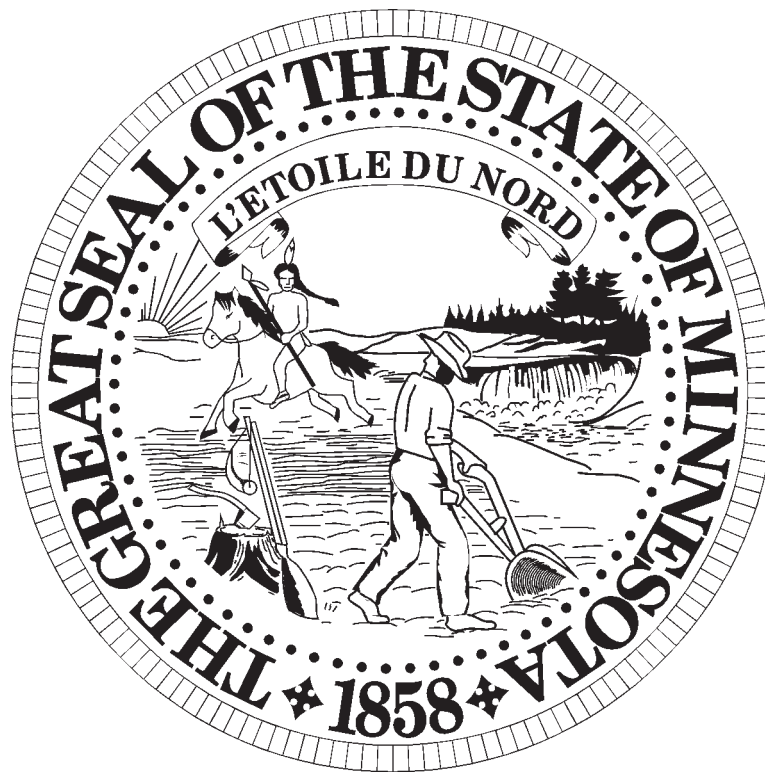


State of Minnesota

# State Register



**Rules and Official Notices Edition**

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by the Department of Administration – Communications Media Division

**Monday 15 November 2004**  
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# State Register

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- appointments
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#22	Monday 29 November	<b>NOON MONDAY 22 NOVEMBER</b>	Noon Wednesday 17 November	
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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.

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

## Department of Health

### Adopted Permanent Rules Relating to Lead Poisoning Prevention

The rules proposed and published at *State Register*, Volume 28, Number 45, pages 1397-1432, May 10, 2004 (28 SR 1397), are adopted with the following modifications:

#### 4761.2220 QUALIFIED INDIVIDUALS; REQUIRED METHODS AND SUPERVISION.

D. To conduct regulated lead work, a certified lead firm must employ:

(2) interim controls workers ~~who have completed the appropriate training according to part 4761.2340, item B.~~

G. A lead supervisor must be assigned to each lead hazard reduction project and must be present during work area preparation and final cleanup. At least one lead worker at the site must be able to immediately contact the lead supervisor. The lead supervisor must be present at the work site within two hours after being contacted.

#### 4761.2240 LEAD WORKER LICENSE.

Subp. 4. **Application.**

B. If applying from out of state, an applicant must submit:

(3) a copy of the applicant's original diploma for the initial lead worker training course or a copy of the current lead worker license from the state that the applicant is licensed in; and

#### 4761.2260 LEAD SUPERVISOR LICENSE.

Subp. 5. **Application.**

B. If applying from out of state, an applicant must submit:

(3) a copy of the applicant's original diploma for the initial lead supervisor training course or a copy of the current lead supervisor license from the state that the applicant is licensed in;

(4) documentation that the applicant passed an independent examination; and

(5) ~~a copy of the current lead supervisor license from the state that the applicant is licensed in; and~~

(6) a copy of the applicant's original diploma from the Minnesota lead supervisor refresher training course.

#### 4761.2280 LEAD INSPECTOR LICENSE.

Subp. 4. **Application.**

B. If applying from out of state, an applicant must submit:

(3) a copy of the applicant's original diploma for the initial lead inspector training course or a copy of the current lead inspector license from the state that the applicant is licensed in;

(4) documentation that the applicant passed an independent examination; and

(5) ~~a copy of the current lead inspector license from the state that the applicant is licensed in; and~~

(6) a copy of the applicant's original diploma from the Minnesota lead inspector refresher training course.

