) and 4(f), the installation of shrubbery, plants, sod, trees, bushes, and similar items is not taxable because it is considered an improvement to real property. In these situations, the contractor must pay sales or use tax on the cost of all plants, trees, bushes, shrubs, sod, and other materials, supplies, and equipment used to complete the contract.

Tree, bush, shrub, and stump removal services remain subject to sales and use tax when they are sold to a contractor and used by the contractor to complete a construction contract involving the new construction, reconstruction, or remodeling of a building or residence.

Examples of Taxable Services

- Garden tilling and soil preparation;
- Killing lawn or garden weeds, insects, rodents, or fungi;
- Aerating;
- Initial seeding of garden flowers and vegetables;
- Dethatching;
- Stump grinding for home or business;
- Picking up pet droppings;
- Reseeding lawns.

Examples of Non-Taxable Services

- Moving trees or shrubs from one location to another location;
- Cleaning of an outdoor pond;
- Snow shoveling or plowing;
- Applying ice-melt or sand to driveways, sidewalks, or parking lots;
- Planting flower or vegetable plants;
- Initial seeding of lawns.

The following Revenue Notices are hereby revoked:

- Revenue Notice #91-02: Sales & Use Tax - Application of Sales and Use Tax to Lawn, Garden, and Arborist Services and Landscaping Contracts.
- Revenue Notice #94-04: Sales and Use Tax - Lawn Care Issues.
- Revenue Notice # 02-18: Sales and Use Tax-Tree, Bush, Shrub and Stump Removal.

Dated: 5 May 2004

Terese M. Mitchell, Director
Appeals and Legal Services Division

Department of Revenue

Revenue Notice # 04-06: Administration and Compliance - Reimbursement of Third Party Record Keepers for their Costs of Furnishing Subpoenaed Records

Minnesota Statutes, sections 289A.36, subdivision 8; 296A.20, subdivision 8; 297E.08, subdivision 8; 297F.15, subdivision 8; 297G.14, subdivision 8; and 297I.55, subdivision 8; all provide that when the Commissioner of Revenue (“commissioner”) serves a subpoena for records upon a third party “. . . the commissioner shall pay the reasonable costs of producing the records.” The purpose of this revenue notice is to set forth what is considered reasonable for purposes of reimbursing third party record keepers for their costs of furnishing subpoenaed records.

The rate established for search costs is \$10.00 per hour and is limited to the total amount of personnel time spent in locating and retrieving documents or information requested by the subpoena. If it is necessary to hire outside help in locating and retrieving the requested information, the commissioner will pay the actual cost incurred for the additional help.

Search costs do not include salaries, fees, or similar costs for analysis of material, or for managerial or legal advice, expertise, research, or time spent for any of these activities. If itemized separately, search costs may include the actual costs of extracting information stored by computer in the format in which it is normally produced, based on computer time and necessary supplies; however, personnel time for computer search may be paid for only at the \$10.00 rate specified above.

The rate for reproduction costs for making photocopies or duplicates of subpoenaed documents, transcripts, and other similar material is 25 cents per page. Photographs, films, and other such items that are not photocopies are reimbursed at cost. The \$10.00 rate specified above does not include time spent making or assembling the copies, because those costs are included in the photocopying rate of 25 cents per page.

The rate for transportation costs is the same as the actual costs necessary to transport personnel to locate and retrieve subpoenaed records or information, or costs incurred solely to transport the subpoenaed material to the location where testimony regarding the subpoena, if any, is going to be given.

Third party record keepers will be reimbursed for the reasonable cost of mailing subpoenaed records to the commissioner.

Revenue Notices

The prior consent of the commissioner must be obtained if the total cost of furnishing subpoenaed records is expected to exceed \$250.00. All invoices for reimbursement of subpoena costs must separately state each item of costs incurred by a third party record keeper.

Dated: 5 May 2004

Terese M. Mitchell, Director
Appeals and Legal Services Division

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 Comprehensive Health Association

Notice of Meeting of the Ad Hoc Committee on the Distribution of Federal Money

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Ad Hoc Committee on Distribution of Federal Grant Money, will be held at 2:30 p.m. on Thursday, May 27, 2004. The meeting will take place at the MCHA executive office located at 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

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

Minnesota Comprehensive Health Association

Notice of Meeting of the Enrollee Appeal Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Enrollee Appeal Committee will be held at 9:00 a.m. on Thursday, June 3, 2004, at the MCHA executive office located at 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

This meeting may be closed to the public, if so requested by the appellant(s), pursuant to *Minnesota Statutes* 62E.10, subd. 4.

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

Minnesota Comprehensive Health Association

Notice of Meeting of Executive Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA) Executive Committee will take place on Wednesday, May 26, 2004 at 9:00 a.m. The meeting will take place at the MCHA Executive Office, 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

For additional information, please call Mary McCaffrey at (952) 593-9609

Minnesota Comprehensive Health Association

Notice of Meeting of the Nominating Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Nominating Committee will be held at 10:00 a.m. on Monday, May 24, 2004. The meeting will take place via conference call at the MCHA executive office located at 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

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

Department of Human Services
Health Care Administration
Medical Assistance and MinnesotaCare Programs
Request for Comments on Extension of Federal Prepaid Medical Assistance Plus (PMAP+) §1115 Waiver

For more than fifteen years, Minnesota's Medicaid Program (Medical Assistance or MA) has administered a § 1115 waiver, now named the "Minnesota Prepaid Medical Assistance Project Plus" or PMAP+ waiver, allowing for:

- Purchase of coverage from health plans or managed care organizations (MCOs) on a capitated basis in the MA and MinnesotaCare programs.
- Expansion of populations covered with Medicaid funding to MinnesotaCare children, pregnant women and parents with incomes up to 275% of federal poverty guidelines (FPG).
- Mandatory enrollment of: elderly, including dual eligibles; American Indians; and children with special needs in managed care.
- Administrative simplification: annual reviews for medically needy individuals with unvarying income, post-partum reviews postponed in MA until next household review.
- All pregnant women to receive the full MA benefit set.
- Different cost sharing and benefits for parents and caretakers in MinnesotaCare than in MA.
- Coverage of one-year olds in MA up to 275% FPG.
- Premiums for MinnesotaCare enrollees.
- MinnesotaCare uninsured rules (crowd out provisions): 4 month no-insurance barrier; 18 month employer-subsidized insurance barrier.

