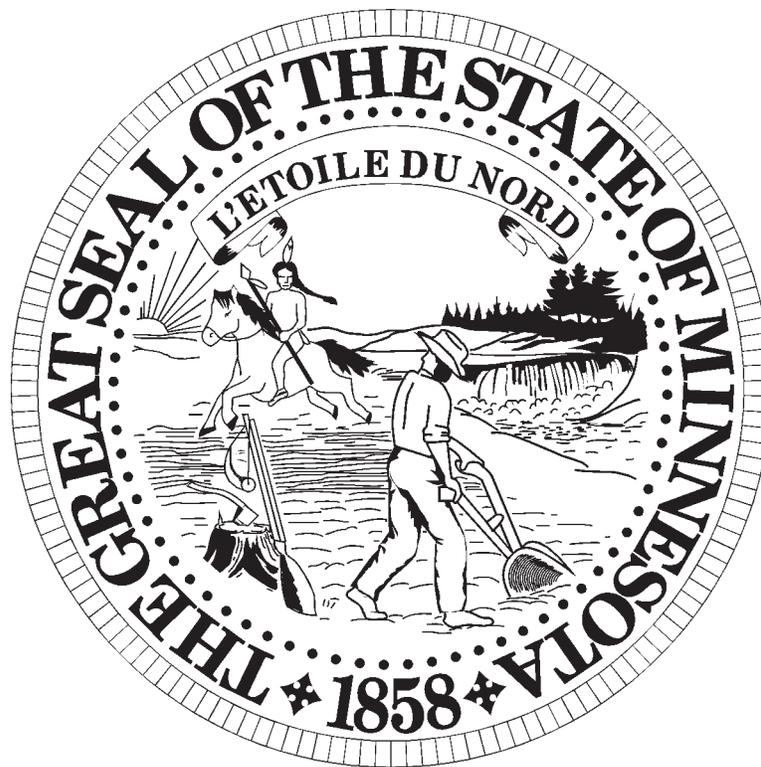


State of Minnesota

# State Register



**Rules and Official Notices Edition**

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by the Department of Administration – Communications Media Division

**Monday 26 July 2004**  
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# State Register

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|---------------|--|------------------------|-------------------------|
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| Number DATE   | State Grants, Professional-Technical-Consulting      | RULES                  |                         |
|               | Contracts, Non-State Bids and Public Contracts       |                        |                         |
| #4            | Monday 26 July                                       | Noon Tuesday 20 July   | Noon Wednesday 14 July  |
| #5            | Monday 2 August                                      | Noon Tuesday 27 July   | Noon Wednesday 21 July  |
| #6            | Monday 9 August                                      | Noon Tuesday 3 August  | Noon Wednesday 28 July  |
| #7            | Monday 16 August                                     | Noon Tuesday 10 August | Noon Wednesday 4 August |

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# Minnesota Rules: Amendments and Additions

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

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

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

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

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

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# 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.

## Department of Public Safety

### Adopted Permanent Rules Relating to Deputy Registrars

The rules proposed and published at *State Register*, Volume 28, Number 36, pages 1074-1085, March 8, 2004 (28 SR 1074), are adopted with the following modifications:

#### 7406.0350 COUNTY OFFICIAL AS DEPUTY REGISTRAR; PROCEDURE.

##### Subp. 7. **Transfer of county appointments.**

C. A deputy registrar appointment in a county is transferred to the commissioner if:

(1) the county official's appointment as a deputy registrar in that county is discontinued by the ~~registrar~~ commissioner under parts 7406.0800 to 7406.1000; or

#### 7406.0355 CITY OFFICIAL AS DEPUTY REGISTRAR.

Subp. 3. **Transfer of city appointment.** The commissioner shall transfer the appointment of a city clerk or city official as a deputy registrar to another clerk or official of the city if the city's governing authority notifies the commissioner that the position has been assumed by another individual and verifies to the commissioner that the proposed successor deputy ~~registrar~~ meets the qualifications for a deputy registrar as specified in this chapter and Minnesota Statutes, section 168.33.

#### 7406.0360 DEPUTY REGISTRAR APPOINTMENT BY COMMISSIONER.

Subpart 1. **In general.** A deputy registrar appointment can only be made for an approved office location that qualifies under part 7406.0300.

#### 7406.0380 BOND.

C. If the deputy registrar is also an agent for the Minnesota Department of Natural Resources, the ~~deputy's~~ deputy registrar's bond with the commissioner must specify that it only covers motor vehicle transactions under *Minnesota Statutes*, chapters 168, 168A, 168C, and 297B.

#### 7406.0450 REPORTING AND DEPOSITING PRACTICES.

Subp. 2. **Reporting registrations, fees, and taxes.** A report of the motor vehicle fees and taxes collected and the motor vehicle transactions collected for the department each working day must be transmitted by the deputy registrar to the commissioner according to the procedures specified in this part and in an electronic format or other alternative means prescribed or approved by the commissioner. The report must include:

A. the names of the parties of the collected transactions, excluding the names of parties applying solely for renewal;

Subp. 3. **Depositing motor vehicle fees and taxes.** Before the end of each working day, each deputy registrar shall deposit an amount equal to the total of all motor vehicle fees and taxes collected the previous working day according to the requirements in subpart 3a. The amount listed for the total of all motor vehicle fees and taxes collected must cover any shortages for any motor vehicle transactions collected and stamped as paid.

Subp. 3b. **Reconciling reported excess.** If a deputy registrar documents the need for a refund of a reported payment of excess funds, the commissioner ~~may~~ shall refund or credit the reported excess funds if the submitted documentation substantiates the reported excess.

Subp. 5. **Late payment charge Warning notice.** On discovering a violation of subpart 3 or 3a, the commissioner must send a warning notice, by certified mail, to the deputy registrar warning of the violation. ~~The notice must be in either written or electronic format.~~

A. The warning notice must identify the violation and tell the deputy registrar that if the deputy registrar violates subpart 3 or 3a again within 180 days of the date on the notice, a late payment charge will be imposed.

B. Subp. 5a. Late payment charge; calculation. For each subsequent violation of subpart 3 or 3a after a warning notice has been issued, the commissioner shall impose a late payment charge of \$30 or an amount computed by the following formula, whichever is

**KEY: Proposed Rules Section - 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 Section - Underlining** indicates additions to proposed rule language. **Strikeout** indicates deletions from proposed rule language.

# Adopted Rules

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greater.

(+) A. The number of calendar days for which payment is late begins on the date ~~the deputy registrar is electronically notified that payment is late on the late payment charge notice.~~ The late payment notice must be issued by certified mail and contain the information specified in subpart 6.

(2) B. Calendar days late x delinquent amount x daily rate = Late payment charge where:

(a) (1) calendar days late = actual number of calendar days each deposit or report is delinquent;

(b) (2) delinquent amount = actual amount each deposit or report is delinquent; and

(3) daily rate = interest on all state funds without authority to be invested separately, as determined by the Minnesota Department of Finance, for the month the deposit or report was due, divided by 365 days.

(+) C. In determining the number of calendar days a deposit or report is late, weekends and holidays must be included only if the deposit or report is determined to be already at least two calendar days late.

(5) D. The commissioner shall continue to impose the late payment charges until the deputy registrar is no longer in violation of this part.

Subp. 6. **Notice of late payment charge.** ~~In addition to the electronic notice in subpart 5, the commissioner shall send a written notice of a late payment charge to the deputy registrar by certified mail.~~

A: The late payment charge notice must identify the violations of *Minnesota Statutes*, section 168.33, and subpart 3 or 3a for which the late payment charge is imposed.

B: The notice must also tell the deputy registrar when the late payment charge is due, how the late payment charge must be paid, and how to obtain a review of the late payment charge.

## 7406.0475 AUDIT.

Subpart 1. **Biennial audit.** At the request of the commissioner, a deputy registrar shall make available for audit all motor vehicle fee and tax records for all transactions occurring during the state's biennial fiscal cycle for each office location of a deputy registrar. If the commissioner has reasonable cause to believe another audit is necessary in addition to the biennial audit, the commissioner may order that another audit be conducted at cost to the deputy registrar to address areas of the deputy registrar's biennial audit in which the commissioner was not able to determine compliance.

## 7406.2700 INDEMNIFICATION.

The deputy registrar and any agency or employee of the deputy registrar shall hold the commissioner harmless from any and all claims or causes of action against the deputy registrar or any employee or agent of the registrar, including all attorney fees incurred, arising from performance or actions not in accordance with this chapter ~~or, *Minnesota Statutes*, section 168.33~~ or written instruction from the commissioner.

# Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds.

One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

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

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

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

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

## Department of Labor and Industry

### Occupational Safety and Health Division

#### Proposed Exempt Permanent Rules Relating to Occupational Safety and Health; Standard Industrial Classification List for AWAIR

**NOTICE IS HEREBY GIVEN** that the Department of Labor and Industry, Occupational Safety and Health Division (Minnesota OSHA), proposes to adopt the following amendments to the Department of Labor and Industry, Occupational Safety and Health Rules. Statutory authority to adopt these amendments is in *Minnesota Statutes* § 182.655 (2004).