#### 4761.2300 LEAD RISK ASSESSOR LICENSE.

Subp. 2. **Education and experience requirements.** To be eligible for a lead risk assessor license, an applicant must:

B. ~~have a bachelor's degree and one year of experience in regulated lead work, asbestos abatement, environmental remediation, general construction, or a childhood lead poisoning prevention program of a government agency;~~

C. ~~have an associate's degree and two years of experience in regulated lead work, asbestos abatement, environmental remediation, general construction, or a childhood lead poisoning prevention program of a government agency; or~~

C. have a bachelor's degree and one year of experience in regulated lead work, asbestos abatement, environmental remediation, general construction, or a childhood lead poisoning prevention program of a government agency; or

Subp. 4. **Expiration; renewal; retraining.**

# Adopted Rules

---

B. A lead risk assessor license may be renewed upon ~~completion of~~ completing a lead risk assessor refresher training course for which a permit has been issued under part 4761.2370.

**Subp. 5. Application.**

B. If applying from out of state, an applicant must submit:

(3) a copy of the applicant's original diploma for the lead risk assessor training course or a copy of the current lead risk assessor license from the state that the applicant is licensed in;

(4) documentation that the applicant passed an independent examination; and

(5) ~~a copy of the current lead risk assessor license from the state that the applicant is licensed in;~~ and

(6) a copy of the applicant's original diploma from the Minnesota lead risk assessor refresher training course.

## 4761.2320 LEAD PROJECT DESIGNER LICENSE.

**Subp. 4. Expiration; renewal; retraining.**

B. A lead project designer license may be renewed upon ~~completion of~~ completing a lead project designer refresher training course for which a permit has been issued under part 4761.2370.

**Subp. 5. Application.**

B. If applying from out of state, an applicant must submit:

(3) a copy of the applicant's original diploma for the initial lead project designer training course or a copy of the current lead project designer license from the state that the applicant is licensed in; and

(4) ~~a copy of the current lead project designer license from the state that the applicant is licensed in;~~ and

(5) a copy of the applicant's original diploma from the Minnesota lead project designer refresher training course.

## 4761.2340 INTERIM CONTROLS REQUIREMENTS.

A. Individuals who perform interim controls, as defined by *Minnesota Statutes*, section 144.9501, subdivision 13a, must comply with this part:

B. To perform interim controls, an individual must complete:

(1) a leadsafe work practices training course developed or approved by the EPA or HUD or approved by a state or tribal lead training program authorized by the EPA; or

(2) a lead worker or lead supervisor training course for which a permit has been issued under part 4761.2370 or approved by a state or tribal lead training program authorized by the EPA.

C. An interim controls worker must maintain a copy of the training course diploma or certificate that is issued upon completing the requirements of a training course under item B. The diploma or certificate must be at the work site and available for review where the interim controls are conducted.

## 4761.2360 LEAD SAMPLING TECHNICIAN REGISTRATION.

Subpart 1. **Registration required.** A lead sampling technician, as defined in *Minnesota Statutes*, section 144.9501, subdivision 22b, must be registered with the Department of Health.

Subp. 2. **Training requirements; initial registration.** To be eligible for initial registration as a lead sampling technician, an applicant must complete a lead sampling technician course:

A. ~~developed or accepted by the EPA or HUD;~~ or

B. ~~approved by a state or tribal lead training program authorized by the EPA.~~

Subp. 3. **Application.** To register as a lead sampling technician, an applicant must submit to the commissioner:

A. ~~a completed registration on a form provided by the commissioner; and~~

B. ~~a copy of the applicant's original training course diploma that is issued by the training course provider upon completing the training course and passing the course examination.~~

Subp. 4. **Renewal.** An individual registered as a lead sampling technician must renew the registration annually to maintain registration status. To renew the registration, an individual must submit to the commissioner a completed registration renewal on a form provided by the commissioner.

Subp. 5. **Denial; conditions.** The commissioner shall deny a registration for a lead sampling technician if the applicant fails to comply with all applicable requirements in this part. The commissioner may also deny an application or set conditions on a registration according to *Minnesota Statutes*, section 144.99, subdivision 8. An applicant must be notified in writing of the denied application and the reasons for the denial.

Subp. 6. **Expiration and transfer.** A lead sampling technician registration is not transferable and is valid for 12 months after the commissioner approves the registration.