For a complete description of the current PMAP+ Waiver, please see the Terms and Conditions at: <http://www.dhs.state.mn.us/HealthCare/waivers/pmap.pdf> and the Operational Protocol for the waiver at: <http://www.dhs.state.mn.us/HealthCare/waivers/Current-Protocol-December2003.pdf>

Authority for the PMAP+ purchasing project will expire July 1, 2005. The State has a two-fold plan. First the State will request authority from CMS to provide services to seniors under a §1915(b)(c) waiver and move this population out of the §1115 waiver. Under this plan, home and community-based services for the elderly (now provided under the Elderly Waiver) would be included, phased-in by county over time. The State hopes to accomplish the transition to the §1915(b) portion of the waiver by January 1, 2005, or before the expiration date of the existing PMAP+ purchasing project.

In the second part of the plan the State will seek renewal of coverage under the PMAP+ purchasing project for families, children, and pregnant women in MA and MinnesotaCare. The department is developing a new eligibility system, HealthMatch, which is currently projected to become operational on July 1, 2005. Because certain program coordination changes can only be made when this system is fully operational, the department is planning two phases for renewal of the PMAP+ purchasing project for families and children: Pre-HealthMatch and Post-Health Match.

While the federal Managed Care Regulations now make it possible to serve most populations through a managed care delivery system described in the Medicaid State Plan without a waiver, the department will still need to include managed care service delivery in the waiver renewal for some populations not included in the Medicaid State Plan.

Currently, there are approximately 649,560 people served in Minnesota Health Care Programs. This chart shows the programs, the eligibility groups and number of eligibles, delivery system, waiver type, and the funding source for each:

Eligibility Group	Average Monthly Enrollment Estimates for SFY 2004¹	Primary Delivery System	Waiver Type	Funding Source
Medical Assistance				
Pregnant Women	1,850	Managed Care	§1115	State/Federal
Disabled	91,000 ²	FFS	N/A	State/Federal
Families and Children	320,000	Managed Care	§1115	State/Federal
Elderly	47,900 ³	Managed Care	§1115	State/Federal

Official Notices

MinnesotaCare

Children	67,800	Managed Care	§1115	State/Federal
Parents and Caretakers	46,300	Managed Care	§1115	State/Federal
Adults without children	34,100	Managed Care	N/A	State

Other State Programs

GAMC	35,140 ⁴	Managed Care	N/A	State
GAMC Hospital Only	70	FFS	N/A	State

MA/Medicare Demonstrations

MSHO Elderly	5300	Managed Care	§1915(a)(c)	State/Federal
MnDHO Persons with a Physical Handicap	300	Managed Care	§1915(a)(c)	State/Federal

¹ Based on the February 2004 Forecast unless noted

² February 2004 Forecast reduced by 300 for MDHO

³ February 2004 Forecast reduced by 5,300 for MSHO

⁴ February 2004 Forecast reduced by 70 for GAMC Hospital Only

As part of the planning process, DHS is soliciting public comment on the current programs, and the plan for renewing the PMAP+ §1115 waiver's continuation. We would appreciate your comments regarding:

- what you like or dislike about the current programs
- what works and what does not work well, and
- any issues you may have or be aware of regarding these programs.

Written comments may be submitted to Jan Kooistra at the address below. Comments received by Wednesday, June 30, 2004 will be most helpful for planning purposes, but comments will be accepted at any time. A renewal request for the waiver is due by December 30, 2004.

Jan Kooistra
Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155-3852
Telephone: (651) 282-3720
FAX: (651) 215-9453
E-mail: jan.kooistra@state.mn.us

Executive Council

State Board of Investment

Land Exchange Board

Investment Advisory Council

Official Notice of Meetings of the Executive Council, State Board of Investment, Land Exchange Board, Investment Advisory Council

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Wednesday, June 2, 2004 at 9:00 A.M. in Room 125, State Capitol, St. Paul, MN.

The Investment Advisory Council will meet on Tuesday, June 1, 2004 at 2:00 P.M. at the State Board of Investment, Board Room (Main Floor), 60 Empire Drive, St. Paul, MN.

Department of Labor and Industry**Labor Standards Unit****Notice of Correction to Commercial AND Highway Heavy Prevailing Wage Rates**

Corrections have been made to the Commercial Prevailing Wage Rates certified 12/29/03 for **Labor Codes 404, Carpenters in Aitkin, Itasca, Koochiching, Lake and St. Louis Counties and 407, Electricians, in Anoka, Carver, Hennepin, Scott and Wright Counties.** These two corrections have also been made to the **Highway Heavy Wage rates certified 10/06/03 for Region 9.**

In addition, a **Correction** has been made to **the Highway Heavy Wage Rate for Labor Code 406, Cement Masons in Region 9.**

Copies with the correction of the certified wage rates for these Counties and Region may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 284-5091, or accessing our **web site** at *www.doli.state.mn.us*. Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

M. Scott Brener
Commissioner

Minnesota Pollution Control Agency**Majors and Remediation Division****Minnesota Department of Agriculture****Agronomy and Plant Protection Division****Notice of Proposed Update of the Permanent List of Priorities (PLP) Among Releases or Threatened Releases of Hazardous Substances or Pollutants or Contaminants**

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA), and the Minnesota Department of Agriculture (MDA), is publishing for public comment proposed deletions from the PLP which lists releases or threatened releases of hazardous substances, pollutants, or contaminants for which the MPCA or MDA may take removal or remedial actions under the Minnesota Environmental Response and Liability Act (MERLA), *Minnesota Statutes* § 115B.