This notice proposes the adoption of modification to *Minnesota Rules* 5208.1500 "Standard Industrial Classification List" which lists the standard industrial classifications of employers that must comply with the provisions of Minnesota Statutes § 182.653, subdivision 8, also known as "A Workplace Accident and Injury Reduction Act" or "AWAIR." Subdivision 9 of *Minnesota Statutes* § 182.653, required the commissioner to adopt this list of standard industrial classifications and to update the list every two years.

All interested or affected persons have 30 days from the date this notice is published in the *State Register* to submit, in writing, data and views on the proposed amendments to the rule. Comments in support of or in opposition to the proposed amendments are encouraged. Each comment should identify the portion of the proposed amendment addressed, the reason for the comment, and any change proposed.

Any person may file with the Commissioner written objections to the proposed amendments stating the grounds for those objections, and may request a public hearing. A public hearing will be held if 25 or more persons submit written requests for a public hearing on the proposed amendments within the 30-day comment period. Requests for hearing must include the name and address of the person submitting the request, define the reasons for the request, and discuss any proposed changes. If a public hearing is required, the Department will proceed according to the provisions of *Minnesota Statutes* § 182.655 and *Minnesota Rules* 5210.0020 to 5210.0100.

Written comments or requests for a public hearing should be sent to: Occupational Safety and Health Division, Department of Labor and Industry, 443 Lafayette Road, St. Paul, Minnesota 55155-4307.

M. Scott Brener  
Commissioner

#### **SUMMARY OF CHANGES**

The following is a brief summary of the proposed changes. The complete text of the proposed revisions follows this summary. "A Workplace Accident and Injury Reduction Act" (AWAIR) was passed by the Minnesota Legislature during the 1990 session (*Laws of Minnesota, 1990*, Chapter 508). That legislation amended the Occupational Safety and Health Act of 1973 (*Minnesota Statutes* Chapter 182) by adding new subdivisions 8, 9, and 10 to §182.653. Subdivision 8 requires each employer to develop a written workplace safety and health program that explains how managers, supervisors and employees are responsible for implementing the program and how the continued participation of management will be established, measured and maintained; the methods used to identify, analyze and control new or existing hazards, conditions, and operations; how the plan will be communicated to all affected employees so that they are informed of work-related hazards and controls; how workplace accidents will be investigated and corrective action implemented; and how safe work practices and rules will be enforced.

**KEY: Proposed Rules Section - 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 Section - Underlining** indicates additions to proposed rule language. **Strikeout** indicates deletions from proposed rule language.

# Exempt Rules

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Subdivision 9 of §182.653 requires the Commissioner of Labor and Industry to adopt a list of standard industrial classifications (SICs) of employers who must comply with subdivision 8. The list must be based on the safety record or worker's compensation record of the industries. Employers within the standard industrial classifications on the list must comply with subdivision 8 within six months following the date the SIC that applies to them is placed on the adopted list.

To meet the mandate of §182.653, subdivision 9, the department reviewed Minnesota and national injury and illness statistics. The proposed revisions to the list are based on the "Minnesota Occupational Injuries and Illnesses Survey, 2002" which was conducted by the Minnesota Department of Labor and Industry in cooperation with the Bureau of Labor Statistics (BLS). Because the Minnesota survey did not include injury and illness rates for all industries, national BLS survey data, as reported in the Bureau of Labor Statistics for 2002, was also used.

The survey results are reported as occupational injuries and illnesses incidence rates by industry (SIC). For all industries combined, the 2002 Minnesota survey results indicate an injury and illness incidence rate (recordable injuries and illnesses per 100 full-time workers) of 6.0 and a lost workday incidence rate (lost workday cases per 100 full-time workers) of 3.1. These rates reflect the combined or "average" rates for all reporting industries, including state and local government. Those industries (SICs) with an incidence rate higher than 6.0 or a severity rate higher than 3.1 are considered to have a higher-than-average rate of injuries and illnesses and, therefore, are required to comply with the AWAIR Act.

The proposed amendments to 5208.1500 include the addition of those industries with an incidence rate at or above 6.0 or a severity rate at or above 3.1 on the 2002 Minnesota survey. Those industries not reported on the Minnesota survey that appear in the 2002 national survey with rates at or above the Minnesota averages of 6.0 or 3.1 are also added to the list of industries that must comply with AWAIR. Industries on the existing list but whose 2002 rates fell below the 2002 average rates of 6.0 or 3.1 are proposed for deletion from the SIC list. SICs that are not on the proposed list may be added to the list in two years if the incidence or severity rates for the industry go above the Minnesota average rates for that year. Updates to this list will be based on the most current injury and illness data available at the time of the update.

The inclusion of a Standard Industrial Classification Code on the AWAIR list is determined strictly on the basis of BLS reported data for the industry; jurisdictional issues are not considered when adding or deleting an industry from the list. However, Minnesota OSHA does observe jurisdictional boundaries when conducting inspections and will enforce AWAIR only in those areas of an operation that fall within the jurisdiction of Minnesota OSHA. Operations under the sole jurisdiction of another government regulatory agency will not be affected.

## 5208.1500 STANDARD INDUSTRIAL CLASSIFICATION LIST FOR AWAIR.

Employers in the standard industrial classifications listed in this part must comply with *Minnesota Statutes*, section 182.653, subdivision 8. The standard industrial classifications in this part are those defined by the Office of Management and Budget published in the Standard Industrial Classification Manual, 1987 edition.

### For text of items A to C, see M.R.

#### D. Forestry:

- (1) 0811, timber tracts;
- (2) 0831, forest products; and
- (3) 0851, forestry services.

### For text of items E to H, see M.R.

#### I. Special trade contractors:

- (1) 1711, plumbing, heating, air-conditioning;
- (2) 1721, painting and paper hanging;
- (3) ~~1731, electrical work;~~
- (4) 1741, masonry and other stonework;
- (5) (4) 1742, plastering, drywall, and insulation;
- (6) (5) 1743, terrazzo, tile, marble, and mosaic work;
- (7) (6) 1751, carpentry work;
- (8) (7) 1752, floor laying and floor work, not elsewhere classified;
- (9) (8) 1761, roofing, siding, and sheet metal work;
- (10) (9) 1771, concrete work;
- (11) (10) 1781, water well drilling;
- (12) (11) 1791, structural steel erection;
- (13) (12) 1793, glass and glazing work;
- (14) (13) 1794, excavation work;
- (15) (14) 1795, wrecking and demolition work;

~~(16)~~ (15) 1796, installing building equipment, not elsewhere classified; and

~~(17)~~ (16) 1799, special trade contractors, not elsewhere classified.

J. Food and kindred products:

**For text of subitems (1) to (34), see M.R.**

~~(35)~~ 2087, flavoring extracts and syrups, not elsewhere classified;

~~(36)~~ 2091, canned and cured fish and seafoods;

~~(37)~~ (36) 2092, fresh or frozen prepared fish;

~~(38)~~ (37) 2095, roasted coffee;

~~(39)~~ (38) 2096, potato chips and similar snacks;

~~(40)~~ (39) 2097, manufactured ice;

~~(41)~~ (40) 2098, macaroni and spaghetti; and

~~(42)~~ (41) 2099, food preparations, not elsewhere classified.

K. Textile mill products:

~~(1)~~ 2241, narrow fabric mills;

~~(2)~~ 2252, hosiery, not elsewhere classified;

~~(3)~~ 2257, weft knit fabric mills;

~~(4)~~ (2) 2261, finishing plants, cotton;

~~(5)~~ (3) 2262, finishing plants, manmade;

~~(6)~~ (4) 2269, finishing plants, not elsewhere classified;

~~(7)~~ 2282, throwing and winding mills;

~~(8)~~ (5) 2273, carpets and rugs;

~~(6)~~ 2295, coated fabrics, not rubberized;

~~(9)~~ (7) 2296, tire cord and fabrics;

~~(10)~~ (8) 2297, nonwoven fabrics; and

~~(11)~~ (9) 2298, cordage and twine; and

~~(12)~~ 2299, textile goods, not elsewhere classified.

L. Apparel and other textile products:

~~(1)~~ 2311, men's and boys' suits and coats;

~~(2)~~ 2322, men's and boys' underwear and nightwear;

~~(3)~~ (2) 2323, men's and boys' neckwear;

~~(4)~~ (3) 2325, men's and boys' trousers and slacks;

~~(5)~~ (4) 2326, men's and boys' work clothing;

~~(6)~~ 2329, men's and boys' clothing, not elsewhere classified;

~~(7)~~ 2353, hats, caps, and millinery;

~~(8)~~ (5) 2391, curtains and draperies;

~~(9)~~ (6) 2392, house furnishings, not elsewhere classified;

~~(10)~~ (7) 2393, textile bags;

~~(11)~~ (8) 2394, canvas and related products;

(9) 2395, pleating and stitching;

~~(12)~~ (10) 2396, automotive and apparel trimmings;

~~(13)~~ (11) 2397, schiffli machine embroideries; and

~~(14)~~ (12) 2399, fabricated textile products, not elsewhere classified.

**For text of items M and N, see M.R.**

O. Paper and allied products:

~~(1)~~ 2621, paper mills;

~~(2)~~ 2652, setup paperboard boxes;

~~(3)~~ (3) 2653, corrugated and solid fiber boxes;

~~(4)~~ (4) 2655, fiber cans, drums, and similar products;

~~(5)~~ (5) 2656, sanitary food containers; and

~~(6)~~ (6) 2657, folding paperboard boxes.