## 4761.2420 TRAINING COURSE REQUIREMENTS.

### Subp. 3. **Written examinations.**

D. If When the training course provider or an approved alternate administers the examination, the training course provider must:

## 4761.2440 COURSE CONTENT AND LENGTH.

~~Subp. 7. **Interim controls workers.** A training course for interim controls workers must be developed or approved by the EPA, HUD, or a state or tribal lead training program authorized by the EPA.~~

~~Subp. 8. **Lead sampling technicians.** A training course for lead sampling technicians must be developed by the EPA, HUD, or a state or tribal lead training program authorized by the EPA.~~

## 4761.2570 LEAD RISK ASSESSMENT.

### Subp. 3. **Lead risk assessment requirements.**

A. A lead risk assessment for an affected property must:

~~(5) collect and analyze at least one composite bare soil sample within three feet of the foundation for lead concentration. Separate composite samples must be collected from areas where children play, if bare soil is present. Collecting and analyzing bare soil samples may be delayed if the ground is covered by snow during the original lead risk assessment. In lieu of the collection and analyses under this subitem, bare soil may be assumed to be lead-contaminated;~~

~~(6) in a residence, collect and analyze composite or single-surface dust samples from interior window sills, window troughs, and floors for lead concentration in all living areas where one or more children are most likely to come into contact with dust. In lieu of collection and analyses under this item, the floor, window sill, and window trough surfaces may be assumed to have lead-contaminated dust on them;~~

~~(7) in a multifamily residence, collect and analyze composite or single-surface dust samples from interior window sills, window troughs, and floors for lead concentration in:~~

~~(b) other common areas in the building where the lead risk assessor determines that one or more children are likely to come into contact with dust. Collection and analyses under this subitem are in addition to the requirements of subitems (4) and (5) subitem (6). In lieu of the collection and analyses under this subitem, interior window sills, window troughs, and floors may be assumed to have lead-contaminated dust on them; and~~

~~(7) in a school or child-occupied facility, collect and analyze composite or single-surface dust samples from interior window sills, window troughs, and floors for lead concentration:~~

~~(b) in other common areas in the facility where one or more children are likely to come into contact with dust. In lieu of the collection and analyses under this subitem, interior window sills, window troughs, and floors may be assumed to have lead-contaminated dust on them; and~~

~~(8) collect and analyze at least one composite bare soil sample within three feet of the foundation for lead concentration. Separate composite samples must be collected from areas where children play, if bare soil is present. Collecting and analyzing bare soil samples may be delayed if the ground is covered by snow during the original lead risk assessment. In lieu of the collection and analyses under this subitem, bare soil may be assumed to be lead-contaminated.~~

## 4761.2645 METHODS FOR REMOVING LARGE AREAS OF INTERIOR PAINT.

### Subp. 9. **Final cleaning procedures and inspection.**

A. When lead hazard reduction is completed, the certified lead firm, lead supervisor, or property owner must:

~~(6) reinspect all areas referenced in subitems (1) to (5). If visible dust or debris is observed, the cleaning procedures under subitems (3) to (5) must be repeated until no visible dust or debris remains;~~

## 4761.2660 METHODS FOR LEAD HAZARD REDUCTION FOR SOIL.

A. Bare soil that contains lead in a concentration of at least 100 parts per million but less than 5,000 parts per million must be removed or covered as follows:

(3) if soil is to be covered with sand, wood chips, or other nonliving, permeable material, the soil must be removed to a depth that eliminates visible paint chips ~~or~~ and debris.

## 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 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 11:00 a.m. on Friday, November 19, 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.

### **Department of Health**

#### **Public Hearing Regarding the Minnesota Department of Health Application to the Federal Department of Health and Human Services for Federal Fiscal Year 2005 Preventive Health and Health Services Block Grant Funding**

The Minnesota Department of Health will sponsor a public hearing to obtain comments on the application for federal fiscal year 2005 Preventive Health and Health Services Block Grant funds. The draft application for those funds is available for inspection upon request.

The public hearing will be conducted as part of a meeting of the State Preventive Health Advisory Committee held Monday, November 22, 2004 at the Minnesota Department of Health, Metro Square Building, 121 East Seventh Place, St. Paul, MN, in Meeting Room Lower Level 56 (LL56). The public hearing and meeting will begin at 1:00 p.m. Any person or group may submit either written or oral comments at the meeting.

Written comments may be submitted by November 19, 2004 to the address below.

For further information contact:

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Office of Public Health Practice  
Minnesota Department of Health  
85 East 7<sup>th</sup> Place, Suite 202  
St. Paul, Minnesota 55101  
(651) 296-8209  
[debra.burns@health.state.mn.us](mailto:debra.burns@health.state.mn.us)

### **Department of Human Services**

#### **Health Care Purchasing and Delivery Systems Division, Health Care Administration**

#### **Public Notice of Maximum Allowable Costs of Medical Assistance Outpatient Prescribed Drugs**

**NOTICE IS HEREBY GIVEN** to recipients, providers of services, and to the public of additions 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. Additionally, the Department imposes 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.

The Department requires Medical Assistance pharmacy providers to submit their usual and customary costs. Pharmacy providers are



reimbursed at the lower of: 1) the federal or state MAC, plus a dispensing fee; 2) the submitted usual and customary charge to the general public; or 3) a discount off of average wholesale price, plus a dispensing fee.