Pursuant to *Minnesota Statutes* § 115B.17 (2002) and *Minnesota Rules* 7044.0950 (2001), the MPCA is proposing the following changes to the PLP.

The MPCA is proposing to delete the following four sites from the PLP: Interplastics Corporation, Hennepin County; Conoco Wrenshall Refinery, Carlton County; Sargent Creek Dump, St. Louis County; and Jerry's Tank Service, Carlton County.

The MPCA has determined that either all MERLA Response Actions have been completed at these sites or that the sites do not pose a threat to public health or welfare or the environment.

A Consent Agreement is in place between the MPCA and Interplastic Corporation. All appropriate response actions are being implemented and the consent agreement specifies requirements for long-term operation of the implemented remedy. No MERLA funded response actions will be necessary at this site.

An enforceable agreement exists between the MPCA and Conoco Phillips for the Conoco Wrenshall site. This agreement requires a restrictive covenant be in place for the site and a remedial action plan be implemented. The MPCA Large Aboveground Storage Tank Program will oversee all future response actions at the site, therefore no further MERLA response actions will be necessary.

All appropriate MERLA response actions have been completed at the Sargent Creek Dump and Jerry's Tank Service sites. Appropriate institutional controls will need to be in place prior to final deletion.

The MDA is not proposing to delete a site from the PLP at this time.

The MPCA and MDA invite members of the public to submit written comments on these proposed deletions from the PLP. All written comments with regard to these proposed changes to the PLP must be received no later than 4:30 p.m. on June 24, 2004.

Written comments regarding the proposed MPCA changes to the PLP should be submitted to: Gary L. Krueger, Superfund Section, Majors and Remediation Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

Any questions regarding sites in which MDA is the lead state agency should be directed to Robert Anderson, Incident Response Unit, Agronomy and Plant Protection Division, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, Minnesota 55107-2094.

Any interested person may submit a petition to the Commissioner of the MPCA requesting that the MPCA Citizens' Board make

Official Notices

the decision on whether to adopt these changes to the PLP that have been proposed by the MPCA. To be considered timely, the petition must be received by the MPCA contact person, Gary L. Krueger, by 4:30 p.m. on June 24, 2004. The decision whether to adopt these proposed changes to the PLP will be made by the MPCA Citizens' Board if: (1) the Commissioner grants the petition requesting the matter to be presented to the MPCA Citizens' Board; or (2) a MPCA Citizens' Board member requests to hear the matter prior to the time the Commissioner makes a final decision on the proposed addition to and deletions from the PLP.

All written comments received by the above deadline will be considered by the MPCA and MDA in establishing the updated PLP.

Sheryl A. Corrigan, Commissioner
Minnesota Pollution Control Agency
Gene Hugoson, Commissioner
Minnesota Department of Agriculture

Minnesota Department of Public Safety

Driver and Vehicle Services Division

Request for Comment on Plan for the Use of Administrative Penalty Order and Cease and Desist Authority

A plan for the use of administrative penalty order and cease and desist order authority is now available from the Minnesota Department of Public Safety, Driver and Vehicle Services Division. As authorized under *Minnesota Statutes*, section 299A.80, subdivision 9, the division may adopt a plan after a 30-day public comment period. Interested parties are encouraged to submit written comment on the plan. Written comment must be received by 4:30 p.m., June 23, 2004. Adoption of the plan is not subject to *Minnesota Statutes*, chapter 14.

The plan is of interest to deputy registrars of motor vehicles, deputy registrars of bicycles, driver's license agents and anyone concerned about agents who register and title motor vehicles, bicycles, or take applications for state-issued driver's licenses, driving permits or identification cards on behalf of the Commissioner of Public Safety.

Written comment must be timely received by: Vicki Albu, Driver and Vehicle Services Division, 445 Minnesota Street, Suite 195, Minnesota Department of Public Safety, St. Paul, Minnesota 55101-5195. **Telephone** (651) 296-9528, **FAX** (651) 296 3141, **email:** Vicki.Albu@state.mn.us TTY users may call the agency at (651) 282-6555.

The plan is available on the division **web site** at <http://www.dps.state.mn.us/DVS>. A copy may also be obtained by contacting Ms. Albu.

Dated: May 18, 2004

Minnesota State Rehabilitation Council

Applications Sought for Appointments

The Minnesota State Rehabilitation Council has an immediate opening for a representative of business, industry or labor. The State Rehabilitation Council advises the state on employment services for persons with disabilities and participates in assessment of the state's Vocational Rehabilitation Program. Members are appointed by the Governor. The council meets approximately 10 times annually on the fourth Wednesday of the month. A minimum of one meeting per year will be held in Greater Minnesota. Appointments are made to ensure representation of persons with disabilities, Vocational Rehabilitation Program consumers, business, industry, advocates, labor, vocational rehabilitation counseling and others. More information can be obtained from Gail Lundeen, State Rehabilitation Council, Rehabilitation Services, 390 North. Robert Street, St. Paul, Minnesota 55101, (651) 296-5629; (800) 328-9095, or **email** her at gail.lundeen@state.mn.us. TTY: (800) 657 - 3973; (651) 296-3900

Applications are taken by the Secretary of State and available on the internet at www.sos.state.mn.us/openapp/forms.html.

Teachers Retirement Association

Notice of Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Wednesday, June 9, 2004 at 9:30 a.m. in Suite 400, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the Board.

