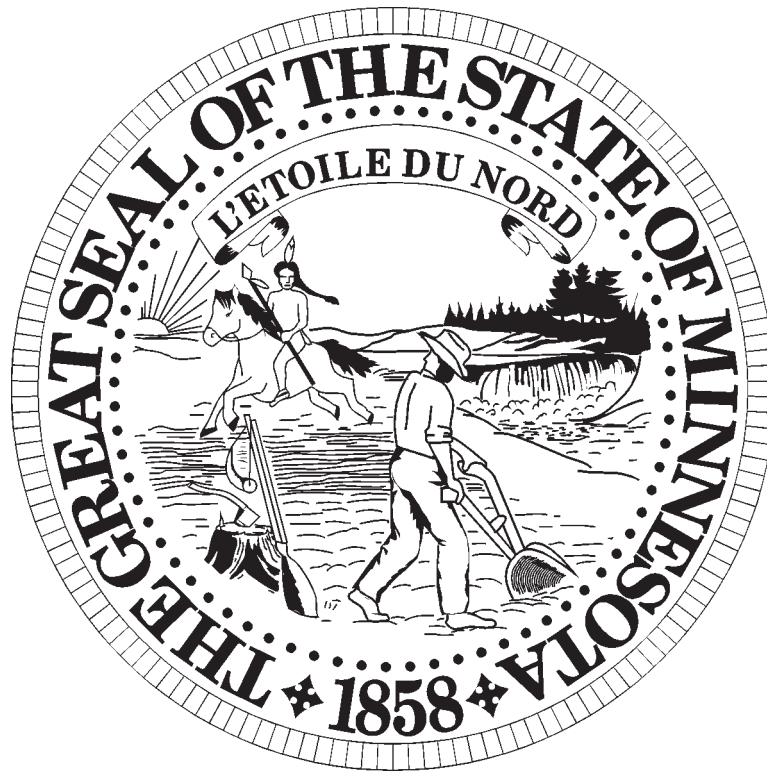


State of Minnesota

State Register



Rules and Official Notices Edition
Published every Monday (Tuesday when Monday is a holiday)
by the Department of Administration – Communications Media Division

Monday 9 August 2004
Volume 29, Number 6
Pages 145 - 184

State Register

Judicial Notice Shall Be Taken of Material Published in the State Register

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

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- certificates of assumed name, registration of insignia and marks

PUBLISHING NOTICES IN THE State Register: Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to (651) 297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$14.40 per tenth of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the State Register. Contact the editor if you have questions.

SUBSCRIPTION SERVICES:

Copies are available at Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. NO REFUNDS. Subscribers who do not receive a copy of an issue should notify the State Register Subscription Office immediately at (651) 297-8774. Copies of back issues may not be available more than two weeks after publication. Both editions are delivered postpaid to points in the United States, Periodicals Postage Paid for the State Register at St. Paul, MN, first class for the Solicitation Announcements. POSTMASTER: Send address changes to Minnesota's Bookstore, 660 Olive Street, St. Paul, Minnesota 55155. See the State Register and Solicitation Announcements at website: <http://www.comm.media.state.mn.us> Click on "Minnesota's Bookstore."

- State Register: On-line subscription – \$180, includes links, index, sidebar table of contents and State Register SENT TO YOU via Email.
- 13-week trial subscription to the State Register - \$65.00.
- Single issues are available for a limited time: State Register \$5.00.
- "Affidavit of Publication" costs \$10.00 and includes a notarized "Affidavit" and a copy of the issue.

Printing Schedule and Submission Deadlines

Vol. 29 Issue Number	PUBLISH DATE	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Both Adopted and Proposed RULES
#6	Monday 9 August	Noon Tuesday 3 August	Noon Wednesday 28 July
#7	Monday 16 August	Noon Tuesday 10 August	Noon Wednesday 4 August
#8	Monday 23 August	Noon Tuesday 17 August	Noon Wednesday 11 August
#9	Monday 30 August	Noon Tuesday 23 August	Noon Wednesday 18 August

Copyright © 2004 Communications Media Division, Department of Administration, State of Minnesota.

Publication Number: 326630 (ISSN 0146-7751)

THE STATE REGISTER IS PUBLISHED by Communications Media Division, Department of Administration, State of Minnesota, pursuant to Minnesota Statutes § 14.46 and is available at the main branch of county libraries in Minnesota and all "State Depository Libraries": State University and Community College libraries; the University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; the Legislative Reference Library; State Law Library; Minnesota Historical Society Library; and the Library Development Service at the State Department of Education.