On January 13, 2003 at 27 SR 1117-1130, the Department published the MAC list, listing the federal and state MACs. Additional changes to the state MAC list were published on February 18, 2003 (27 SR 1331-1334), March 3, 2003 (27 SR 1386-1393), April 21, 2003 (27 SR 1583-1584), August 4, 2003 (28 SR 102-103), October 13, 2003 (28 SR 505-506), October 20, 2003 (28 SR 528-529), December 15, 2003 (28 SR 784-785), January 26, 2004 (28 SR 934-935), March 8, 2004 (28 SR 1089-1090), April 5, 2004 (28 SR 1232), April 19, 2004 (28 SR 1313-1314), May 3, 2004 (28 SR 1367-1368), August 9, 2004 (29 SR 173), August 23, 2004 (29 SR 224-225), and November 8, 2004 (29 SR 510).

Effective November 16, 2004, the Department will add the following outpatient prescribed drugs to the state MAC list:

<u>GCN</u>	<u>Drug Name</u>	<u>Strength</u>	<u>MAC Price</u>
67071	Amoxicillin Trihyd Potass Clav	500-125MG	1.917
67077	Amoxicillin Trihyd Potass Clav	400-57MG	2.312
67153	Amoxicillin Trihyd Potass Clav	400-57MG/5ML	.423
67154	Amoxicillin Trihyd Potass Clav	200-28.5MG/5ML	.237
47050	Ciprofloxacin HCI	250MG	.111
47051	Ciprofloxacin HCI	500MG	.200
47052	Ciprofloxacin HCI	750MG	.498

These additions are made to bring Medical Assistance reimbursement to pharmacists more closely in line with the actual acquisition cost of the drugs listed above. The Department estimates that there will be a state savings of \$467,300 for State Fiscal Year 2005 (July 1, 2004 through June 30, 2005).

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

Written comments and requests for information may be sent to:

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

## **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.

# Official Notices

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- 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.

The PMAP+ §1115 Waiver will expire June 30, 2005. The federal Managed Care Regulations now make it possible for states to implement, through their State Plans, many of the provisions that were previously only permitted under a §1115 waiver. Nevertheless, Minnesota still requires waivers under §1115 in order to continue several important provisions of our current PMAP+ purchasing project.

To assure the continuation of the PMAP+ purchasing project, the Minnesota Department of Human Services (DHS) intends to submit a three-year extension request for the PMAP+ §1115 Waiver to the federal Centers for Medicare & Medicaid Services (CMS) in January 2005.

DHS is announcing a 30-day comment period on the draft PMAP+ §1115 Waiver Extension Request to be submitted to CMS. Additional opportunity for public comment will be available during a public hearing scheduled for Friday, December 17, 2004 at 12:00 pm in Room 1A and B at the Minnesota Department of Human Services, 444 Lafayette Road, St. Paul, Minnesota 55155.

To request a copy of the draft §1115 Waiver Extension Request, please contact Barb Phillip at (651) 297-8840. A copy of the draft §1115 PMAP+ Waiver Extension Request can also be found at: <http://www.dhs.state.mn.us/healthcare/waivers>

Written comments may be submitted to Jan Kooistra at the address below. Comments received by Friday, December 17, 2004 will be most helpful, but comments will be accepted at any time.

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](mailto:jan.kooistra@state.mn.us)

## Department of Labor and Industry

### Labor Standards Unit

#### Notice of Additional Rate to Highway / Heavy Prevailing Wage Rates

An **additional** rate has been added to the Highway/Heavy Prevailing Wage Rates certified 10/11/04, for **Labor Code 414, Millwright** in **Region 4**.

Copies with the correction of the certified wage rates for these Counties 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](http://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

## Metropolitan Council

### Housing and Redevelopment Authority

#### Public Housing Waiting List Opening

The Metropolitan Council Housing and Redevelopment Authority (Metro HRA) will be accepting applications for the Family Affordable Housing Program (FAHP), all bedroom sizes. The FAHP is a federally funded public housing program consisting of two, three, four and five bedroom townhomes and single family homes. The scattered site rental units are located in suburban communities throughout Anoka, Hennepin and Ramsey counties.

Applications requests will be taken on Thursday, December 9, 2004 and Friday, December 10, 2004, 9 a.m. - 4 p.m. Metro HRA may continue to accept applications beyond December 10<sup>th</sup> for households eligible for specific bedroom sizes until a sufficient number have been received.

Application requests will be taken during the above times only. To request an application:

- Call Metro HRA (651) 602-1553 or TTY (651) 291-0904 or;
- Fax a request including full name and address to Metro HRA (651) 602-1313;
- Request in person at the Metro HRA office, 230 E. Fifth Street, St. Paul.