**For text of item P, see M.R.**

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# Exempt Rules

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## Q. Chemicals and allied products:

- (1) 2812, alkalis and chlorine;
- (2) 2813, industrial gases;
- (3) 2816, inorganic pigments;
- (4) 2819, industrial inorganic chemicals, not elsewhere classified;
- (5) 2821, plastics materials and resins;
- (6) 2822, synthetic rubber;
- (7) 2823, cellulosic manmade fibers;
- (8) 2824, organic fibers, noncellulosic;
- (9) 2833, medicinals and botanicals;
- (10) 2834, pharmaceutical preparations;
- (11) 2835, diagnostic substances;
- (12) 2836, biological products except diagnostic;
- (13) 2841, soap and other detergents;
- (14) 2842, polishes and sanitation goods;
- (15) 2843, surface active agents;
- (16) 2844, toilet preparations;
- (17) 2851, paints and allied products;
- (18) 2861, gum and wood chemicals;
- (19) 2865, cyclic crudes and intermediates;
- (20) 2869, industrial organic chemicals, not elsewhere classified;
- (21) 2873, nitrogenous fertilizers;
- (22) 2874, phosphatic fertilizers;
- (23) 2875, fertilizers, mixing only;
- (24) 2879, agricultural chemicals, not elsewhere classified;
- (25) 2891, adhesives and sealants;
- (26) 2892, explosives;
- (27) 2893, printing ink;
- (28) 2895, carbon black; and
- (29) 2899, chemical preparations, not elsewhere classified.

## R. Petroleum and coal products:

- (1) 2951, asphalt paving mixtures and blocks; and
- (2) 2952, asphalt felts and coatings.

## R- S. Rubber and miscellaneous plastics products:

- (1) 3011, tires and inner tubes;
- (2) 3021, rubber and plastics footwear;
- (3) 3052, rubber and plastics hose and belting;
- (4) 3053, gaskets, packing, and sealing devices;
- (5) 3061, mechanical rubber goods;
- (6) 3069, fabricated rubber products, not elsewhere classified;
- (7) 3081, unsupported plastics film and sheet;
- (8) 3082, unsupported plastics profile shapes;
- (9) 3083, laminated plastics plate and sheet;
- (10) 3084, plastics pipe;
- (11) 3085, plastics bottles;
- (12) 3086, plastics foam products;
- (13) 3087, custom compound purchased resins;
- (14) 3088, plastics plumbing fixtures; and
- (15) 3089, plastics products, not elsewhere classified.

## S- T. Leather and leather products:

- (1) 3111, leather tanning and finishing;
- (2) 3131, footwear cut stock;
- (3) 3142, house slippers;

- ~~(4)~~ 3143, men's footwear, except athletic;
- ~~(5)~~ (4) 3144, women's footwear, except athletic;
- ~~(6)~~ (5) 3149, footwear, except rubber, not elsewhere classified;
- ~~(7)~~ (6) 3151, leather gloves and mittens;
- ~~(8)~~ (7) 3161, luggage;
- ~~(9)~~ (8) 3171, women's handbags and purses; **and**
- ~~(10)~~ (9) 3172, personal leather goods, not elsewhere classified; **and**
- (10) 3199, leather goods, not elsewhere classified.

⌘. U. Stone, clay, and glass products:

- (1) 3211, flat glass;
- (2) 3221, glass containers;
- (3) 3229, pressed and blown glass, not elsewhere classified;
- (4) 3231, products of purchased glass;
- (5) 3241, cement, hydraulic;
- (6) 3251, brick and structural clay tile;
- (7) 3253, ceramic wall and floor tile;
- (8) 3255, clay refractories;
- (9) 3259, structural clay products, not elsewhere classified;
- (10) 3261, vitreous plumbing fixtures;
- (11) 3262, vitreous china table and kitchenware;
- (12) 3263, semivitreous table and kitchenware;
- (13) 3264, porcelain electrical supplies;
- (14) 3269, pottery products, not elsewhere classified;
- (15) 3271, concrete block and brick;
- (16) 3272, concrete products, not elsewhere classified;
- (17) 3273, ready-mixed concrete;
- (18) 3274, lime;
- (19) 3275, gypsum products;
- (20) 3281, cut stone and stone products;
- (21) 3291, abrasive products;
- (22) 3292, asbestos products;
- (23) 3295, minerals, ground or treated;
- (24) 3296, mineral wool;
- (25) 3297, nonclay refractories; **and**
- (26) 3299, nonmetallic mineral products, not elsewhere classified.

⌘. V. Primary metal industries:

- (1) 3312, blast furnaces and steel mills;
- (2) 3313, electrometallurgical products;
- (3) 3315, steel wire and related products;
- (4) 3316, cold finishing of steel shapes;
- (5) 3317, steel pipe and tubes;
- (6) 3321, gray and ductile iron foundries;
- (7) 3322, malleable iron foundries;
- (8) 3324, steel investment foundries;
- (9) 3325, steel foundries, not elsewhere classified;
- (10) 3331, primary copper;
- (11) 3334, primary aluminum;
- (12) 3339, primary nonferrous metals, not elsewhere classified;
- (13) 3341, secondary nonferrous metals;
- (14) 3351, copper rolling and drawing;
- (15) 3353, aluminum sheet, plate, and foil;

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# Exempt Rules

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- (16) 3354, aluminum extruded products;
- (17) 3355, aluminum rolling and drawing, not elsewhere classified;
- (18) 3356, nonferrous rolling and drawing, not elsewhere classified;
- (19) 3357, nonferrous wire-drawing and insulating;
- (20) 3363, aluminum die castings;
- (21) 3364, nonferrous die casting except aluminum;
- (22) 3365, aluminum foundries;
- (23) 3366, copper foundries;
- (24) 3369, nonferrous foundries, not elsewhere classified;
- (25) 3398, metal heat treating; and
- (26) 3399, primary metal products, not elsewhere classified.

~~V~~ W. Fabricated metal products:

- (1) 3411, metal cans;
- (2) 3412, metal barrels, drums, and pails;
- (3) 3421, cutlery;
- (4) 3423, hand and edge tools, not elsewhere classified;
- (5) 3425, saw blades and handsaws;
- (6) 3429, hardware, not elsewhere classified;
- (7) 3431, metal sanitary ware;
- (8) 3432, plumbing fixture fittings and trim;
- (9) 3433, heating equipment, except electric;
- (10) 3441, fabricated structural metal;
- (11) 3442, metal doors, sash, and trim;
- (12) 3443, fabricated plate work (boiler shops);
- (13) 3444, sheet metal work;
- (14) 3446, architectural metal work;
- (15) 3448, prefabricated metal buildings;
- (16) 3449, miscellaneous metal work;
- (17) 3451, screw machine products;
- (18) 3452, bolts, nuts, rivets, and washers;
- (19) 3462, iron and steel forgings;
- (20) 3463, nonferrous forgings;
- (21) 3465, automotive stampings;
- (22) 3466, crowns and closures;
- (23) 3469, metal stampings, not elsewhere classified;
- (24) 3471, plating and polishing;
- (25) 3479, metal coating and allied services;
- (26) 3482, small arms ammunition;
- (27) 3483, ammunition, except for small arms, not elsewhere classified;
- (28) 3484, small arms;
- (29) 3489, ordnance and accessories, not elsewhere classified;
- (30) 3491, industrial valves;
- (31) 3492, fluid power valves and hose fittings;
- (32) 3493, steel springs, except wire;
- (33) 3494, valves and pipe fittings, not elsewhere classified;
- (34) 3495, wire springs;
- (35) 3496, miscellaneous fabricated wire products;
- (36) 3497, metal foil and leaf;
- (37) 3498, fabricated pipe and fittings; and
- (38) 3499, fabricated metal products, not elsewhere classified.

~~W~~ X. Industrial machinery and equipment:

- (1) 3511, turbines and turbine generator sets;
- (2) 3519, internal combustion engines not elsewhere classified;

- (3) 3523, farm machinery and equipment;
- (4) 3524, lawn and garden equipment;
- (5) 3531, construction machinery;
- (6) 3532, mining machinery;
- (7) 3533, oil and gas field machinery;
- (8) 3534, elevators and moving stairways;
- (9) 3535, conveyors and conveying equipment;
- (10) 3536, hoists, cranes, and monorails;
- (11) 3537, industrial trucks and tractors;
- (12) 3541, machine tools, metal cutting types;
- (13) 3542, machine tools, metal forming types;
- (14) 3543, industrial patterns;
- (15) 3544, special dies, tools, jigs, and fixtures;
- (16) 3545, machine tool accessories;
- (17) 3546, power-driven hand tools;
- (18) 3547, rolling mill machinery;
- (19) 3548, welding apparatus;
- (20) 3549, metalworking machinery, not elsewhere classified;
- (21) 3552, textile machinery;
- (22) 3553, woodworking machinery;
- (23) 3554, paper industries machinery;
- (24) 3555, printing trades machinery;
- (25) 3556, food products machinery;
- (26) 3559, special industry machinery, not elsewhere classified;
- (27) 3561, pumps and pumping equipment;
- (28) 3562, ball and roller bearings;
- (29) 3563, air and gas compressors;
- (30) 3564, blowers and fans;
- (31) 3565, packaging machinery;
- (32) 3566, speed changers, drives, and gears;
- (33) 3567, industrial furnaces and ovens;
- (34) 3568, power transmission equipment, not elsewhere classified;
- (35) 3569, general industrial machinery, not elsewhere classified;
- (36) 3581, automatic vending machines;
- (37) 3582, commercial laundry equipment;
- (38) 3585, refrigeration and heating equipment;
- (39) 3586, measuring and dispensing pumps;
- (40) 3589, service industry machinery, not elsewhere classified;
- (41) 3592, carburetors, pistons, rings, and valves;
- (42) 3593, fluid power cylinders and actuators;
- (43) 3594, fluid power pumps and motors
- (44) 3596, scales and balances, except laboratory; and
- (45) 3599, industrial machinery, not elsewhere classified.