Tim Pawlenty, Governor (651) 296-3391

Carol L. Molnau, Lt. Governor (651) 296-3391

Mike Hatch, Attorney General (651) 297-4272

Patricia Anderson, State Auditor (651) 297-3670

Mary Kiffmeyer, Secretary of State (651) 296-2079

Department of Administration:

Brian Lamb, Commissioner (651) 296-1424

Communications Media Division:

Mary Mikes, Director (651) 297-3979

Robin PanLener, Editor (651) 297-7963

John Mikes, assistant editor (651) 297-4616

Jessie Rahmeyer, Subscriptions (651) 297-8774

Legislative Information

Senate Public Information Office (651) 296-0504

State Capitol, Room 231, St. Paul, MN 55155

Website: www.senate.leg.state.mn.us/departments/secretary/seninfo.htm

House Information Office (651) 296-2146: State Office Building,

Room 175, Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155

Website: www.house.leg.state.mn.us/hinfo/hinfo.htm

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498

U.S. Government Printing Office – Fax: (202) 512-1262

Website: http://www.access.gpo.gov/su_docs/aces/aces140.html

Minnesota State Court System

Court Information Office (651) 296-6043

Minnesota Judicial Center, Room 135, 25 Rev. Dr. Martin Luther King Jr Blvd.,

St. Paul, MN 55155 Website: www.courts.state.mn.us

Contents

Minnesota Rules: Amendments & Additions

Monday 9 August 2004, Volume 29, #6..... 148

Proposed Rules

Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design Board

Proposed Rules Relating to Landscape Architects..... 149

Exempt Rules

Secretary of State

Adopted Exempt Rules Relating to Federal Compliance..... 155

Expedited Emergency Rules

Natural Resources Department

Adopted Expedited Emergency Game and Fish Rules;
Mourning Dove Season..... 170

Official Notices

Administration Department

Request for Comments to Possible Amendments to Rules
Governing the Minnesota State Building Code..... 170

Animal Health Board

Quarterly meeting notice..... 172

Human Services Department

Authorization List of All Drugs Added that Require
Authorization as a Condition of Minnesota Health
Care Programs Payment..... 172

Public Notice of Maximum Allowable Costs of Medical
Assistance Outpatient Prescribed Drugs..... 173

Public Comment Period for the "Title XX Intended Use
Report: Block Grant for Social Service" 174

Public Employees Retirement Association

Board of Trustees Meeting Thursday 12 August 2004..... 174

State Grants & Loans

Education Department

Funds Available for Head Start Collaboration Activities..... 174

Labor and Industry Department

Safety Grants for Employers..... 175

Pollution Control Agency

Applications Accepted for Nonpoint Source Water
Pollution Project Grants and Loans through the
State Clean Water Partnership and the Federal Clean
Water Act Section 319 Grant Programs..... 175

State Contracts

Colleges and Universities, Minnesota State

St. Cloud Technical College: Request for Proposal for Graphic
Arts Program to Include the Purchase of a Digital Plate-
making Equipment and the Trade-in of Surplus Presses... 177

Health Department

Request for Proposals for Environmental
Health Risk Survey..... 178

Higher Education Services Office

Request for Proposals to Develop Interactive CD-ROM..... 178

Minnesota Historical Society

Request for Bids for the Creation of a Web-based Data-entry
Application Pertaining to Architecture in Minneapolis and
Saint Paul, Minnesota..... 178

Request for Proposals for Technical Services Related to
Reproducing Wallpaper at the Alexander Ramsey
House in Saint Paul, Minnesota..... 179

Human Services Department

Availability of Contract for Electronic Benefit
Services (EBT)..... 179

Request for Proposals from Managed Care Organizations
(MCOs) for the Expansion of Minnesota Senior Health
Options..... 179

Transportation Department

Engineering Services Division: Potential Availability of
Contracting Opportunities for a Variety of Highway
Related Technical Activities (the "Consultant
Pre-qualification Program")..... 180

Engineering Services Division: Professional/Technical
Contract Opportunities..... 181

Non-State Contracts & Grants

Metropolitan Council

Invitation for Bids (IFB) for the Procurement of
Liquid Aluminum Sulfate..... 181

Request for Proposals for Inver Grove Heights Transit
Center..... 182

Request for Proposals for Operation of a Regular Route
Transit Service..... 182

Request for Proposals for a Comprehensive Facility Plan
for a Third Party ADA Eligibility Assessment Project..... 183

University of Minnesota

Bid Information Service (BIS) Available for All Potential
Vendors..... 183

Commodity, Service and Construction Contracts information is
available from the Materials Management Helpline
(651) 296-2600, or Web site: www.mmd.admin.state.mn.us
Information or subscriptions to the State Register is available
through Minnesota's Bookstore (651) 297-3000, or (800)
657-3757.

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.