To be eligible, applicants must meet resident selection criteria, must be a United States citizen or a noncitizen with eligible immigrant status and household income must not exceed the HUD established income limits.

A random drawing of not more than 1,000 applications will determine placement on the waiting list. To be included in the random drawing, applications must be completed and returned to the Metro HRA no later than **4:30 p.m. on Friday, January 7, 2005**.

## **Minnesota State Retirement System (MSRS) Regular Meeting of the Board of Directors**

The Board of Directors of the Minnesota State Retirement System (MSRS) is scheduled to meet on Thursday, November 18, 2004, at 9:00 a.m. in the Retirement Systems of Minnesota Building, 60 Empire Drive, Suite 117, Saint Paul, Minnesota.

## **Department of Natural Resources Notice of Proposed Reclassification of State Forest Lands in the Beltrami Island State Forest Area with Respect to Motor Vehicle Use**

**NOTICE IS HEREBY GIVEN** that the Commissioner of the Minnesota Department of Natural Resources (DNR) proposes to reclassify the Beltrami Island State Forest and other Forest Lands under the Authority of the Commissioner in northern Beltrami County, Minnesota with respect to operation of motor vehicles. The proposal is to change the current classification of the State Forest lands from “*Managed*” (in which forest roads and forest trails are open for motor vehicle use unless posted closed), to “*Limited*” (in which forest trails are closed to motor vehicle use unless posted open). *Minnesota Rules* Chapter 6100.1950 governs the classification of State Forests with respect to motor vehicle use.

The Beltrami Island State Forest is located in Beltrami, Lake of the Woods, and Roseau counties. The DNR Division of Forestry administers about 288,000 acres of land within the Beltrami Island State Forest. The proposed reclassification also applies to 1,578 acres of Forest Lands under the Authority of the Commissioner located outside of the Beltrami Island State Forest in northern Beltrami County. In conjunction with the proposed reclassification the Department of Natural Resources has developed a plan that designates which roads and trails on DNR-administered lands in Beltrami Island area will be open to use by various types of motor vehicles. There are about 1,135 miles of roads, trails, and other access routes in the Beltrami Island area. The DNR proposes designation of 488 miles as “State Forest Roads,” which would typically be open to both highway-licensed vehicles and off-highway vehicles. The plan also proposes designating about 54 miles of existing routes as all-terrain vehicle (ATV) and off-highway motorcycle (OHM) trail. About 592 miles of existing routes would remain undesignated and would be closed to motor vehicle use when the reclassification becomes effective.

There will be a public meeting on the proposed reclassification and road and trail use designations from 6:00 p.m. to 9:00 p.m. on Thursday, January 13, 2005 at the Warroad Middle School, 510 Cedar Avenue NW, Warroad, MN. The department will present information and receive public comments on the proposal.

The reclassification proposal, road and trail designation plan, and related maps are on the DNR website at:

[www.dnr.state.mn.us/input/mgmtplans/ohv/designation/status.html](http://www.dnr.state.mn.us/input/mgmtplans/ohv/designation/status.html).

Copies of the documents can also be obtained from:

Helen Cozzetto, Natural Resources Planner  
Minnesota Department of Natural Resources  
6603 Bemidji Avenue N  
Bemidji, MN 56601  
**Phone:** (218) 755-3954  
**E-mail:** [helen.cozzetto@dnr.state.mn.us](mailto:helen.cozzetto@dnr.state.mn.us)

Written comments on the proposal can be submitted to the above address until 4:30 p.m. on January 28, 2005.

Mark Holsten, Deputy Commissioner  
Minnesota Department of Natural Resources

# Official Notices

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## Department of Natural Resources

### Notice of Proposed Reclassification of State Forest Lands in Hubbard County with Respect to Motor Vehicle Use

**NOTICE IS HEREBY GIVEN** that the Commissioner of the Minnesota Department of Natural Resources (DNR) proposes to reclassify the Badoura State Forest, Paul Bunyan State Forest, and other Forest Lands under the Authority of the Commissioner in Hubbard County, Minnesota with respect to operation of motor vehicles. The proposal is to change the current classification of the State Forest lands from *'Managed'* (in which forest roads and forest trails are open for motor vehicle use unless posted closed), to *'Limited'* (in which forest trails are closed to motor vehicle use unless posted open). *Minnesota Rules* Chapter 6100.1950 governs the classification of State Forests with respect to motor vehicle use.