Department of Transportation**Program Management Division****Office of Investment Management****Notice of Solicitation for Public Review and Comment on the Draft State Transportation Improvement Program (STIP) for State Fiscal Years 2005-2006-2007 (July 1, 2004 to June 30, 2006)**

The Minnesota Department of Transportation is offering an opportunity for public review and comment on a draft State Transportation Improvement Program (STIP) for state fiscal years 2005-2006-2007 (July 1, 2004 to June 30, 2006). With uncertainties regarding funding levels at both the state and national level, Mn/DOT has allowed this draft to exceed normal fiscal constraint. If funding decisions are not made before July 1, 2004, Mn/DOT will adjust the final STIP to fit available funding. Projects include local road and bridge projects utilizing federal funds; transit capital investments; state highway road and bridge projects; enhancement projects; congestion mitigation and air quality projects; scenic byway projects; and other projects intending to utilize federal highway funds, federal transit funds, or state trunk highway funds. The proposed *State Transportation Improvement Program* is available for review at Department of Transportation District Offices:

District 1 - Duluth, 1123 Mesaba Avenue, Duluth, MN 55811;

District 2 - Bemidji, Box 490, 3919 Highway 2 West, Bemidji, MN 56619;

District 3 - Baxter, 1991 Industrial Park Road, Baxter, MN 56425;

District 4 - Detroit Lakes, 1000 Hwy. 10 West, Detroit Lakes, MN 56501;

District 6 - Rochester, P.O. Box 6177, 2900 48th Street N. W., Rochester, MN 55903-6177;

District 7 - Mankato, P.O. Box 4039, 501 South Victory Drive, Mankato, MN 56002-4039;

District 8 - Willmar, P.O. Box 768, 2505 Transportation Road, Willmar, MN 56201;

Metro Division - Waters Edge Building, 1500 W. Co. Rd. B2, Roseville, MN 55113; or the Office of Investment Management, Mail Stop 440, 395 John Ireland Boulevard, Third Floor South, St. Paul, MN 55155.

You have 30 days to submit comments. Comments must be received by **4:30 p.m. on June 24, 2004**. Comments are encouraged and should identify the portion of the STIP addressed, reason for the comment, and any change proposed.

Please direct all correspondence to:

Shawn Chambers
Office of Investment Management
Minnesota Department of Transportation
Mail Stop 440
395 John Ireland Boulevard
St. Paul, MN 55155
Email: shawn.chambers@dot.state.mn.us
Phone: (651) 296-1605
Fax: (651) 296-3019

Department of Veterans Affairs**Disposal of State Land: Big Island Veterans Camp, Lake Minnetonka****Board of Governors****Big Island Veterans Camp - Lake Minnetonka****Excelsior, Minnesota**

April 27, 2004
Jeffery L. Olson
Commissioner of Veterans Affairs
5th Floor, Veterans Service Building
20 West 12th Street
St. Paul, MN 55155

Dear Commissioner Olson:

Pursuant to *Minnesota Statute* 197.33 this letter is notification that the Board of Governors met in regularly scheduled month-

Official Notices

ly meeting on April 26, 2004 at the Mound American Legion Post. All duly appointed board members were present; a motion was made, duly seconded and passed unanimously to dispose of this property as provided by law.

We request that you take actions as prescribed in statute to implement the sale of this property. We further request that you consider adding to the notice of intent to sell that we have some preferences we would like included in the notice of intent to sell. The preferences of the board would like to see included in the notice are:

- a) This notice should indicate that it is preferred that the name of the property to continue to indicate veteran history (i.e.: veteran in the name)
- b) if the purchaser intends to maintain the land as some type of public park, that veterans be given priority, free and/or reduced fee entry.
- c) if the purchaser does not intend to maintain the land as some type of public park but does operate other public parks consideration might be given to priority for veterans, free and/or reduced fee entry

We understand these preferences are not legally binding but are considerations we may use in determining which offer to purchase will be accepted.

As prescribed in law, this letter has been sent to you via certified mail.

Sincerely,



Tom Rasmussen
Chairman

Board of Governors, Big Island Veterans Camp - Lake Minnetonka

State Grants & Loans

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

Department of Human Services

Children and Family Services

Resettlement Programs Office

Request for Proposals for Employment and Social Services to Refugees

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services Children and Families Services, Resettlement Programs Office, is seeking proposals to provide employment and social services to refugees who have been in the United States for less than five years.

We are seeking proposals for one-year projects that begin October 1, 2004 or later and can be renewed for additional years contingent on service needs, contract performance and availability of funds.

Funding for this Request for Proposals is from the refugee social service funds allocated to the State by the federal Office of Refugee Resettlement. The estimated amounts of funds available for this announcement are three million dollars for refugee employment services and \$800,000 for refugee social services.

To be considered for funding, proposals must be post- marked or hand-delivered to the Resettlement Programs Office by 4:30 P.M., CDT, July 8, 2004. We reserve the right not to act on this Request for Proposals.

Please direct all requests for copies of the full Request for

Proposals to :

Sherry Lobinski
Minnesota Department of Human Services

Resettlement Program Office
Human Services Building
444 Lafayette Road
Saint Paul, Minnesota 55155-3837
Phone: (651) 297-8765

State Contracts

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

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

Administration Department

Communications Media Division

Subscribe to the *State Register*

Printed (hard) copies to the *State Register* will NO LONGER be available after Vol. 28, #52. Only subscriptions via E-mail will be available, beginning with Volume 29, #1 - July 6, 2004.

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

#1 - LINKS - instant contact, saves you time and effort.

#2 - INDEX - fast and easy finding articles you need.

#3 - CONTRACTS & GRANTS - current list of contracts, grants, loans, and non-state public contracts open for bid.

Have the *State Register* E-MAILED to you the Friday afternoon it is published. Subscribe today. Cost is \$180 for an entire year, SAVE \$80 from the cover price. Contact: Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155; **Telephone:** (651) 297-8774; **FAX:** (651) 297-8260; **E-mail:** jessie.rahmeyer@state.mn.us.

Department of Administration

Real Estate Management Division

Proposal Request for Leasing - Mankato Crisis Diversion Center

The State of Minnesota, Department of Administration, on behalf of the Department of Human Services, requests proposals for lease of an existing or newly constructed ten-bed congregate living facility to provide a sub-acute mental health crisis stabilization center in Mankato, Minnesota or surrounding area.