Volume 29, Issues #1-6		Natural Resources Department	
		6216.0250; .0350 (adopted emergency).....	135
		6232.0900; 1000; .2550; .2560	
		(adopted expedited emergency).....	77
Animal Health Board		6232.1100, s. 5 (repealed expedited emergency).....	77
1710.1300; .1310; .1350; .1360; .1410; .1420; .1440; .1500		6232.3056 (adopted expedited emergency).....	109
(proposed).....	71	6234.0300; 6236.0700; 6237.0100; .0200; .0300; .0400;	
		.0500; .0600; .0700 (adopted expedited emergency).....	5
Architecture, Engineering, Land Surveying,		6240.0250 (adopted expedited emergency).....	170
Landscape Architecture, Geoscience,			
and Interior Design Board		Pollution Control Agency	
1800.0200; .0400; .0500; .0600; .0800; .0900; .1500; .1700		7007.0100; .0150; .0200; .0250; .1050; .1100; .1102; .1105;	
(proposed).....	149	.1107; .1110; .1140; .1141; .1142; .1143; .1144; .1145;	
1800.1600 (proposed repealer).....	149	.1146; .1147; .1148; 7011.0065; .0070; .0075; .0917;	
		7019.3020; .3030 (proposed).....	35
Human Services Department		Public Safety Department	
9530.6405; .6410; .6415; .6417; .6420; .6422; .6425; .6430;		7406.0100; .0300; .0310; .0330; .0350; .0355; .0360; .0370;	
.6435; .6440; .6445; .6450; .6455; .6460; .6465; .6470;		.0380; .0450; .0475; .0500; .0700; .0900; .1000; .2700	
.6475; .6480; .6485; .6490; .6495; .6500; .6505; .6510;		(adopted).....	97
.6515; .6520; .6525; .6530; .6535; .6540; .6545; .6550;		7406.0100 s. 20; .0350 s. 5; .0500 s. 3 (repealed).....	97
.6555; .6560; .6565; .6570; .6575; .6580; .6585; .6590;			
.6605 (adopted).....	129	Public Utilities Commission	
9530.43100; .4110; .4120 s. 1, 3, 5, 6; .4200; .4210; .4230;		7829.2550 (proposed).....	5
.4250; .4260; .4270; .4280; .4300; .4310; .4320; .4330;			
.4340; .4350; .4370; .4380; .4390; .4400; .4410; .4450;		Secretary of State	
.5000; .5100; .5200; .5300 s. 1, 10; .5500; .5700; .5800;		8200.0300; .1100; .1200; .1700; .2100; .2200; .2500; .2600;	
.6000; .6100; .6200; .6300; .6400 (repealed).....	129	.2900; .2950; .3000; .3100; .3110; .3200; .3350; .3600;	
		.3700; .3900; .5300; .5400; .5500; .6200; .6400; .9115;	
Labor and Industry Department		.9300; .9305; .9310; .9315; 8210.0050; .0100; .0225; .0500;	
5208.1500 (proposed exempt).....	99	.3000 (adopted exempt).....	155
		8200.2800; .5700; 8210.0200 s.1b (repealed exempt).....	155

Proposed Rules

Comments on Planned Rules or Rule Amendments. 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, and within 60 days of the effective date of any new statutory grant of required rulemaking.

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

Rules to be Adopted Without a Hearing

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

Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design

Proposed Permanent Rules Relating to Landscape Architects

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, And Notice of Hearing If 25 or More Requests For Hearing Are Received

Proposed Amendment to Rules Governing Landscape Architect Licensing, *Minnesota Rules*, Chapter 1800.0200-1800.0900 and 1800.1500-1800.1700

Proposed Repeal of Rules Governing Landscape Architect Licensing, *Minnesota Rules*, Chapter 1800.1600

Introduction. The Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design ("Board") intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, Minnesota Rules, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, Minnesota Statutes, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on September 8, 2004, a public hearing will be held in room 295 of the Golden Rule Building, 85 East 7th Place, St. Paul, MN 55101, starting at 9:00 a.m. on Wednesday, September 29, 2004. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after September 8, 2004 and before September 29, 2004.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Patricia Munkel-Olson at the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design, 85 East 7th Place, Suite 160, St. Paul, MN 55101, (651) 296-2388, FAX (651) 297-5310, and email: pat.munkel-olson@state.mn.us. TTY users may call the Board at (800) 627-3529.

Subject of Rules and Statutory Authority. The proposed rules are about amending rules that generally govern all licensees and specifically govern landscape architect licensing. The Board is considering rule amendments that provide clarity to all licensees in general, to accurately reflect the national standardized test that is used as the landscape architectural examination instrument of the Board, and to clarify the education and experience requirements that a prospective landscape architectural licensee must satisfy prior to acquiring licensure without changing the actual requirements for licensure.

The proposed repeal is about amending a rule that specifically governs landscape architect licensing. The Board is considering the repeal because conducting a personal interview of candidates for the professional licensure examination will no longer be necessary if the proposed rules are adopted.

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.