The Badoura State Forest is located in southeastern Hubbard County and includes about 4,500 acres of DNR-administered land. The Paul Bunyan State Forest includes about 60,600 acres of DNR-administered land. There are about 11,700 acres of Forest Land under the Authority of the Commissioner outside of State Forest boundaries in Hubbard County. Portions of the Huntersville State Forest and Mississippi Headwaters State Forest are also located in Hubbard County and will be reclassified in the future.

In conjunction with the proposed reclassification the Department of Natural Resources has developed a plan that designates which roads and trails on State Forest lands in Hubbard County will be open to use by various types of motor vehicles. There are 540 miles of forest access routes on State Forest lands in Hubbard County. The DNR proposes designation of 160 miles as State Forest Roads which would typically be open to both highway-licensed vehicles and off-highway vehicles. The plan also proposes designation of routes as all-terrain vehicle (ATV), off-highway motorcycle (OHM), and off-road vehicle (ORV) trails. The Hubbard County Natural Resource Management Department is also proposing road and trail designation for routes on about 138,000 acres of county-administered forest lands.

There will be a public meeting on the proposed reclassification and road and trail use designations from 6:00 PM to 9:00 PM on Wednesday, January 12, 2005 at the Park Rapids Area High School, 401 Huntsinger Avenue, Park Rapids, MN. The department will present information and receive public comments on the proposal.

The reclassification proposal, road and trail designation plan, and related maps are on the DNR website at:

[www.dnr.state.mn.us/input/mgmtplans/ohv/designation/status.html](http://www.dnr.state.mn.us/input/mgmtplans/ohv/designation/status.html).

Copies of the documents can also be obtained from:

Helen Cozzetto, Natural Resources Planner  
Minnesota Department of Natural Resources  
6603 Bemidji Avenue N  
Bemidji, MN 56601  
**Phone:** (218) 755-3954  
**E-mail:** [helen.cozzetto@dnr.state.mn.us](mailto:helen.cozzetto@dnr.state.mn.us)

Written comments on the proposal can be submitted to the above address until 4:30 PM on January 28, 2005.

Mark Holsten, Deputy Commissioner  
Minnesota Department of Natural Resources

## State Contracts

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

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

## Minnesota Department of Corrections Notice of Request for Proposals (RFP) for Food Services for Minnesota Correctional Facilities

The Minnesota Department of Corrections (DOC) is requesting proposals for providing food services to the Minnesota correctional facilities at Faribault, Lino Lakes, Oak Park Heights, Rush City, Shakopee, Stillwater, Moose Lake, and the Challenge Incarceration Program in Willow River.

It is expected that this contract will be for a period of three years effective July 1, 2005, with two one-year extensions possible at the discretion of the DOC and with the concurrence of the potential contractor. The estimated cost for this project should not exceed \$20,000,000; however, this proposal does not obligate the agency to spend the estimated dollar amount.

There will be a mandatory pre-response tour and meeting scheduled for December 2, 2004. Potential responders must provide their own transportation for tours and meeting. Potential responders must register attending individuals by November 30, 2004, to be able to attend tours.

Potential responders interested in submitting a proposal on this project should call, write, e-mail, or fax for the full RFP which will be sent free-of-charge to interested vendors. Proposal must be submitted to the DOC contact listed below. Other DOC and State of Minnesota personnel are NOT allowed to discuss the RFP with anyone, including responders, before the proposal submission deadline. Proposals must be received by the contact person no later than 3:00 p.m. on January 10, 2005.

Contact Person:

Mike Hermerding, Program Administrator  
Minnesota Department of Corrections  
1450 Energy Park Drive, Suite 200  
St. Paul, MN 55108-5219  
**Phone:** (651) 643-3593  
**Fax:** (651) 523-7139  
**E-mail:** [mhermerding@co.doc.state.mn.us](mailto:mhermerding@co.doc.state.mn.us)

## Department of Education Notice of Request for Proposals to Evaluate the Reading First Program

The Department of Education is soliciting proposals from qualified parties to design and implement a comprehensive summative evaluation plan for the Minnesota Reading First Subgrant Program. The Minnesota Reading First Subgrant Program includes 29 schools located throughout the state of Minnesota. The evaluation plan will include three summative evaluation reports, and completion of three yearly federal evaluation reports.

The Minnesota Reading First Program is based upon professional development provided by the University of Minnesota. University of Minnesota and Minnesota Department of Education staff will provide formative evaluation data for the summative reports. The Year 1 report is based upon March 1, 2004 – September 30, 2004 implementation; Year 2 is October 1, 2004 – June 30, 2005; Year 3 is July 1, 2005 – June 30, 2006.

The Department of Education has estimated the cost of this project should not exceed \$298,000.00.

The anticipated term of the project is January 10, 2005 to September 30, 2006.