X. ~~Electronic and Other Electric Equipment:~~

- ~~(1) 3671, electron tubes;~~
- ~~(2) 3672, printed circuit boards;~~
- ~~(3) 3674, semiconductors and related devices;~~
- ~~(4) 3675, electronic capacitors;~~
- ~~(5) 3676, electronic resistors;~~
- ~~(6) 3677, electronic coils and transformers;~~
- ~~(7) 3678, electronic connectors; and~~

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# Exempt Rules

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~~(8) 3679, electronic components, not elsewhere classified.~~

**For text of items Y to BB, see M.R.**

CC. Water transportation:

**For text of subitems (1) to (4), see M.R.**

- ~~(5) 4481, deep sea passenger transportation, except ferry;~~
- ~~(6) 4482, ferries;~~
- ~~(7) 4489, water passenger transportation, not elsewhere classified;~~
- ~~(8) 4491, marine cargo handling;~~
- ~~(9) (6) 4492, towing and tugboat service;~~
- ~~(10) (7) 4493, marinas; and~~
- ~~(11) (8) 4499, water transportation services, not elsewhere classified.~~

**For text of item DD, see M.R.**

EE. Transportation services:

- ~~(1) 4783, packing and crating;~~
- ~~(2) 4785, inspection and fixed facilities; and~~
- ~~(3) 4789, transportation services, not elsewhere classified.~~

FF. Electric, gas, and sanitary services:

- ~~(1) 4911, electric services;~~
- ~~(2) 4922, natural gas transmission;~~
- ~~(3) 4923, gas transmission and distribution;~~
- ~~(4) 4924, natural gas distribution;~~
- ~~(5) 4925, gas production and/or distribution;~~
- ~~(6) 4931, electric and other services combined;~~
- ~~(7) 4932, gas and other services combined;~~
- ~~(8) 4939, combination utilities, not elsewhere classified;~~
- ~~(9) 4941, water supply;~~
- ~~(10) 4952, sewerage systems;~~
- ~~(11) 4953, refuse systems;~~
- ~~(12) 4959, sanitary services, not elsewhere classified;~~
- ~~(13) 4961, steam and air conditioning supply; and~~
- ~~(14) 4971, irrigation systems.~~

GG. EE. Wholesale trade, durable goods:

- ~~(1) 5012, automobiles and other motor vehicles;~~
- ~~(2) 5013, motor vehicle supplies and new parts;~~
- ~~(3) 5014, tires and tubes;~~
- ~~(4) 5015, motor vehicle parts, used;~~
- ~~(5) 5031, lumber, plywood, and millwork;~~
- ~~(6) 5032, brick, stone, and related materials;~~
- ~~(7) 5033, roofing, siding, and insulation; and~~
- ~~(8) 5039, construction materials, not elsewhere classified;~~
- ~~(9) 5082, construction and mining machinery;~~
- ~~(10) 5083, farm and garden machinery;~~
- ~~(11) 5084, industrial machinery and equipment;~~
- ~~(12) 5085, industrial supplies;~~
- ~~(13) 5087, service establishment and equipment; and~~
- ~~(14) 5088, transportation equipment and supplies.~~

HH. FF. Wholesale trade, nondurable goods:

- ~~(1) 5111, printing and writing paper;~~
- ~~(2) 5112, stationery and office supplies;~~
- ~~(3) 5113, industrial and personal service paper;~~
- ~~(4) 5122, drugs, proprietaries, and sundries;~~
- ~~(5) 5131, piece goods and notions;~~
- ~~(6) 5136, men's and boys' clothing;~~

- (7) 5137, women's and children's clothing;
- (8) 5139, footwear;
- (9) 5141, groceries, general line;
- (10) 5142, packaged frozen foods;
- (11) 5143, dairy products, except dried or canned;
- (12) 5144, poultry and poultry products;
- (13) 5145, confectionery;
- (14) 5146, fish and seafoods;
- (15) 5147, meats and meat products;
- (16) 5148, fresh fruits and vegetables;
- (17) 5149, groceries and related products, not elsewhere classified;
- (18) 5153, grain and field beans;
- (19) 5154, livestock;
- (20) 5159, farm-product raw materials, not elsewhere classified;
- (21) 5162, plastics materials and basic shapes;
- (22) 5169, chemicals and allied products, not elsewhere classified;
- (23) 5171, petroleum bulk stations and terminals;
- (24) 5172, petroleum products, not elsewhere classified;
- (25) 5181, beer and ale;
- (26) 5182, wine and distilled beverages;
- (27) 5191, farm supplies;
- (28) 5192, books, periodicals, and newspapers;
- (29) 5193, flowers and florists' supplies;
- (30) 5194, tobacco and tobacco products;
- (31) 5198, paints, varnishes, and supplies; and
- (32) 5199, nondurable goods, not elsewhere classified.

GG. Building materials and garden supplies:

- (1) 5211, lumber and other building materials;
- (2) 5231, paint, glass, and wallpaper stores;
- (3) 5251, hardware stores;
- (4) 5261, retail nurseries and garden stores; and
- (5) 5271, mobile home dealers.

H. HH. General merchandise stores:

- (1) 5311, department stores;
- (2) 5331, variety stores; and
- (3) 5399, miscellaneous general merchandise stores.

H. II. Food stores:

- (1) 5411, grocery stores;
- (2) 5421, meat and fish markets;
- (3) 5431, fruit and vegetable markets;
- (4) 5441, candy, nut, and confectionery stores;
- (5) 5451, dairy products stores;
- (6) 5461, retail bakeries; and
- (7) 5499, miscellaneous food stores.

~~KK.~~ JJ. Automotive dealers and service stations: 5511, new and used car dealers.

KK. Furniture and homefurnishings stores:

- (1) 5712, furniture stores;
- (2) 5713, floor covering stores;
- (3) 5714, drapery and upholstery stores;
- (4) 5719, miscellaneous homefurnishings stores;
- (5) 5722, household appliance stores;
- (6) 5731, radio, television, and electronic stores;
- (7) 5734, computer and software stores;

# Exempt Rules

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- (8) 5735, record and prerecorded tape stores; and
- (9) 5736, musical instrument stores.

**For text of item LL, see M.R.**

**MM. Personal services:**

- (1) 7211, power laundries, family and commercial;
- (2) 7212, garment pressing and cleaners' agents;
- (3) 7213, linen supply;
- (4) 7215, coin-operated laundries and cleaning;
- (5) 7216, drycleaning plants, except rug;
- (6) 7217, carpet and upholstery cleaning;
- (7) 7218, industrial launderers;
- (8) 7219, laundry and garment services, not elsewhere classified;
- (9) 7221, photographic studios, portrait;
- (10) 7231, beauty shops;
- (11) 7241, barber shops;
- (12) 7251, shoe repair and shoeshine parlors;
- (13) 7261, funeral service and crematories;
- (14) 7291, tax return preparation services; and
- (15) 7299, miscellaneous personal services, not elsewhere classified.

**NN. Amusement and recreation services:**

- (1) 7911, dance studios, schools, and halls;
- (2) 7922, theatrical producers and services;
- ~~(2)~~ (3) 7929, entertainers and entertainment groups;
- ~~(3)~~ (4) 7941, sports clubs, managers, and promoters;
- ~~(4)~~ (5) 7948, racing, including track operation.

**~~NN.~~ OO. Health services:**

- (1) 8051, skilled nursing care facilities;
- (2) 8052, intermediate care facilities;
- (3) 8059, nursing and personal care, not elsewhere classified;
- (4) 8062, general medical and surgical hospitals;
- (5) 8063, psychiatric hospitals;
- (6) 8069, specialty hospitals, except psychiatric;
- (7) 8071, medical laboratories;
- (8) 8072, dental laboratories;
- (9) 8082, home health care services;
- (10) 8092, kidney dialysis centers;
- (11) 8093, specialty outpatient clinics, not elsewhere classified; and
- (12) 8099, health and allied services, not elsewhere classified.

**~~OO.~~ PP. Social services:**

- (1) 8322, individual and family services;
- (2) 8331, job training and related services;
- (3) 8351, child day care services;
- (4) 8361, residential care; and
- (5) 8399, social services, not elsewhere classified.

**~~PP.~~ QQ. Museums, botanical, zoological gardens: 8422, botanical and zoological gardens.**

## Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency 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. Expedited emergency rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain emergency conditions. Expedited emergency rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited emergency rules detail the agency's rulemaking authority.