Proposed Rules

The statutory authority to adopt the rules is embodied in Minnesota Statutes, section 326.06, which authorizes the Board to adopt all rules needed in performing its duties. Further Minnesota Statutes § 326.10, subd. 1(a)(1) authorizes the Board to prescribe the candidate's experience and educational qualifications by rule. A copy of the proposed rules is published in the State Register and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Wednesday, September 8, 2004, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday, September 8, 2004. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in Minnesota Statutes, sections 14.131 to 14.20.

Alternative Format/Accommodation. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules, unless the procedure under Minnesota Rules, part 1400.2110, has been followed. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Cancellation of Hearing. The hearing scheduled for September 29, 2004, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 296-2388 after September 8, 2004 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, a hearing will be held following the procedures in Minnesota Statutes, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Barbara Neilson is assigned to conduct the hearing. Judge Neilson can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 554012138, telephone (612) 341-7604, and FAX (612) 3492665.

Hearing Procedure. If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day rebuttal period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by Minnesota Rules, parts 1400.2000 to 1400.2240, and Minnesota Statutes, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from the agency.

Proposed Rules

Lobbyist Registration. Minnesota Statutes, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, MN 55155, telephone (651) 2965148 or 1(800) 6573889.

Adoption Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and the rules are filed with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Doreen Johnson Frost
Executive Director

1800.0200 CLASSES OF LICENSEES.

There shall be three classes of licensees as follows:

[For text of items A and B, see M.R.]

C. Class 3: those licensed ~~following~~ after satisfying the applicable educational requirements, meeting the applicable experience requirements, and achieving successful passage of the applicable professional examination, either oral or written, or both.

1800.0400 APPLICATION FOR LICENSURE AND CERTIFICATION.

Subpart 1. Forms and filing. Applications for licensure or certification shall be under oath and made on forms prescribed and furnished by the board and shall be filed with the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design and accompanied by payment of the examination fee as specified in part 1800.0500, subpart 1. Applications for certified interior designers shall be filed following passage of the applicant's National Council for Interior Design Qualification (NCIDQ) examination or meeting the requirements outlined in part 1800.0800 or 1800.2100, subpart 5. Applications for licensure as a landscape architect shall be filed following the applicant's successful passage of the Council of Landscape Architectural Registration Board (CLARB) professional examination or meeting the requirements in part 1800.0800.

Subp. 1a. Information required. The applicant shall submit to the board, ~~in the form provided on a form prescribed by the board,~~ information relative to:

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

E. for engineer, land surveyor, geologist, and soil scientist applicants, whether the Fundamentals of Engineering (FE), Fundamentals of Land Surveying (FLS), geologist training, or soil scientist training examination has been successfully completed; ~~and~~

F. for landscape architect applicants, that the Landscape Architect Registration Examination (LARE) has been successfully completed; and

G. a record of personal employment, with all dates and with complete information relative to duties and type of work performed, and particularly outlining the applicant's responsibilities in charge of the whole or any part thereof.

Subp. 2. Evaluation of information. The information required by subpart 1a shall be evaluated by the board and if the applicant is found ineligible for admission to the examination, ineligible for licensure as a landscape architect, or ineligible for certification as a certified interior designer, at that time, the applicant shall be notified in writing and given the reasons for the ineligibility. If the applicant for licensure as a landscape architect is eligible for licensure at the time of application, the applicant shall be notified by the board in writing. If the applicant is eligible for examination is eligible at the time for admission to the examination, the applicant shall be so notified by the board in writing.

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

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.

Proposed Rules

1800.0500 FEES.

Subpart 1. Requirements. Application for examination for certification as engineer in training, land surveyor in training, geologist in training, soil scientist in training, or certified interior designer or for licensure, including renewal of licensure, as an architect, a professional engineer, land surveyor, landscape architect, professional geologist, or professional soil scientist shall be accompanied by a fee in the amount established by the applicable national testing agency, and an application fee and examination monitoring fee as provided by Minnesota Statutes, section 326.105, except that an application for examination as an architect does not require the accompanying examination fee or the examination monitoring fee. The actual fee for examination as an architect shall be paid to the national testing agency in a manner it prescribes. Information concerning the current examination fees charged by national testing agencies may be obtained by contacting the board offices. An application for examination as an architect does not require accompanying fees. The actual fee for examination as an architect shall be paid to the national testing agency in a manner it prescribes. The fee for examination for certification as engineer in training, land surveyor in training, geologist in training, soil scientist in training, or certified interior designer shall be paid upon approval by the board. A new application for examination, in such instances, may be filed at any time after the lapse of six months next succeeding the date of the previous rejection. A reexamination application shall be submitted each time the applicant applies to take the examination except as provided in subpart 2.