For a copy of the complete Request for Proposals, please contact Carrie Mammenga, Department of Education, 1500 Highway 36 West, Roseville, Minnesota 55113, **Telephone:** (651) 582-8512, **Fax:** (651) 582-8727, **E-mail:** [carrie.mammenga@state.mn.us](mailto:carrie.mammenga@state.mn.us).

Responses are due by 5:00 p.m. Monday, December 6, 2004. **Late proposals will not be considered.** Fax or E-Mail proposals will **NOT** be considered.

This request does not obligate the State to award a contract or complete the work contemplated in this notice. The State reserves the right to cancel this solicitation if it is considered to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

# State Contracts

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## Minnesota Historical Society

### Request for Proposals for Professional Auditing Services

The Minnesota Historical Society is seeking proposals from qualified firms to provide professional services for the auditing of the Society's fiscal year 2005 financial statements.

In order to be qualified to submit a proposal for this engagement, the firm must meet the following minimum requirements:

1. Be an independent, Minnesota licensed, Certified Public Accounting firm with no conflict of interest related to the engagement.
2. Be able to demonstrate experience auditing financial statements for nonprofit corporations using a fund accounting system and with annual operating budgets exceeding \$30,000,000.00

The Request for Bids is available by calling Mary Green Toussaint, Contracting and Purchasing Assistant, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102. **Telephone** (651) 297-7007.

There will be a **mandatory pre-proposal meeting** on Tuesday, November 23, 2004, from 10:00 – 11:00 a.m. in the Pillsbury conference located on level A, at the Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102.

Details concerning submission requirements, including due dates, are included in the Request for Proposals.

Dated: November 15, 2004

## Department of Human Services

### Request for Proposals to Provide Services to the Minnesota Financial Institution Data Match (FIDM) Program

The Minnesota Department of Human Services, Child Support Enforcement Division (State), is seeking Proposals from qualified Responders to provide services for the on-going operation of the Minnesota Financial Institution Data Match (FIDM) program. The FIDM program is operated in accordance with 42 *United States Code* §666(a) (17), *Minnesota Statutes* §13B.06, and other applicable State and Federal laws and regulations.

The purpose of the FIDM program is to allow the State's IV-D agency to secure information that will lead to the enforcement of child support orders. The FIDM program provides for a data match system in which every quarter each financial institution located in the state provides the State the name, account record address, social security number and any other available taxpayer identification number(s) of each non-custodial parent who both maintains an account at the institution and also owes past due support.

The objective of this RFP is to contract with a qualified Responder to perform the tasks and services required by 42 *United States Code* §666(a) (17), *Minnesota Statutes* §13B.06, and other applicable State and Federal laws, regulations, and policies. The term of any resulting contract will be for two years, from **July 1, 2005** until **June 30, 2007**, with the option for three additional one-year extensions.

The deadline for submitting proposals is **January 17, 2005**. To receive a full copy of the Request for Proposals contact the Minnesota Department of Human Services at:

Minnesota Department of Human Services  
Attention: Bill Lansing  
444 Lafayette Road  
St. Paul, MN 55155-3846  
**Phone:** (651)-297-4783  
*Bill.lansing@state.mn.us*

## Minnesota House of Representatives

### House Administrative Services

### Notice of Request for Bid for Printing of Personalized Stationery, Envelopes and Business Cards for 2005-2006

**PUBLIC NOTICE IS HERBY GIVEN** that the Minnesota House of Representatives Administrative Services is seeking bids from qualified printers to provide printing services for the 134 Members of the Minnesota House of Representatives.

All work must be done in-house unless specifically approved by the House.

All bids must be submitted no later than Wednesday, December 1, 2004 at 2 p.m. on the forms accompanying the specifications in a sealed envelope and delivered to:

Paul Schweizer, Controller,  
Room 198, State Office Building,  
St. Paul, MN 55155-1298

Bid submittal will be opened publicly on that date and time.

A copy of the Request for Bid packet and specifications can be obtained by calling:

Jess Mingo  
198 State Office Building  
(651) 296-1239

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

## Minnesota Pollution Control Agency Regional Division

### **Request for Proposals – The Minnesota Pollution Control Agency (MPCA) is Seeking Multi-Site Contractors to Conduct Research; Review Data; Assess Physical, Biological, Hydrologic, and Water Chemistry Data; Identify Delivery Mechanisms; Identify Physical Characteristics of the Watershed; Develop Hydraulic Models; Develop Effectiveness Monitoring Plan; Develop Quality Assurance and Quality Control Provisions; Conduct Stream Surveys; Develop Total Maximum Daily Loads, Develop Stakeholder-driven Process; Technical Writing; and Prepare Implementation Plans at or Related to Impaired Waters Program and Stormwater Program Sites Located in Minnesota**

**NOTICE IS HEREBY GIVEN** that the MPCA is seeking proposals from consultants/contractors to conduct research; review data; assess physical, biological, hydrologic, and water chemistry data; identify delivery mechanisms; identify physical characteristics of the watershed; develop hydraulic models; develop effectiveness monitoring plan; develop quality assurance and quality control provisions; conduct stream surveys; develop Total Maximum Daily Loads, develop stakeholder-driven process; technical writing; and prepare implementation plans at or related to Impaired Waters Program and Stormwater Program sites located in Minnesota.