## Department of Natural Resources

### Adopted Expedited Emergency Game and Fish Rules; Additional Bear Permits

**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 97B.405 and 97B.411.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that: non-resident bear hunting applications were received before the application deadline but were not entered into the system. Therefore, they were not given the opportunity to draw a bear license. The department needs to amend the rule capping the number of permits in order to provide additional bear permits for customers who made application within the deadline but were not able to participate in the drawing because of the error made by the department.

Dated: July 6, 2004

Mark Holsten  
Deputy Commissioner of Natural Resources

#### **6232.3056 ADDITIONAL BEAR PERMITS.**

Additional bear permits are authorized for permit areas 12, 26, 41, and 44. The additional bear permits are only available to nonresident bear applicants who submitted their application before the deadline and were not entered into the computerized lottery system. Licenses shall be made available using the same procedures as the drawing held for the 2004 bear season under part 6232.2900.

**EFFECTIVE PERIOD.** *Minnesota Rules*, part 6232.3056, expires December 31, 2004.

## 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 Board on Aging

### Notice of Intent to Designate Provisional Area Agencies on Aging

On April 16, 2004, the Minnesota Board on Aging (MBA) revised the boundaries of its planning and service areas (PSAs) for more efficient administration of programs under the Older Americans Act (42 U.S.C. 3001 et seq). This action reduced the number of PSAs from thirteen to six and created three new PSAs as of January 1, 2005. In accordance with 42 U.S.C. 3025(a)(2), the MBA is required to designate an area agency on aging (AAA) for each planning and service area, so three new AAAs must be designated by January 1, 2005. The parts of the state affected by this notice are:

- |                |  |
|----------------|--|
| *Northwest PSA | Economic development regions 1, 2 and 4      |
| *Central PSA   | Economic development regions 5, 7E and 7W    |
| *Southwest PSA | Economic development regions 6E, 6W, 8 and 9 |

Because there are no designated AAAs for these new PSAs at this time, the MBA intends to provisionally designate entities as AAAs, which will provide them with temporary authority to prepare and submit a 2005 Area Plan and, more importantly, to award grants and contracts for direct services for the 2005 Area Plan year. Permanent designation will be made by the MBA at its December, 2004 meeting.

# Official Notices

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## PROCEDURES FOR PROVISIONAL DESIGNATION

To apply for provisional designation as the AAA for a specific planning and service area, an interested party must file a letter of intent with the Board no later than 4:00 PM, Monday, August 2, 2004. The letter of intent must include a statement of the planning and service area for which the interested party will seek designation, as well as a statement attesting to the legal status of the entity that will submit an application. Upon determination that the interested party is eligible to apply, application materials and instructions will be forwarded.

Applications for provisional designation will be due no later than 4:00PM, Monday, August 23, 2004. At a minimum, applicants will be expected to provide the following:

- a. evidence/documentation of the applicant's legal status as an entity eligible to be designated an area agency on aging. Examples of this would include such items as Articles of Incorporation, bylaws, registration certificate from the Secretary of State, minutes of local board actions approving (formal) collaborative working agreements, etc;
- b. an organizational chart showing all staff positions and advisory/decision-making bodies for the proposed area agency on aging that meet the minimum requirements of the MBA's "Roles for the Area Agencies in Minnesota" and "Aging Network – Standards and Guidelines";
- c. position descriptions for all area agency staff that conform with the MBA Standards and Guidelines; and
- d. evidence/documentation of the applicant's ability to provide the minimum 25% non-federal matching resources for area agency administration as well as the willingness and commitment to provide additional resources to staff the area agency on aging at levels higher than minimum MBA staffing requirements, should the applicant believe it necessary.

Copies of the "Roles" and "Standards" documents will be included in the materials sent to eligible entities.

## FUNCTIONS OF AREA AGENCIES ON AGING

An AAA must:

- a. develop and administer an area plan on aging for a comprehensive and coordinated system of services in the PSA; and
- b. serve as the advocate and focal point for older individuals in the PSA.

## DEFINITION OF AN AREA PLAN ON AGING

An Area Plan on Aging is the document submitted by an AAA to the MBA for approval, which allows it to receive funding for programs and services for older individuals in the PSA. The area plan contains provisions required by the Older Americans Act and MBA policies and commitments that the AAA will administer all activities in accordance with Federal and State mandates. An AAA may use its contracting or granting authority only for activities under its approved Area Plan.

## ELIGIBILITY

The MBA may designate as an AAA any of the following types of agencies that have the authority to perform the functions of an AAA:

- a. an established office on aging which operates within the designated PSA boundaries;
- b. any office or agency of a unit of general purpose local government designated by the chief elected official to function only as an AAA;
- c. any office or agency designated by the chief elected officials of a combination of units of general purpose local governments to function as an AAA; or
- d. any other public or private nonprofit agency under the supervision or direction for this purpose of the MBA and which can and will engage only in the planning or provision of a broad range of services for older individuals within such planning and service area.

## SELECTION CRITERIA

The degree to which an applicant agency can demonstrate capacity to:

- a. develop and administer an area plan;
- b. serve as the advocate and focal point for older individuals and their issues;
- c. meet or exceed federal and state policy and procedural requirements; and
- d. provide sound fiscal planning, management and control.

The degree to which an applicant agency can demonstrate compatibility between its organizational goals and the goals of the Older Americans Act through:

- a. documentation of agency mission and clarity of purpose;

- b. historical commitment to the well-being of older individuals; and
- c. an explanation of planning and coordinating role in the community.

The degree to which an applicant agency can demonstrate:

- a. the ability to provide sufficient matching resources to meet the nonfederal share of AAA administrative costs;
- b. the support of local governmental bodies in the PSA; and
- c. the support of programs, organizations and clubs for older individuals within the PSA.

### DEADLINES

Letters of intent must be received no later than 4:00 PM, Monday, August 2, 2004. Completed applications must be received no later than 4:00 PM, Monday, August 23, 2004. Both should be submitted to:

Executive Director  
Minnesota Board on Aging  
444 Lafayette Road  
St. Paul, MN 55155-3843

Questions regarding this Notice may be directed to Jim Knobel at (651) 296-0877 or [jim.knobel@state.mn.us](mailto:jim.knobel@state.mn.us)

## Minnesota Board of Behavioral Health and Therapy REQUEST FOR COMMENTS on Possible Rules Governing License Renewals and Termination of License, *Minnesota Rules*, Citation to be Assigned by the Revisor of Statutes

**Subject of Rules.** The Minnesota Board of Behavioral Health and Therapy requests comments on its possible rules governing license renewals and termination of license. The Board is considering rules that describe the term and expiration of each license, describe when the licensee will be sent a renewal notice, describe how a licensee may apply for renewal of a license, describe what the licensee should do pending renewal, describe late fee penalties, expired license effects, termination for non-renewals, voluntary terminations, re-licensure following terminations, cancellation of license, and board jurisdiction over terminations.

**Persons Affected.** The rules would likely affect Licensed Professional Counselors in Minnesota.

**Statutory Authority.** *Minnesota Statutes*, section 148B.52, authorizes and requires the Board of Behavioral Health & Therapy to establish by rule appropriate techniques for determining whether applicants and licensees are qualified under sections 148B.50 to 148B.593 and to establish initial and renewal application and examination fees.

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that the Board of Behavioral Health and Therapy intends to adopt or to withdraw the rules. The Board of Behavioral Health & Therapy does not contemplate appointing an advisory committee to comment on the possible rules. Nevertheless, Board members are representative of both professionals working in the field as well as members which represent the public at large. A committee of the full Board, called the Policy & Rules Committee, has been formed to work on various components of the rules in an ongoing basis.

**Rules Drafts.** The Board of Behavioral Health & Therapy, at the recommendation of the Policy & Rules Committee of the Board, has prepared a draft of the possible rules.

**Agency Contact Person.** Written comments, questions, requests to receive a draft of the rules and requests for more information on these possible rules should be directed to: Kari Rechtzigel, Executive Director of the Board of Behavioral Health & Therapy at 2829 University Avenue SE, Suite 210, Minneapolis, Minnesota 55414, **phone:** (612) 617-2192, **FAX:** (612) 617-2177, and **Email** [kari.rechtzigel@state.mn.us](mailto:kari.rechtzigel@state.mn.us). **TTY** users may call the Board at 1-800-627-3529.

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

# Official Notices

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

Dated: July 20, 2004

Kari Rechtzigel, Executive Director  
Board of Behavioral Health & Therapy

## Minnesota Department of Education Division of Academic Standards and Professional Development REQUEST FOR COMMENTS on Possible Rules Governing K-12 Core Academic Standards for Science, *Minnesota Rules*, part 3501

**Subject of Rules.** The Minnesota Department of Education requests comments on its possible rules governing K-12 Core Academic Standards for Science. The department is required to adopt rules identical to those in the document titled "Minnesota Academic Standards, Science K-12, December 19, 2003, Minnesota Academic Standards Committee, Minnesota Department of Education." This document can be viewed on the department's web site at <http://education.state.mn.us>.

**Persons Affected.** The rules would likely affect Minnesota students, families and science educators.

**Statutory Authority.** *2004 Minnesota Laws*, chapter 294, article 6, section 1, requires the department to adopt rules for K-12 Core Academic Standards for Science to be implemented for all students beginning in the 2005-2006 school year.