To request the specifications/requirements necessary to prepare a proposal contact:

Department of Administration
Real Estate Management Division
309 Administration Building
50 Sherburne Avenue
St. Paul, Minnesota 55155
Telephone: (651) 296-6674

Proposals must be submitted by 2:30 p.m. (CST) on Friday, June 30, 2004.

State Contracts

Colleges and Universities, Minnesota State

Notice of Availability of Request for Proposal (RFP) for Designer Selection for Brown Hall, Math & Science Renovation at St. Cloud State University (State Project No. 04-06)

The Minnesota State Colleges and Universities, acting as the owner for the State of Minnesota through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota State Colleges and Universities **website:** www.facilities.mnscu.edu, click on "Solicitation Announcements."

A project informational meeting has been scheduled for 1:30 pm, Thursday, June 10, 2004, at St. Cloud State University in Brown Hall Auditorium. Contact Steve Ludwig, (320) 308-2286, or **e-mail** at sludwig@stcloudstate.edu to sign up for the meeting.

Proposals must be delivered to Terry Lewko, Executive Secretary, State Designer Selection Board, in the State Architect's Office, not later than 1:00 pm, Monday, June 21, 2004. Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Colleges and Universities, Minnesota State

Notice of Availability of Request for Proposals (RFP) for Designer Selection for Science Laboratories Renovations, Riverland Community College - Austin and Albert Lea (State Project No. 04-07)

The Minnesota State Colleges and Universities, acting as the owner for the State of Minnesota through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota State Colleges and Universities **Web Site:** www.facilities.mnscu.edu, click on "Solicitation Announcements".

A project informational meeting has been scheduled for 10:00 am, Friday, June 4, 2004, at the College, located at 1900 8th Avenue NW, Austin, MN. Contact Karen Snorek at (507) 433-0605 or **email** at karen.snorek@river.cc.us, to sign up for the meeting.

Proposals must be delivered to Terry Lewko, Executive Secretary, State Designer Selection Board, in the State Architect's Office, not later than 1:00 pm, Monday, June 14, 2004. Late responses will not be considered.

The Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Colleges and Universities, Minnesota State

Notice of Availability of Request for Proposals (RFP) for Designer Selection for Trafton Science Center Addition and Renovations, Minnesota State University, Mankato, (State Project No. 04-08)

The Minnesota State Colleges and Universities, acting as the owner for the State of Minnesota through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota State Colleges and Universities **Web Site:** www.facilities.mnscu.edu, click on "Solicitation Announcements".

A project informational meeting has been scheduled for 10:00 am, Thursday, June 3, 2004, at the Minnesota State University, Mankato, Taylor Center Building, Johnson Alumni Room. Contact Sean McGoldrick at (507) 389-2267 or **email** at sean.mcgoldrick@mnsu.edu, to sign up for the meeting.

Proposals must be delivered to Terry Lewko, Executive Secretary, State Designer Selection Board, in the State Architect's Office, not later than 1:00 pm, Monday, June 14, 2004. Late responses will not be considered.

The Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Colleges and Universities, Minnesota State (MnSCU)

Request for Bid: PRINT and FULFILLMENT of Go Places Publications

The Office of the Chancellor is requesting bids from qualified vendors for the printing and fulfillment of Go Places publications (100,000 booklets, 3,000 posters and 105,000 reply cards).

Specifications are available by contacting Chris McGing, Minnesota State Colleges and Universities, 500 Wells Fargo Place, 30 East 7th Street, St. Paul, Minnesota 55101, (651) 297-2720 phone, or **email** christine.mcging@so.mnscu.edu. Sealed bids must be received by Thursday, June 10, 2004, 2:00 pm.

This request does not obligate Minnesota State Colleges and Universities to complete the proposed project, and the system reserves the right to cancel this solicitation if it is considered to be in its best interest.

The Minnesota State Colleges and Universities System is an Equal Opportunity employer and educator.

Minnesota State Colleges and Universities, (MnSCU)

Minneapolis Community and Technical College

NOTICE OF INTENT to Request Proposals for the Harmon Center Retro-fit at Minneapolis Community and Technical College

Project Scope:

Minor remodeling and refurbishing of existing facilities including (but not limited to) miscellaneous HVAC and electrical work, gypsum board/metal studs, hollow metal frames, wood doors, carpet, and painting.

Pre-proposal conference:

There will be a **mandatory pre-proposal conference on Tuesday May 25, 2004 at 10:00 am**. Interested parties shall convene at the building entrance at 1300 Harmon Place. Bidding Documents will be available for viewing only. Additional copies will not be available at this meeting.

Sealed Proposals to be submitted to:

Due Time: 2:00 p.m. on Thursday, June 3, 2004

Mary Prozeller
Minneapolis Community and Technical College
Suite T.11
1501 Hennepin Avenue
Minneapolis, MN 55403
Telephone: (612) 659-6808

Due Date & Time:

Public opening will take place **Thursday June 3, 2004 at 2:15 pm at 1300 Harmon Place**. Proposals must be received prior to opening. Proposal Guarantee (Proposal Bond) in the amount of 5% of the Proposal must accompany each proposal submitted.

To view a copy of the RFP and specifications contact:

Bentz/Thompson/Reitow, Inc., 1123 IDS Center, Mpls., 55403, (612) 332-1234. A deposit of \$100 is required for each set of Bid Documents requested. Requests for Bid Documents (complete sets only) to be mailed must include a separate \$25 payment (per set) payable to Bentz/Thompson/Reitow, Inc. for shipping and handling in addition to the \$100 deposit. Documents will be sent to street addresses only (no P.O. boxes).