The MPCA desires to contract with qualified contractors for services from March 1, 2005, through June 30, 2006, with the option of three (3) one (1) year contract extensions. No actual work or payment is guaranteed pursuant to the contract.

The MPCA may contract with multiple contractors. The MPCA reserves the right to limit the number of parties to the contract.

A complete Request for Proposal (RFP) describing the requirements necessary for the contract has been prepared and can be obtained from the MPCA contact person below.

Hafiz Munir  
Minnesota Pollution Control Agency  
Regional Division  
520 Lafayette Road North  
St. Paul, Minnesota 55155  
**Telephone:** (651) 296-9286 (Voice)  
**Fax:** (651) 297-8676  
*hafiz.munir@pca.state.mn.us*

Proposers must submit in writing a list of questions they would like addressed.

Questions must be mailed, e-mailed or faxed to Hafiz Munir and received by no later than 4:00 p.m. Central Time on Tuesday, November 30, 2004.

The deadline for receipt of completed proposals is 2:00 p.m. Central Time, Wednesday, January 12, 2005. All proposals must be submitted to the attention of the MPCA contact person listed in this notice. Late proposals will not be considered.

# State Contracts

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## Secretary of State

### Notice of Intent to Solicit Interest in Contract for Voting Equipment that Accommodates Disabled Voters

The Secretary of State, working with representatives of the disabled community, intends to issue a Request for Proposal sometime before April 30, 2005 for voting equipment that accommodates disabled voters.

The resulting contract(s) will be awarded so that this equipment is available for use beginning on January 1, 2006, as required by the Help America Vote Act of 2002 (HAVA).

Potential vendors are encouraged to keep checking the State Register for an announcement of this opportunity. If you have any questions, contact Kathy Sibbel at [Kathy.Sibbel@state.mn.us](mailto:Kathy.Sibbel@state.mn.us) or (651) 201-1328.

## 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 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](http://www.dot.state.mn.us/consult).

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



## 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 commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

### **Solid Waste Management Coordinating Board Notice of Request for Bid for Residential Composting Bins, Kitchen Food Waste Buckets, and Composting Books (Composting Kit)**

The Solid Waste Management Coordinating Board is seeking bids from qualified vendors for up to 8,000 residential backyard composting kits. Delivery dates for the composting kits (composting bins, kitchen food waste buckets, and composting books) will be from April through June, 2005, in the Minnesota counties of Anoka, Carver, Dakota, Hennepin, Ramsey and Washington.

The Request for Bid is available by calling or writing Linda Gondringer, Solid Waste Management Coordinating Board, 477 Selby Avenue, St. Paul, Minnesota, 55102. Phone: (651) 222-7227. Email: [lgondringer@richardsonrichter.com](mailto:lgondringer@richardsonrichter.com). The Request for Bid can be downloaded at [www.swmcb.org/rfp-rfq/index.html](http://www.swmcb.org/rfp-rfq/index.html).

Bids must be received no later than 10:00 a.m., Central Standard Time, Friday, December 3, 2004. The SWMCB reserves the right to reject late bids.

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

### **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](http://bidinfo.umn.edu) or call the BIS Coordinator at (612) 625-5534.

Request 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.



# Admin MINNESOTA

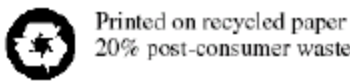
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 Metro Area 651-282-5077 Greater MN 1-800-657-3706

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Subtotal	Add:
Up to \$25.00	\$3.00
\$25.01 - \$50.00	\$5.00
\$50.01 - \$100.00	\$7.00
\$100.01 - \$1,000.00	\$10.00

Code No.	Quantity	Description	Item Price	Total
Name or Company			<b>Subtotal</b>	
Attention		6 1/2 % tax MN residents		
Address		7% St. Paul residents		
City	State	Zip	Add Shipping Charges from chart at left.	
American Express/VISA/MasterCard/Discover No.			<b>TOTAL</b>	
Signature		Expiration Date	Telephone (During Day)	



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If tax exempt, please provide ES number or send completed exemption form.  
 Source Code SR004