An application for licensure as an architect, professional engineer, land surveyor, landscape architect, professional geologist, or professional soil scientist shall include the initial fee for licensure as provided by Minnesota Statutes, section 326.105. An applicant for certification as a certified interior designer shall include the initial fee for certification as provided by Minnesota Statutes, section 326.105. Comity applicants applying under part 1800.0800, item G, I, or J, shall pay an application fee under subpart 7, item A. Upon approval by the board, an applicant for licensure as a land surveyor by comity under part 1800.0800, item H, shall submit an examination fee in the amount established by the local testing agency and an examination monitoring fee as provided in Minnesota Statutes, section 326.105.

As provided in Minnesota Statutes, section 326.105, an application for renewal of licensure as an architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, or for certification as a certified interior designer shall be accompanied by a renewal fee.

As provided in Minnesota Statutes, section 326.105, an applicant for examination as an engineer in training, land surveyor in training, geologist in training, or soil scientist in training shall be accompanied by an examination fee in the amount established by the applicable national testing agency, an application fee, and an examination monitoring fee.

Information concerning the current examination fee charged by the applicable national testing agency may be obtained by contacting the board offices. A new application for examination, in such instances, may be filed at any time after the lapse of six months next succeeding the date of the previous rejection. A reexamination application shall be submitted each time the applicant applies to take the examination except as provided in subpart 2.

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

1800.0600 CERTIFICATE OF REGISTRATION.

Certification of an applicant's technical qualifications by the National Council of Architectural Registration Boards (NCARB), the National Certification Committee of the National Council of Examiners for Engineers Engineering and Surveyors Surveying (NCEES), the Council of Landscape Architectural Registration Boards (CLARB), or the National Council of Interior Design Qualification (NCIDQ) may be accepted by the board as establishing such qualifications, and the applicant, in such instances, will not be required to pass further examination.

1800.0800 PROOF OF QUALIFICATION TO PRACTICE.

An applicant shall submit evidence to the board indicating that the applicant is qualified to practice in the profession or field of major practice in which the applicant seeks licensure or certification. The burden of proof is upon the applicant who should make every effort to present qualifications fully and clearly. Qualifications shall be established by one or more of the following methods:

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

E. by submitting a National Council of Examiners for Engineers and Surveyors (NCEES) council record prepared by the National Certification of the NCEES Council of Examiners for Engineering and Surveying (NCEES) for engineer applicants only;

F. by submitting a council certificate record prepared by the Council of Landscape Architectural Registration Boards (CLARB), for landscape architect applicants only;

[For text of items G to J, see M.R.]

1800.0900 QUALIFICATION PROCEDURES.

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

Proposed Rules

Subp. 3. Examination required. An applicant for certification as an engineer in training, a land surveyor in training, a geologist in training, or a soil scientist in training must take all parts of the applicable fundamentals examination at one time. ~~The An applicant for licensure as a professional engineer, land surveyor, professional geologist, or professional soil scientist must pass the applicable fundamentals examination prior to taking the professional examination, if applicable. See except for the professional engineering applicant that meets the requirements outlined in part 1800.2800. The An applicant for licensure as a professional engineer, professional geologist, or professional soil scientist must take all parts of the professional examination at one time.~~

For text of subp 4, see M.R.

Subp. 5. Date and place of examination. Oral examinations may be given each year at such times as may be designated by the board. ~~Persons A candidate who file applications files an application for licensure by examination and are is determined to be eligible for admission to the examination will be informed by letter of the date and place of the examinations examination in writing. Examinations shall be scheduled once the applicant's application is approved.~~

For text of subp 6, see M.R.

1800.1500 EDUCATION AND EXPERIENCE.

Subpart 1. ~~Written Examination requirement.~~ An applicant for licensure as a landscape architect shall pass ~~a written the~~ examination as provided referred to in part 1800.1700, submit a CLARB council record under part 1800.0800, item F, and satisfy the education and experience requirements in subparts 3 to 5. ~~Successful passage of the examination referred to in part 1800.1700 is required of an applicant in order to be licensed under part 1800.0800, item G. Written examinations are required of all applicants except those licensed under part 1800.0800, items F and G, that apply to those landscape architects licensed in one or more states other than Minnesota: An applicant for licensure under part 1800.0800, items F and item G, must satisfy the Minnesota licensing requirements that were in effect at the time of the applicant's original licensure in the other state.~~

Subp. 2. Admissions to ~~written examination.~~ ~~To qualify~~ For admission to the written examination, an applicant shall present evidence that the following requirements have been met as provided in this part: apply directly to the Council of Landscape Architectural Registration Boards (CLARB) and follow the procedures outlined by CLARB.

~~A: Subp. 3.~~ Education requirement. An applicant for licensure as a landscape architect shall present evidence of graduation from a landscape architecture curriculum of a university or college accredited by the American Society of Landscape Architects (ASLA) Committee on Education Architectural Accreditation Board (LAAB).