Department of Employment and Economic Development

State Services for the Blind

Detailed Specifications for Digital or Enhanced SCA Transmission and Receiver System

Introduction

The Department of Employment and Economic Development is seeking a knowledgeable firm or individual who can write detailed specifications for a new digital or enhanced analog subcarrier (SCA) transmission and radio receiving system for the closed-circuit radio reading service for the blind operated by the Communication Center of Minnesota State Services for the Blind.

State Contracts

Objective

It is the specific goal of this RFP to award a contract to a qualified firm or individual who will write detailed specifications that will be used to solicit proposals for a new subcarrier radio receiver to be manufactured on our behalf and used by Minnesota Radio Talking Book (RTB) listeners. These specifications should also enumerate and specify any transmission equipment needed to generate a signal for the special radio receivers, which would be different from the FM SCA system currently used by the RTB Network.

Services Required

An ideal responder to this RFP would be able to:

- Review analog receiver test information
- Review data and recordings of SSB/MPR tests of proposed systems from Digital Radio Express and Modulation Sciences, Inc.
- Review preliminary test data of analog enhancement technology such as digital IF systems developed by SSB and MPR engineers
- Review functional radio specifications and other related data developed by SSB and its partners and convert them into meaningful specifications for use in a digital environment
- Meet with SSB and MPR personnel to discuss and evaluate all existing data, requirements, history and other factors
- Use all available information and materials to develop detailed specifications for a new FM SCA radio receiver to be used by RTB customers
- Assist SSB personnel in developing a set of criteria (weighted point scale) which can be used in evaluating new radio receiver proposals
- Work with SSB and MPR personnel in evaluating proposals received as a result of specifications produced by this RFP

Any responder to this RFP should be able to demonstrate experience in and/or knowledge of the following areas:

- Consumer and/or SCA receiver design
- Manufacturing of consumer/specialized electronics
- Analog and digital SCA's
- Testing and evaluation of low bandwidth consumer-grade CODEC's

This Request for Proposal does not obligate the State to complete the contract and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

Persons who wish to obtain a complete copy of the Request for Proposal must contact:

David Andrews, Chief Technology Officer,
Communication Center
Minnesota State Services for the Blind
2200 University Avenue West, #240
St. Paul, Minnesota 55114-1840
dandrews@ssb.state.mn.us
Telephone: (651) 642-0513

All proposals must be received not later than 3:30 p.m., Central Time, May 28, 2004, as indicated by a notation made by the Receptionist; 2200 University Ave. W., #240, St. Paul, MN. Late proposals will not be considered.

Minnesota Department of Human Services

Chemical Health Division

Request for Proposals for Tobacco Compliance Inspectors

Project Overview

The Department of Human Services requests applications for inspectors to assist in conducting unannounced inspections of license tobacco retailers around the state in order to meet the Terms and Conditions of the Federal Substance Abuse Prevention and Treatment Block Grant Award.

Goal

It is the goal of this project that Minnesota Department of Human Services will be able to report to the Federal Substance Abuse and Mental Health Services Administration (SAMHSA) the rate to which license tobacco retailers are in compliance with state laws prohibiting sale of tobacco products to minors.

Tasks

- Contractors will become knowledgeable about the need to conduct unannounced inspections of license tobacco retailers by reading background material and previous State Reports.
- Contractors will become knowledgeable on how to conduct unannounced inspections of licensed tobacco retailers.
- Contractors will become knowledgeable on the State's protocol conducting unannounced inspections, including the proper methods to complete inspection survey forms.
- Contractors will recruit and train 15 and 16 year old youth that will conduct the actual unannounced purchase attempts.
- Contractors will coordinate and schedule unannounced inspection in designated areas.
- Contractors will ensure accurate completion of inspection survey forms.
- Contractors will submit completed survey forms to designated State staff upon completion.

The contractors will work closely with the State designate staff person(s) and other department personnel as needed. The contractors will collect supplemental data to support completed survey forms to be submitted to the State.

The contracts will begin on the date stated in the contract or upon full execution of the contract, whichever is later, and will be completed by **September 30, 2004**.

Responders are encouraged to propose additional tasks or activities if they will substantially improve the results of the project.

This request for proposal does not obligate the state to award a contract or complete the project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

Prospective responders who have any questions regarding this request for proposals or would like to receive a full RFP and application may contact:

Mr. Carl Eller, Synar Consultant
Department of Human Services
Chemical Health Division
444 Lafayette Road North, St. Paul, MN 55155-3823
carl.eller@state.mn.us
Telephone (651) 582-1854

Other personnel are **NOT authorized** to discuss this request for proposal with responders, before the proposal submission deadline. Contact regarding this RFP with any personnel not listed above could result in disqualification.

Proposals should be sent to Mr. Carl Eller at the address above. All proposals must be received no later than 4:30 p.m., Central Time, June 14, 2004.

Upon request, this information will be made available in an alternative format, such as Braille, large print or audiotape.

Office of the Legislative Auditor

Notice of Availability of Contract for an Energy Conservation Consultant

The Minnesota Office of the Legislative Auditor (OLA) is requesting proposals to assist in the evaluation of Minnesota's Energy Conservation Improvement Program. OLA will carry out the evaluation but receive technical assistance from an energy conservation consultant. A sample of the tasks that the consultant will likely carry out includes:

- Helping OLA analyze conservation benefit and cost data submitted by the utilities to the Minnesota Department of Commerce;
- Assessing the strengths and weaknesses of the societal, utility, participant, and ratepayer impact cost-effectiveness tests;
- Assessing the reasonableness of the assumptions that utilities use to calculate the benefits and costs of their conservation projects;
- Identifying and assessing alternative assumptions that could be used to calculate the benefits and costs of conservation projects;
- Identifying and assessing market and operational factors (such as load growth) that may explain differences in the performance of the utilities' conservation programs; and
- Identifying and summarizing literature that examines and assesses the prospect for cost-effective conservation programs in the future.

Work is proposed to start after July 1, 2004.

A Request for Proposals will be available by mail or fax from this office through June 4, 2004. A written request (by direct mail or fax) is required to receive the Request for Proposal. After June 4, 2004, the Request for Proposals must be picked up in person.