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that the department intends to adopt or to withdraw the rules.

**Rules Drafts.** The department has not yet prepared a draft of the possible rules, although the rules should be substantially similar to the legislative document noted above. Only minor formatting and grammatical changes will be made.  
**Agency Contact Person.** Written comments, questions, requests to receive a draft of the rules when it has been prepared and requests for more information on these possible rules should be directed to: Kristen Schroeder at Department of Education, 1500 Highway 36 West, Roseville, MN, 55113; **telephone:** (651) 582-8607; **FAX:** (651) 582-8248; **e-mail:** [mde.rulemaking@state.mn.us](mailto:mde.rulemaking@state.mn.us). **TTY** users may call the department at (651) 582-8725.

**Alternative Format.** Upon request, this Request for Comments can be made available in an alternative format. To make such a request, please contact the agency contact person at the address or telephone number listed above.

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

Dated: July 19, 2004

Chas Anderson, Deputy Commissioner  
Department of Education

## Emergency Medical Services Regulatory Board NOTICE OF COMPLETED APPLICATION In the Matter of the License Application of the Mdewakanton Fire Department Ambulance Service, Shakopee, Minnesota

PLEASE TAKE NOTICE that the Emergency Medical Services Regulatory Board (hereinafter EMSRB) has received a completed application from the **Mdewakanton Fire Department Ambulance Service, Shakopee, Minnesota**, for a new license, advanced ambulance.

**NOTICE IS HEREBY GIVEN** that, pursuant to *Minnesota Statutes* section 144E.11, subdivision 3, each municipality, county, community health board, governing body of a regional emergency medical services system, ambulance service and other person wishing to make recommendations concerning the disposition of the application, shall make written recommendations or comments opposing the

application to the EMSRB within 30 days or by August 25, 2004, 4:30 p.m.

Written recommendations or comments opposing the application should be sent to: Mary Hedges, Executive Director, EMSRB, 2829 University Avenue S.E., Suite 310, Minneapolis, Minnesota 55414-3222.

If fewer than six comments opposing the application are received during the comment period, and the EMSRB approves the application, the applicant will be exempt from a contested case hearing, pursuant to *Minnesota Statutes* section 144E.11, subdivision 4. If six or more comments in opposition to the application are received during the comment period or the EMSRB denies the application, the applicant may immediately request a contested case hearing, or may try to resolve the objections of the public and/or the EMSRB within 30 days, pursuant to *Minnesota Statutes* section 144E.11, subdivision 5(a), (b). If the applicant is unable to resolve the objections within 30 days, or if the applicant initially requests a contested case hearing one will be scheduled and notice of the hearing given pursuant to *Minnesota Statutes* section 144E.11, subdivision 5(c), (e).

Mary F. Hedges, Executive Director

## **Department of Employment and Economic Development Comment is Invited at a Public Meeting in Monticello, MN on Employment Services for Persons with Disabilities**

The Minnesota State Rehabilitation Council and the Minnesota Department of Employment and Economic Development (DEED) are hosting a meeting to receive public comment on employment services for persons with disabilities.

The meeting will be held at the Monticello Community Center, 505 Walnut Street, Monticello, Minnesota from 9:30a.m. to 2:00 p.m. on Wednesday, August 25, 2004. There will be a presentation on supported employment from 9:30 to 10:15.

The public is invited to comment on the need for, value, and effectiveness of vocational rehabilitation (VR) services in Minnesota. The State Rehabilitation Council advises DEED – Rehabilitation Services on issues such as public satisfaction with VR services, barriers to employment encountered by persons with disabilities, services to youth and young adults in transition to their chosen careers, and the need for brief and long-term employment supports for persons with disabilities. Comment is especially invited on the following:

1. The need for and status of *supported employment services* in Minnesota.
2. Possible changes to rules that govern consumer financial participation, delivery of post-secondary education services, and vehicle modifications through the state's Rehabilitation Services - VR Program. Changes under consideration are:
  - reducing the threshold at which people will be asked to participate financially in the cost of their employment plan to 200% of poverty;
  - reducing the amount VR provides under a fee schedule for postsecondary tuition, and removing fee schedule exceptions for the University of Minnesota, Gallaudet University, National Training Institute for the Deaf, and all private colleges
  - specifying the dollar amount VR may contribute towards maintenance when a student is eligible for maintenance assistance;
  - taking into account the availability of public transit, including paratransit service, before vehicle modifications are approved.

Comment is invited from consumers of vocational rehabilitation services, family members, teachers, service providers and employers. Interested persons may come at any time to participate. ASL and real-time captioning will be available. For more information, to request reasonable accommodations, or to request information about rule changes under consideration, contact Gail Lundeen at (651) 296-5629 (voice) or (651) 296-3900 (TTY). Reasonable accommodations should be requested by Wed., Aug. 18, 2004.

## **Department of Employment and Economic Development Job Opportunity Building Zones (JOBZ) Modifications**

Pursuant to *Minnesota Statutes* § 469.320, Subd. 3, the following modifications were made to the Job Opportunity Building Zones:

### **Positively Southern MN JOBZ Growth Corridor -**

**Albert Lea Subzone** 179 was reduced by 8.14 acres

Albert Lea Subzone 179.1 was created using 8.14 acres

Caledonia Subzone 247 was reduced by 3.09 acres

# Official Notices

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Caledonia Subzone 247.1 was created using 3.09 acres

**Region 5 JOBZone -** St. Cloud Subzone 137 was reduced by 9.9 acres

St. Cloud Subzone 137.2 was created using 9.9 acres

Little Falls Subzone 69 was reduced by 4 acres

Little Falls Subzone 69.1 was created using 4 acres

**West Central JOBZone –**

Melrose Subzone 108 was reduced by 13.91 acres

Melrose Subzone 108.1 was created using 13.91 acres

Alexandria Subzone 30 was reduced by 2.57 acres

Alexandria Subzone 30.1 was created using 2.57 acres

Moorhead Subzone 25 was reduced by 8.14 acres

Moorhead Subzone 26 was increased by 23.68 acres

Moorhead Subzone 28 was reduced by 15.54 acres

**Southern Minnesota Alliance JOBZone –**

Kenyon Subzone 22 was increased by 0.48 acres

**Land of the Dancing Sky –**

Greenbush Subzone 30 was reduced by 8 acres

Deer Township Subzone 89 was created using 8 acres

July 14, 2004

Commissioner Matt Kramer

## Department of Human Services

### Mental Health Services on Authorization List as a Condition of Minnesota Health Care Programs (MHCP) Payment

The following is a listing of added codes to the current authorization list. The newly added codes will require authorization on or after August 1, 2004. As authorized by *Minnesota Statutes*, section 256B.0625, subdivision 25, the following list includes all mental health services that have been added, changed, or deleted from authorization as a condition of Minnesota Health Care Programs (MHCP) payment. The criteria used to develop this list are as follows:

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

**These newly added or changed codes will require Authorization for services provided on or after August 1, 2004**

#### Added Code

#### Description

H0019\*38

behavioral health; long-term residential (non-medical, non-acute care in a residential treatment program where stay is typically longer than 30 days), without room and board, per Diem

**Footnotes in this document are not in order intentionally.**

- \*4. A. Authorization is required for more than twenty-six (26) hours (52 visits/units of 90804, 90805) or 90875 (when billed in one unit increments) and twenty-six (26) hours of 90806 or 90807 or 40 units of 90875 (when billed in two unit increments) per calendar year. Note: The 90875 when billed as one unit and 90804 or 90805 combined decrements from the total 26 hours per calendar year. There is not a separate benefit level for each code. Likewise, 90875 when billed as two units and 90806 or 90807 combined decrement from the total 20 hours per calendar year. There is not a separate benefit level for

each code.

B. Authorization is required either when more than three (3) hours of 90853 are provided within a five-(5) calendar day period, or when more than seventyeight (78) hours per calendar year have been reached.

C. Authorization is required for 90847 in excess of 26 hours per calendar year. (Note: 90846 must be used when the family member being treated is not present during the family therapy session. CPT 90846 is subject to the same authorization requirements and limitations as those imposed on CPT 90847. Use of this code does not result in an additional benefit level but counts against the benefit level available for 90847.