~~B: Subp. 4.~~ Experience requirement. An applicant for licensure as a landscape architect shall present evidence of completion of a minimum of at least three years of qualifying experience under the supervision of licensed landscape architects, if the applicant has graduated from a five-year baccalaureate curriculum in landscape architecture accredited by the ASLA Landscape Architectural Accreditation Board (LAAB). Four years of qualifying experience is required, if the applicant has graduated from an institution with a four-year ASLA-accredited LAAB-accredited baccalaureate curriculum in landscape architecture.

Subp. 3-5. ~~Exception for nonASLA-accredited nonLAAB-accredited education.~~

A. An applicant for licensure who does not meet the requirements of ~~subpart 2 subparts 3 and 4~~ may also qualify for admission to the examination licensure if evidence is submitted to the board that the education and subsequent experience of the applicant meet the requirements in the following table:

Classification	Professional Education (years)	Professional Experience (years)	Total Education and Experience
Other Related Degree Plus Graduate of ASLA Accredited Graduate L.A. Curriculum	5	3	8
Graduate of Nonaccredited Landscape Architectural Curriculum			

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.

Proposed Rules

5year course	4	5	9
4year course	3	6	9
Other Related Field Degree Plus Graduate of Nonaccredited L.A. Curriculum	4	5	9
Graduate of NAAB* Accredited Architectural Curriculum <u>or a</u> graduate of ECPD** Accredited Engineering Curriculum	3	7	10
Graduate of Nonaccredited Architectural Curriculum <u>or a</u> graduate of Nonaccredited Engineering Curriculum	2	9	11
Graduate of Two Years Technical College in Landscape Architecture	2	9	11
No Professional Education	0	13	13

*National Architectural Accrediting Board

**Engineers' Council for Professional Development

B. ~~Professional~~ Qualifying experience must be acquired after graduation except that continuous experience gained in increments of 90 days or more, before graduation will be evaluated by the board. "Professional experience" means equivalent to satisfactory diversified general practice under the supervision of registered landscape architects.

[For text of items C to F, see M.R.]

G. ~~Employment or practice~~ Qualifying experience in such fields as interior design, architecture, or engineering, city planning and periods of employment with such organizations as VISTA, HUD, Peace Corps, and advocacy planning shall receive full credit up to a maximum of two years when the work is related to landscape architecture and is directly supervised by the appropriately licensed professional.

H. An advanced degree from ~~ASLA Committee on Education~~ an LAAB accredited landscape architecture curriculum shall receive full credit up to a maximum of two years. Teaching and research in an ~~ASLA Committee on Education~~ LAAB accredited curriculum shall also receive full credit as determined by the board.

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

Subp. 6. Qualifying experience defined. As used in this part, "qualifying experience" consists of varied, progressive, nonrepetitive, practical experience at landscape architectural work, developing the ability to apply the theoretical knowledge gained during academic training in making sound judgments in solving landscape architectural problems. The experience shall include landscape architectural elements of programming; site and environmental analysis; schematics; coordination with other disciplines; site cost analysis; code research; design development documents; construction documents; specifications; document checking; bidding and contract negotiation; construction phase including office and construction phase, onsite observation, project management, and client contact; office manage-

Proposed Rules

ment; and research other than code or project-related research. Experience shall be written in detail and submitted with the application for licensure for evaluation and approval by the board.

1800.1700 WRITTEN EXAMINATIONS.

Subpart 1. Landscape architect registration examination.

Written examinations The Landscape Architect Registration Examination (LARE) shall be provided by the National Council of Landscape Architectural Registration Boards (CLARB).

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

REPEALER. Minnesota Rules, part 1800.1600, is repealed.

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.

Secretary of State

Adopted Exempt Rules Relating to Federal Compliance

ORDER ADOPTING RULES:

Adoption of Rules Governing Voter Registration (generally), Voter Registration Data, the Statewide Voter Registration System, Voter Registration Applications, Verification of Registrations Received by Election Officials, Absentee Voting and Mail Balloting, *Minnesota Rules*, chapters 8200 and 8210

WHEREAS:

1. All notice and procedural requirements in Minnesota Statutes, chapter 14, Minnesota Rules, chapter 1400, and other applicable law have been complied with, to the extent that they apply to exempt rules under the good cause provisions of Minnesota Statutes, section 14.388. These rules have been noticed on the rulemaking docket required by 14.366, which has also been maintained and updated.

2. The good cause exemption was specifically applied to these rules by Laws 2004, Chapter 293, Article I, section 39. That section of law states:

Sec. 39. [RULES.]

Enactment of this article is good cause for the secretary of state to use the authority of Minnesota Statutes, section 14.388, to adopt, amend, or repeal rules as necessary to comply in a timely manner with the changes in statute contained in this act or to comply with the federal Help America Vote Act of 2002, Public Law 107-252.