State Contracts

The Request for Proposals can be obtained from:

Jean Barnhill, RFP Coordinator
Office of the Legislative Auditor
Room 140, Centennial Building
658 Cedar Street
St. Paul, Minnesota 55155
Fax: (651) 296-4712

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 2:30 p.m., CDT, June 14, 2004. **Late proposals will not be considered.** Fax or e-mailed proposals will NOT be considered.

Questions regarding the Request for Proposals are due in writing (written, faxed, or e-mailed) by 4:00 p.m., CDT, June 1, 2004. The questions and answers will be sent to all RFP responders by 4:00 p.m., CDT, June 4, 2004.

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

Legislative Coordinating Commission

Contract Available for Providing Legislative Sign Language Interpreter Services

The Minnesota Legislative Coordinating Commission is requesting proposals from qualified individuals and organizations interested in providing sign language interpreting services during the 2005-06 legislative sessions to individuals who are hard of hearing, deaf, or deafblind. The LCC is also requesting proposals from qualified individuals and organizations to provide sign language interpreting services throughout the State of Minnesota for meetings with members of the legislature during fiscal years 2005-06. A single proposal may be submitted to fulfill both requirements.

All proposals must satisfy the criteria as outlined in the full text of the Request For Proposals (RFP). At a minimum, proposals must include a plan which details how services will be provided and must clearly state the contractor's proposed hourly rates and other charges for services provided. For a copy of the full text of the RFP, please go to www.lcc.leg.mn, or contact:

Chad Thuet, Assistant Director
Minnesota Legislative Coordinating Commission
Room 51 State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155-1298
(651) 296-1121 (voice)
email: chad.thuet@commissions.leg.state.mn.us

Proposals must be received in our office by June 18, 2004, at 4:00 p.m. Late applications may not be accepted. All expenses incurred in responding to this notice shall be borne by the responder.

Department of Natural Resources

Notice of Availability of Contract to Analyze the Long-Term Relationship Between Flow and Aquatic Fish Communities on Two Minnesota Rivers

The Department of Natural Resources (DNR) requests proposals to analyze an existing, comprehensive long-term database(s) of fish species occurrences, their associated habitats, and the corresponding hydrologic conditions. Since 1987, the Stream Habitat Program has collected fish habitat data, primarily on two Minnesota rivers, the Yellow Medicine and the Otter Tail. The fish habitat data is a critical part of our ongoing study of instream flow requirements of aquatic organisms. The data is comprehensive in scope - all species and life stages were captured and measured (60 species on the Yellow Medicine and 56 species on the Otter Tail), and statistically robust - we employed a stratified random sampling scheme and have captured over 50,000 individual fish on these two rivers.

It is the goal of this project to provide the State an unbiased report examining the relationship(s) between flow and fish communities on two Minnesota rivers. The complete Request for Proposal can be obtained from:

Ian Chisholm
Stream Habitat Program Supervisor
Minnesota Department of Natural Resources
500 Lafayette Road

St. Paul, MN 55155-4025
Email: ian.chisholm@dnr.state.mn.us
Phone (651) 296-0781
FAX (651) 297-7483

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than June 15, 2004. **Late proposals will not be considered.** Fax or e-mailed proposals will **NOT** be considered.

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

Department of Transportation

Engineering Services Division

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

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

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

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

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

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

Send completed application material to:

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

Note: DUE DATE:

APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

Department of Transportation

Engineering Services Division

Notice Concerning Professional/Technical Contract Opportunities

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

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

State Contracts

Department of Transportation

District Operations Division

District 4 - Detroit Lakes

Request for Qualifications for a Design-Build Contract on TH 10

The Minnesota Department of Transportation - District 4 ("Mn/DOT") is requesting statements of qualifications for the Trunk Highway (TH) 10 Design-Build project, S.P. 1401-150, ("Project") located in Clay County at the intersection of TH 32 near the city of Hawley.

Mn/DOT is in the process of completing the preliminary engineering design for the Project. The Project will consist of the design and construction of a diamond interchange with TH 32 going over TH 10. The Project includes lowering TH 10 approximately 10 feet resulting in roughly one mile of reconstruction on TH 10.

Mn/DOT has determined that award of the Project based on a "best value" determination under *Minnesota Statutes* 161.3410 et seq. provides the opportunity to obtain the most qualified contractor to deliver the Project. The current Project cost is \$8.5 million.

The Request for Qualifications ("RFQ") document provides information about the Project scope, schedule, and weighted criteria that Mn/DOT will use to establish a short list. The RFQ invites each interested design-build Submitter to submit a statement of qualifications ("SOQ") that demonstrates how that Submitter satisfies certain criteria relevant to the Project, including but not limited to the following items: submitter organization and experience, key personnel experience, project understanding, project approach and project management approach.

Mn/DOT will evaluate and score each responsive SOQ and prepare a ranked list of Submitters. Mn/DOT will short list at least two (if any) but not more than five most highly qualified Submitters. The Submitters remaining on the short list will be eligible to receive a Request for Proposals ("RFP"). While Mn/DOT may make the RFP available to the public for informational purposes, only short listed submitters will be allowed to submit a response to the RFP. Mn/DOT will award a stipend of \$25,000 to each short listed, responsible Proposer that provides a responsive but unsuccessful proposal.

Mn/DOT has established a Disadvantaged Business Enterprise (DBE) goal for this project. Please refer to the RFQ for further details.

Submitters must request an RFQ in writing by mail, fax, or e-mail. With each request, Submitters must also provide a contact name, mailing address, fax number, phone number, and e-mail address. There is no charge for the RFQ. **ALL REQUESTS FOR AN RFQ** must be sent to Trudy Kordosky, TH 10/32 Design-Build Project Manager, at one of the following addresses:

Mail: 1000 Highway 10 West, Detroit Lakes, MN 56501

Fax: (218) 847-1583

E-mail: trudy.kordosky@dot.state.mn.us

ALL QUESTIONS AND COMMENTS ABOUT THE PROJECT must be submitted in writing to Mn/DOT's Project Manager at one of the addresses given above. Mn/DOT will only accept written questions or comments.