- \*9 Authorization is required for behavioral health day treatment. For adults age 21 and older, authorization is required for mental health day treatment in excess of 115 hours per 365 days.
- \*14 Authorization is required for 90802, 90810-90814, 90857 when the thresholds of 90801, 90806 or 90807, 90853 have been used. These codes will be included in the thresholds of codes 90801, 90806 or 90807, 90853. (The provider cannot bill both a 90806 and 90807 and 90810-90814. They must choose one or the other.)
- \*15 Authorization is required for behavioral health day treatment (cognitive remediation training) H2012 HK prior to initiation of service.
- \*16 Authorization is required for more than 26 hours per calendar year of H0034 and 26 hours per calendar year of H0034 HQ.
- \*19 Authorization is required for neuropsychological testing and assessment (96117) a) to exceed 7 hours Of CPT code 96117 services per calendar year. A maximum of 10 hours may be approved with Authorization for a single assessment; and/or if multiple assessments (i.e., re evaluation) are requested and determined to be medically necessary, a maximum of 15 hours of CPT code 96117 may be allowed with authorization for the calendar year. Effective 01/01/04, the unit length for this service is changed from 15 minutes to 1 hour.
- \*23 Authorization is required for person's 18 years of age and under.
- \*29 Codes 90816 through 90829 when provided in other than an inpatient place of service shall be subject to the same practice parameters and service coverage limitations as other outpatient, individual psychotherapy codes (90804 through 90815) unless authorized.
- \*30 Authorization is required for the following conditions:
  - 1. Service provided more than 21 days after admission.
  - 2. Readmission within 45 days of a previous discharge from a PHP.
  - 3. For an adult (age 18 and older), fewer than five hours of covered service per day.
  - 4. For a child (through age 17), fewer than three hours of covered service per day.
- \*31 Authorization is required for more than 260 hours per 180 days or 300 hours per calendar year combined total of H2017, H2017 HM and H2017 HQ.
- \*32 Authorization is required for more than 10 hours per month or 72 hours per calendar year.
- \*33 Authorization is required for more than two hours in one day or more than four hours per calendar month or more than eight hours per calendar year.
- \*34 Authorization is required for more than 10 hours in one day or more than 30 hours in 30 days or more than 60 hours in a calendar year.
- \*35 Authorization is required for more than 60 hours combined total of S9484, S9484 HM and S9484 HQ in a calendar year.
- \*36 Pending federal approval, authorization is required for more than 60 hours combined total of S9484 HQ, S9484, S9484 HM and H0018 in a 365 - day period. One day of H0018 is counted as 8 hours.
- \*37 Pending federal approval, authorization is required for more than 7 days of H0018 in a 365 day period
- \*38 The Authorization threshold is 90 days per admission. Transfer from one intensive residential arrangement to another without interim discharge to the community is considered one admission.

# 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.

## Department of Administration

### Real Estate Management Division

#### Proposal Request for Leasing Office and Storage Space for the Department of Human Services

**NOTICE IS HEREBY GIVEN** that the State of Minnesota, Department of Administration requests proposals to lease approximately 258,123 usable square feet of office and storage space in St. Paul for the Department of Human Services.

For a copy of the Request for Lease Proposal (RFP) specifications/requirements, go to [www.admin.state.mn.us](http://www.admin.state.mn.us) or email [Kathy.Meyer@state.mn.us](mailto:Kathy.Meyer@state.mn.us) or fax a request to (651) 215-6245.

All RFP responses must be received by the Real Estate Management Division, Administration Building, 50 Sherburne Avenue, Room 309, St. Paul, MN 55155 no later than 2:30 p.m. on Wednesday, September 8, 2004.

## Office of Administrative Hearings

### Administrative Law Section

#### Notice of Request for Proposal for Administrative Law Judge Services

The Minnesota Office of Administrative Hearings is seeking qualified attorneys to serve as administrative law judges for the period from September 15, 2004 through August 31, 2006.

Compensation will be at the rate of \$94 per hour. Persons who serve as contract administrative law judges, or members of their firm, may not appear as an attorney in any hearing conducted by this office.

To receive a complete Request for Proposal, please notify: Sandra Haven, Office of Administrative Hearings, Suite 1700, 100 Washington Square, Minneapolis, MN 55401 [telephone: (612) 3417642, TDD: (612) 3417346]. Final proposals must be received by August 6, 2004. The Request for Proposal can be furnished in large print or on a cassette tape by calling (612) 341-7642.

An Equal Opportunity Employer

## Minnesota State Colleges and Universities

### Minneapolis Community & Technical College

#### NOTICE OF INTENT to Request Proposals for Renovation of Interior Signage for Five Buildings on the Minneapolis Community & Technical College Campus

**Sealed Proposals** delivered to: Mary Prozeller  
Minneapolis Community & Technical College  
1501 Hennepin Avenue South  
Room T11  
Minneapolis, MN 55403  
(612) 659-6808

**Envelope shall be addressed to:** Michael Noble-Olson / Purchasing Manager  
Minneapolis Community & Technical College]

**Due Date & Time:** 2:00 p.m., August 10, 2004 all proposals will be opened and publicly read aloud.

Bid Forms, Contract Documents, Drawings and Specifications as prepared by the Project Consultant, Visual Communications Inc. are on file at the offices of:

- 1) **Visual Communications Inc.**
- 2) **The builder's exchanges of St. Paul and Minneapolis**

Complete sets of bid forms and Drawings and Specifications for use by Bidders may be obtained from the Consultant beginning July 26, 2004. Send a check (non-refundable) for \$35.00 (includes cost of materials and the mailing fee) to:

Dennis Engman  
Visual Communications  
475 Cleveland Avenue South  
St. Paul, MN 55104  
**Phone:** (651) 644-4494  
**FAX:** (651) 644-4289

Every bid of more than \$15,000.00 must be accompanied by a certified check, payable to the State of Minnesota, in the sum of not less than five percent (5%) of the total bid **OR** a corporate surety bond, in the sum of not less than five percent (5%) of the total bid, issued by a surety company authorized to do business in the State of Minnesota.

## Board of Electricity

### Notice of Request for Proposals for Providing Electrical Inspection Service (September 1, 2004 Through June 30, 2005)

The Board of Electricity is requesting proposals to provide primary electrical inspection service in identified areas of the state. In addition, the Board of Electricity is requesting proposals to provide supplemental electrical inspection service in all areas of the state that are not provided with local inspection service. Note: In accordance with *Minnesota Statutes* section 326.241, subdivision 2(2), all persons performing electrical inspections must be licensed as journeyman or master electricians.

- **Primary Inspection Area DA1053 - In Mower County, the City of Austin and the townships of Austin, Lansing, and Lyle**
- **Primary Inspection Area DA1075 - Nicollet County and Sibley County**

A detailed Request for Proposals packet has been prepared by the Board that defines available geographical inspection areas, minimum service requirements, and other related information. The packet is available by mail, or for pick up at the board office. The packet cannot be faxed or e-mailed.

Prospective responders interested in submitting a proposal for this service should request the detailed Request for Proposal packet. Requests for the detailed Request for Proposal packet and related questions should be directed to the following person:

|   |   |
|---|---|
| John I. Williamson, Assistant Executive Secretary | <b>Telephone:</b> (651) 642-0800          |
| Minnesota Board of Electricity                    | <b>Facsimile:</b> (651) 642-0441          |
| Griggs-Midway Building, Suite S-128               | <b>Email:</b> john.williamson@state.mn.us |
| 1821 University Avenue                            |   |
| Saint Paul, MN 55104                              |   |

Completed proposals must be received at the Board office by 3:00 p.m. Central Time, Tuesday, August 17, 2004. Late proposals will not be considered.

# State Contracts

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## Department of Human Services

### Aging and Adult Services

#### Notice of Request for Proposals to Expand Home- and Community-Based Services for Older Adults

The Minnesota Department of Human Services (DHS), Aging Initiative, is soliciting proposals for state fiscal year 2005 (FY 05) from qualified applicants to expand home- and community-based services for older adults as directed by *Minnesota Statutes 256.9754 and 256B.0917, subd. 13*. The goal of the Community Service/Community Services Development and Caregiver Support and Respite (CS/SD) grants awarded under this Request for Proposals (RFP) is to help communities rebalance their long-term care service system for persons age 65 years and older and support their families by: 1) Reducing reliance on nursing facility care; 2) Increasing the supply of home- and community-based services; 3) Integrating health and social services; 4) Supporting informal caregivers; and 5) Providing better consumer experiences and administrative efficiencies. DHS will give preference to proposals from communities that have had or will have a voluntary nursing facility closure after June 30, 2003.

DHS is seeking proposals that will: 1) Integrate family, informal and quasi-formal care systems, formal social service systems and health care services; 2) Increase the numbers of older Minnesotans using home- and community-based services in target communities; 3) Increase access to home- and community-based services in target communities; 4) Support families and other informal caregivers; and 5) Coordinate with existing services funded by State, Federal, and other sources.

Among the possible applicants for these grants are non-profit agencies, for-profit entities, including nursing facilities, housing owners and service providers, and units of government. Eligible applicants for the Community Service Grants and Community Services Development Grants are non-profit agencies and units of government.

DHS encourages coordination and collaborations among applicants. In some cases DHS requires participation of an informal service provider, a county or counties, a health care provider and/or an Area Agency on Aging.

All proposals for FY 05 funds, including current grant recipients, must be made through this RFP process.

Applicant Conferences will be held via video conference Monday August 16, 2004, 1:30 PM to 4:30 PM, and Wednesday, August 16, 2004, 9:00 AM to 12:00 Noon.

Pre-register to attend one of the video conference sites by 12:00 Noon, August 13 by calling: (651) 296-2770. Registration is required for each person attending.