The changes in each rule are required in order to comply with the various sections of Laws 2004, Chapter 293 and the Help America Vote Act of 2002.

A rule-by-rule analysis of the changes is attached to and is part of this order.

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

3. These rules are adopted in the same format in which they were submitted to the Office of Administrative Hearings
4. The rules are needed and reasonable.

IT IS ORDERED that the abovementioned rules, in the form certified by the Revisor and attached to this Order and to be published in the State Register after review by the Office of Administrative Hearings are adopted pursuant to authority vested in me by Laws 2004, chapter 293, Article 1, section 39.

Dated: July 8, 2004

Mary Kiffmeyer, Secretary of State

ORDER ADOPTING RULES:

Adoption of Rules Governing Voter Registration (generally), Voter Registration Data, the Statewide Voter Registration System, Voter Registration Applications, Verification of Registrations Received by Election Officials, Absentee Voting and Mail Balloting, *Minnesota Rules*, chapters 8200 and 8210

WHEREAS:

1. All notice and procedural requirements in Minnesota Statutes, chapter 14, Minnesota Rules, chapter 1400, and other applicable law have been complied with, to the extent that they apply to exempt rules under the good cause provisions of Minnesota Statutes, section 14.388. These rules have been noticed on the rulemaking docket required by 14.366, which has also been maintained and updated.

2. The good cause exemption was specifically applied to these rules by Laws 2004, Chapter 293, Article 1, section 39. That section of law states:
Sec. 39. [RULES.]

Enactment of this article is good cause for the secretary of state to use the authority of Minnesota Statutes, section 14.388, to adopt, amend, or repeal rules as necessary to comply in a timely manner with the changes in statute contained in this act or to comply with the federal Help America Vote Act of 2002, Public Law 107-252.

The report of the administrative law judge dated July 22, 2004 found that the use of the good cause exemption was justified with respect to these proposed rules.

The changes in each rule as originally proposed or modified in this Order from the proposed rules of July 8, 2004 are required in order to comply with the various sections of Laws 2004, Chapter 293 and the Help America Vote Act of 2002.

3. These rules are adopted as they were submitted to the Office of Administrative Hearings, with the following modifications in response to the report of the Administrative Law Judge dated July 22, 2004:

a. The following proposed rule parts are adopted as originally proposed on July 8, 2004: Minnesota Rules, parts 8200.0300; 8200.2100; 8200.2200; 8200.2500; 8200.2600; 8200.2950; 8200.3000; 8200.3100; 8200.3110; 8200.3200; 8200.3550; 8200.3600; 8200.3700; 8200.3900; 8200.5300; 8200.5400; 8200.6200; 8200.6400; 8200.9115; 8200.9300; 8200.9305; 8200.9315; 8210.0050; 8210.0100; 8210.0225; 8210.0500; 8210.3000, and the repeal of parts 8200.2800, 8200.5700 and 8210.0200, subpart 1b. consistent with the report and findings of the administrative law judge.

b. The following proposed rule parts originally proposed on July 8, 2004, are withdrawn in their entirety:

i. Minnesota Rules, part 8200.3800. The proposed amendment to this part is withdrawn in response to the comments received and in response to the finding of the administrative law judge. This was noted in our letter of July 19, 2004. It is noted that a person who uses the procedure under this part may complain either under the provisions of 200.04, the Help America Vote Act Complaint Procedure, or directly by affidavit to their county attorney.

ii. Minnesota Rules, part 8210.0200. The proposed amendment to this part, [other than the repeal of subp. 1b, the alternative application form, which is no longer in effect pursuant to the sunset date of November 30, 1992 stated in Minnesota Statutes, section 203B.02, subd. 1a], is withdrawn in response to the finding and suggestion by the administrative law judge.

iii. Minnesota Rules, part 8210.0220. The proposed new rule part is withdrawn in response to the finding of the administrative law judge.

iv. Minnesota Rules, part 8210.0800. The proposed amendment to this rule part is withdrawn in response to the finding of the administrative law judge. Please note that while the portion of the rule requiring red ink thus will not be implemented, pursuant to the finding of the administrative law judge that there was no authority in statute to so require, the passage of the language in Laws 2004, Chapter 293, Article 1, section 25, amending Minnesota Statutes, section 203B.17, Subd. 2, requires that the oath on the ballot application must be the standard oath prescribed by Section 101 (b)(7) of the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) and the form of the application will be changed pursuant to that statutory language.

c. The following proposed rule parts originally proposed on July 8, 2004 are modified in response to the findings and suggestions for modification of the administrative law judge:

Exempt Rules

i. Minnesota Rules, part 8200.1100 is modified as indicated on page 1, line 24 of the Revisor's draft of these rules dated July 27, 2004 to include the word "alternate" to indicate that there are alternate forms possible under the statute and rules regarding voter registration applications.