All SOQs will be considered any time up to 4:00 p.m. Central Standard Time, Friday June 25, 2004, and must be addressed to Trudy Kordosky, TH 10/32 Design-Build Project Manager, 1000 Highway 10 West, Detroit Lakes, MN 56501. Any SOQ that fails to meet the June 25, 2004 deadline will be returned unopened to the sender.

Mn/DOT's design build website is frequently updated with Project information: www.dot.state.mn.us/designbuild. Project information can also be found at the following **website:** www.th10-32.com.

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 - Metro Transit

Purchase of Two (2) Electric Forklifts

Procurement No. 6656

Metro Transit, a division of the Metropolitan Council, is soliciting sealed bids for the purchase of two electric forklifts. These forklifts must meet the specifications set forth in the Invitation for Bids document and must be delivered to the Metro Transit Overhaul Base, 515 N. Cleveland Ave., St Paul, MN 55114. Bids are due by 2:00 p.m. on June 10, 2004.

Bids must be 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

University of Minnesota

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

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

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

University of Minnesota

Request for Proposal for Construction Services Related the Sarita Wetland Forebay Project

I. Notice of Request for Proposal

The University of Minnesota is interested in receiving proposals for construction services related the Sarita Wetland Forebay Project. The requested construction services include 1) site preparation, 2) excavation for a forebay sediment detention pond and associated outlet structures, 3) installation of outlet and control structures, and 4) grading to prepare the forebay and construction area for future planting. Plant planting activities for the project will be completed separately by the University. Soil excavated as part of construction activities will be subject to environmental monitoring in accordance with the Construction Specifications and a site-specific Environmental Contingency Plan. The University is issuing a separate Request for Proposal (RFP) for environmental engineering consulting services related to the project.

E-mail or call to request the full RFP, which will be sent for a charge of \$75 to interested vendors.

II. Contact for RFP Inquiries:

Refer questions to:

PURCHASING SERVICES:

Chip Foster
Facilities Management
400 Donhowe Building
319 15th Ave. SE
Minneapolis, MN 55455-1082

Non-State Contracts & Grants

Phone: (612) 626-6080
FAX: (612) 624-5796
E-Mail: fosterc@facm.umn.edu

III. Tentative Schedule of Events

Be advised that these dates are subject to change, as University officials deem necessary.

<i>RFP Document Issued</i>	May 24, 2004
<i>Mandatory Pre-Proposal Meeting/Site visit at 2pm (on-site)</i>	June 2, 2004
<i>All Questions/Inquiries deadline</i>	June 7, 2004 (noon CST)
<i>RFP Response Due at 1:00 PM</i>	June 14, 2004
<i>Tentative Award Decision/Notification to Proposers</i>	June 22, 2004
<i>Construction Start Date</i>	No later than September 1, 2004
<i>Tentative Completion Date</i>	June 1, 2005

The University reserves the right, in its sole discretion, to reject any and all proposals, accept any proposal, waive informalities in proposals submitted, and waive minor discrepancies between a proposal and these proposal instructions, as it deems to be in its best interest. Any waiver of the University with respect to the requirements of these proposal instructions shall apply only to the particular instance for which it was made or given, and no such waiver shall constitute a permanent or future waiver of such requirements.

University of Minnesota

Request for Proposal for Environmental Engineering Consulting Services

I. Notice of Request for Proposal

The University of Minnesota is interested in receiving proposals for environmental engineering consulting services related the Sarita Wetland Forebay Project. The requested services include 1) prepare a Site Health and Safety Plan, 2) implement existing Environmental Contingency Plan, 3) coordinate contractor excavation activities, 4) conducted environmental field activities, 5) coordinate permitting and monitoring of construction dewatering if required, 6) conduct an updated topographic survey and provide ongoing construction surveying, 7) perform construction inspections, 8) prepare Contingency Plan Implementation Report, and 9) correspond and coordinate with the Minnesota Pollution Control Agency (MPCA) Voluntary Investigation & Cleanup (VIC) Program as required. The University is issuing a separate Request for Proposal (RFP) for construction services related to the project.

E-mail or call to request the full RFP, which will be sent free of charge to interested vendors. Copies of the construction services RFP can be requested from the University for a charge of \$75.

II. Contact for RFP Inquiries:

Refer questions to:

PURCHASING SERVICES:
Chip Foster
Facilities Management
400 Donhowe Building
319 15th Ave. SE
Minneapolis, MN 55455-1082
Phone: (612) 626-6080
FAX: (612) 624-5796
E-Mail: fosterc@facm.umn.edu

III. Tentative Schedule of Events

Be advised that these dates are subject to change, as University officials deem necessary.

<i>RFP Document Issued</i>	May 24, 2004
<i>Mandatory Pre-Proposal Meeting/Site visit at 2pm (on-site)</i>	June 3, 2004
<i>All Questions/Inquiries deadline</i>	June 9, 2004 (noon CST)
<i>RFP Response Due at 1:00 PM</i>	June 17, 2004
<i>Tentative Award Decision/Notification to Proposers</i>	June 24, 2004
<i>Construction Start Date</i>	No later than September 1, 2004
<i>Tentative Completion Date</i>	June 1, 2005

Non-State Contracts & Grants

The University reserves the right, in its sole discretion, to reject any and all proposals, accept any proposal, waive informalities in proposals submitted, and waive minor discrepancies between a proposal and these proposal instructions, as it deems to be in its best interest. Any waiver of the University with respect to the requirements of these proposal instructions shall apply only to the particular instance for which it was made or given, and no such waiver shall constitute a permanent or future waiver of such requirements.

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February 2004



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