Information about the video conferences, including the sites, is posted at the following URL:

[http://www.dhs.state.mn.us/main/groups/aging/documents/pub/dhs\\_id\\_027565.hcsp](http://www.dhs.state.mn.us/main/groups/aging/documents/pub/dhs_id_027565.hcsp)

The full text of the RFP, which includes requirements that must be met in order to submit a proposal and proposal evaluation criteria, is available on the Internet at:

[http://www.dhs.state.mn.us/main/groups/aging/documents/pub/dhs\\_id\\_006302.hcsp](http://www.dhs.state.mn.us/main/groups/aging/documents/pub/dhs_id_006302.hcsp)

or upon request by contacting:

Rolf Hage  
State Program Administrator, Principal  
Aging and Adult Services  
444 Lafayette Road North.  
St. Paul, MN. 55155-3843  
[Rolf.Hage@state.mn.us](mailto:Rolf.Hage@state.mn.us)  
**Phone:** 800-882-6262  
**TTY:** 800-627-3529

## **Minnesota Department of Human Services State Operated Services**

### **Request for Proposals for Qualified Parties to Provide On-Site Dental Services Throughout the State**

The Minnesota Department of Human Services, State Operated Services is soliciting proposals from qualified parties to provide on-site dental services for clients throughout the State. The Department anticipates that multiple contracts will be awarded in order to cover all of the geographical areas of the state.

A responder entering into a contract is not guaranteed any particular volume or frequency of work. Work will be assigned on an as needed basis. The terms of the contract(s) will be September 1, 2004 to August 31, 2005 with the option to renew for two additional two-year periods.

A complete Request for Proposal may be obtained by calling or writing:

Debbie Rielley  
Department of Human Services  
State Operated Services Support Division  
444 Lafayette Rd  
St. Paul MN 55155-3826  
**Telephone:** (651) 582-1882  
**Facsimile:** (651) 582-1890  
**E-mail:** *debbie.rielley@state.mn.us*

Proposals must be received by August 17, 2004, 2:00pm CST to be considered. It is anticipated that the selection and evaluation will be completed by August 25, 2004.

This Request for Proposals does not obligate the State to complete the RFP process or to enter into a contract. The State reserves the right to cancel this RFP at any time and for any reason.

## **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

# State Contracts

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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.

## Anoka County

### Notice of Request for Proposals for Migration of Anoka County's Network Infrastructure from Token-Ring to Fast Ethernet, Including Products and Professional Services

**NOTICE IS HEREBY GIVEN** that Anoka County is seeking proposals for the provision of products, services, and technologies to migrate the County's Network from its current Token-Ring technology to a switched Fast 100mb Ethernet network with a dual redundant gigabit backbone. This RFP does not include cabling infrastructure or the purchase of network interface cards (NIC).

Proposals shall be submitted in exact accordance with the Request for Proposals (RFP) Package. The Request for Proposals Package may be obtained at the Anoka County web site: <http://www.co.anoka.mn.us/bids>.

Proposal due date: August 30, 2004, at 4:00 pm Central Daylight Saving Time.

If one needs an accommodation, such as an interpreter or printed material in an alternate format (i.e. Braille, large print, or audio), contact John Sullivan, Risk & Procurement Manager at (763) 323-5370, **TDD/TTY** (763) 323-5289.

## Metropolitan Council

### Notice of Request for Proposals (RFP) for Engineering Services for Midtown Exchange Transit Station

#### Contract Number 04P078

The Metropolitan Council is requesting proposals for engineering, design, and construction support services for the Midtown Exchange Transit Station at the former Sears Tower in Minneapolis. Service will include site survey, parking structure design, construction specifications, pre-bid and bidding activities, prepare and review drawings, and construction oversight for two custom-designed, en-

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# Non-State Contracts & Grants

closed passenger waiting facilities.

|   |                           |
|---|---------------------------|
| <i>Issue Request for Proposals</i>        | <b>July 26, 2004</b>      |
| <i>Receive Proposals</i>                  | <b>August 13, 2004</b>    |
| <i>Select Consultant</i>                  | <b>September 21, 2004</b> |
| <i>Contract negotiated, executed, NTP</i> | <b>September 27, 2004</b> |
| <i>Advertise for Construction Bids</i>    | <b>February 2005</b>      |

All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

Harriet Simmons, Senior Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
Mears Park Centre  
230 E. Fifth Street  
St. Paul, MN 55101  
**PHONE:** 651-602-1086  
**FAX:** 651-602-1083  
**Email:** [harriet.simmons@metc.state.mn.us](mailto:harriet.simmons@metc.state.mn.us)

## Metropolitan Council

### Notice of Request for Proposals for Facility Planning Improvements to Existing Interceptors

#### RFP Number 04P007, Project Number 802810, MSB 7019A&B Improvements

**NOTICE IS HEREBY GIVEN** that the Metropolitan Council is soliciting proposals for facility planning for improvements to existing Council interceptors 7019 A & B and 7020 which are generally near the southwest section Lake Minnetonka. Included are lift stations L24, St. Bonifacius, L23, Baycliff, and L22, Schutz Lake and gravity sewer interceptors, forcemains, flow metering, and odor control facilities.

The Council will not accept a proposal from the successful Proposer for this RFP for any subsequent work of this project or related projects that is based on this facilities plan including, without limitation, work involving detailed design services or construction support services.

The contract is eligible for PFA funding and has subcontracting goals of 3.5% for MBE and 11.5% for WBE. The estimated cost for this contract is \$800,000 - \$1,000,000.

The **tentative** schedule for this project is as follows.

|                            |                        |
|----------------------------|------------------------|
| <i>RFP Issue Date</i>      | <b>July 29, 2004</b>   |
| <i>Proposals Due</i>       | <b>August 31, 2004</b> |
| <i>NTP</i>                 | <b>October 2004</b>    |
| <i>Draft facility Plan</i> | <b>August 2005</b>     |

All firms interested in this project should submit a request for a copy of the RFP through:

Harriet Simmons, Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
Mears Park Centre  
230 E. Fifth Street, St. Paul, MN 55101  
**Phone:** (651) 602-1086  
**FAX:** (651) 602-1083  
**E-mail:** [harriet.simmons@metc.state.mn.us](mailto:harriet.simmons@metc.state.mn.us)

# Non-State Contracts & Grants

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## Metropolitan Council

### Notice of Invitation for Bids (IFB) for the Procurement of Potassium Permanganate

Reference Number 04P069

The Metropolitan Council is requesting bids for furnishing and delivery of Potassium Permanganate for the Seneca Wastewater Treatment Plant.

*Issue Invitation for Bids*

**July 26, 2004**

*Bids Due*

**August 12, 2004**

*Award Contract*

**August 2004**

All firms interested in submitting bids for this contract and desiring to receive an IFB package are invited to make a request by e-mail, fax, mail or phone to:

Sunny Jo Emerson  
Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
230 East Fifth Street  
St. Paul, MN 55101  
**Phone:** (651) 602-1499  
**FAX:** (651) 602-1083  
**Email:** [sunnyjo.emerson@metc.state.mn.us](mailto:sunnyjo.emerson@metc.state.mn.us)

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

## Metropolitan Council

### Notice of Intent to Procure Polymer

The Metropolitan Council Environmental Services Division hereby serves Notice of Intent to Procure Polymer for the Seneca and Blue Lake Wastewater Treatment Plants. The Council will request bids from qualified companies for polymers used in the dewatering centrifuges at Seneca and the thickening belt presses and dewatering centrifuges at Blue Lake.

Preliminary bench testing will begin in August 2004 and based on those results, Full Scale testing will be in late September or early October. If you believe your Company can supply the required polymer and would like to request an IFB package, please contact:

Sunny Jo Emerson  
Metropolitan Council Environmental Services  
230 East 5<sup>th</sup> Street  
St. Paul, MN 55101  
Phone: (651) 602-1499  
Fax: (651) 602-1083  
Email: [sunnyjo.emerson@metc.state.mn.us](mailto:sunnyjo.emerson@metc.state.mn.us)

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

## Metropolitan Council

### Notice of Request for Proposals for Upgrade of Transit Fire Alarm System

#### RFP Number 04P051

**NOTICE IS HEREBY GIVEN** given that the Metropolitan Council is soliciting Architect/Engineer proposals for design and construction support services for its Metro Transit Division to review and up-grade the existing fire monitoring systems to a campus style “smart” fire monitoring system for 11 of its buildings. The overall system is to retain the Firenet system in place unless it is found not cost effective. Alarms are to be portrayed on a CADD format.

This work is assisted by Federal Transportation Administration funding. There are no Disadvantaged Business Enterprise goals. The estimated cost for the entire project is \$750,000.

The **tentative** schedule for this process is:

|                              |                 |
|------------------------------|-----------------|
| <i>RFP Issue Date</i>        | July 22, 2004   |
| <i>Proposals Due</i>         | August 24, 2004 |
| <i>Contract Award</i>        | September 2004  |
| <i>Term of Contract Ends</i> | June 2006       |

All firms interested in this project should submit a written request for a copy of the RFP through:

Harriet Simmons, Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
Mears Park Centre  
230 E. Fifth Street  
St. Paul, MN 55101  
**Phone:** (651) 602-1086 / Fax: (651) 602-1083  
**E-mail:** [harriet.simmons@metc.state.mn.us](mailto:harriet.simmons@metc.state.mn.us)

Please provide the name of one contact person; complete company name; address / city / state / zip along with phone / fax / cell phone and pager numbers as well as e-mail information if you wish to be placed on the Solicitation List. **All other inquiries** regarding this procurement shall be directed by e-mail to Hugh McConnell at: [hugh.mccconnell@metc.state.mn.us](mailto:hugh.mccconnell@metc.state.mn.us). **Any other contact with Council employees on this matter throughout the entire solicitation process risks vendor disqualification.**

## 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.