ii. Minnesota Rules, part 8200.1200 is modified to eliminate the former language referencing an advisory committee, in accordance with the finding and suggestions of the administrative law judge, and to insert language referencing the possibility of multiple approved voter registration applications as follows in the Revisor's draft of these rules dated July 27, 2004:

1. On page 2, line 2, replace "The" with "Any";
2. On page 3, line 5, replace "the" with "any";
3. On page 3, line 11, replace "the official" with "each approved";
4. On page 3, line 14, delete "The" and replace the word "application" with the word "applications"; and
5. On page 3, line 20, delete "The" and replace the word "application" with the word "applications"

iii. Minnesota Rules, part 8200.1700 is modified as indicated on page 4, line 4 of the Revisor's draft of these rules dated July 27, 2004 to replace the word "specified" with the word "approved" in response to the finding and suggestion of the administrative law judge.

iv. Minnesota Rules, part 8200.2900 is modified to remove the language previously included stating a definition of deficient registration, including the language from the beginning of that rule part to the end of the portion previously labeled as "F." This language would otherwise have appeared on page 5, between lines 8 and 9 of the Revisor's draft of these rules dated July 27, 2004, and the removal is in response to the finding and suggestion of the administrative law judge. This part is also modified on page 5, line 20, to remove the proposed language "applicant does not provide" and reinstate the current language "auditor cannot obtain" in response to the finding and suggestion of the administrative law judge.

v. Minnesota Rules, part 8200.5500, subpart 1, is modified on page 12, line 3 of the Revisor's draft of these rules dated July 27, 2004, to remove the language "if it is provided by the applicant to the best of the applicant's knowledge, belief and ability" and to replace it with "or an applicant can register as otherwise provided by Minnesota law." This is also in response to the finding and suggestion of the administrative law judge.

vi. Minnesota Rules, part 8200.9310 is modified on page 17, lines 5 to 11 of the Revisor's draft of these rules dated July 27, 2004 to include additional language allowing the county auditor to conclude whether the information from the voter registration application and the information from the Department of Public Safety database (or the database of the Social Security Administration if there is no information for the applicant on the database of the Department of Public Safety) relates to the same person, as provided by the statutory language in Laws 2004, chapter 293, Article 1, section 12, amending Minnesota Statutes, section 201.121. This alternate definition of verified should meet the concerns of the finding by the administrative law judge. If the county auditor reaches such a conclusion, they are to note the basis for the conclusion in the statewide registration system for administrative purposes.

The language on page 17 is: "or (2) that if after matching the information listed in clause (1), even though the information may not be an exact match, the county auditor still can conclude that the information in the database of the Department of Public Safety, or in the database of the Social Security Administration if the applicant has no driver's license or identification card, and the information provided by the applicant on the voter registration application, relate to the same person, in which case the county auditor shall note in the statewide registration system the basis for the conclusion."

The Revisor's draft of these rules dated July 27, 2004, certified as to form as required by Minnesota Rules, part 1400.2400, subpart 2, clause (A) is attached in triplicate.

4. The rules are needed and reasonable.

IT IS ORDERED that the above captioned rules, in the form prepared by the Revisor and attached to this Order and to be published in the State Register after final review by the Office of Administrative Hearings are adopted pursuant to authority vested in me by Laws 2004, chapter 293, Article 1, section 39.

Dated: July 27, 2004

Mary Kiffmeyer, Secretary of State

8200.0300 DELEGATION OF DUTIES.

The county auditor may delegate to municipal officials all duties assigned to the county auditor by chapter 8200 and by Minnesota Statutes, chapter 201, except the preparation and distribution of lists of registered voters. The auditor may delegate the responsibility to accept voter ~~registrations~~ registration applications, but a delegation of this responsibility does not relieve the auditor of the duty to accept voter ~~registrations~~ registration applications.

KEY: Proposed Rules Section - <u>Underlining</u> 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 - <u>Underlining</u> indicates additions to proposed rule language. Strikeout indicates deletions from proposed rule language.

Exempt Rules

8200.1100 PRINTING SPECIFICATIONS.

Voter registration ~~cards~~ applications printed for the purpose of distribution and mailing must be printed pursuant to ~~items A to D~~ this part.

A. The size must be at least six inches by 8 9/16 inches, including a 9/16 inch stub.

B. The paper must be at least 100 pound white offset.

C. ~~The secretary of state may approve alternate forms of voter registration cards to be attached to or included in tax booklets and forms used by state agencies, and other forms deemed appropriate by the secretary of state if the forms have spaces for the information required in Minnesota Statutes, section 201.071. The secretary of state may also approve the county use of a card of a size other than the dimensions prescribed by item A.~~

~~D. The bottom stub must have an adhesive applied to it so that the card can be sealed when it is folded together for mailing.~~

D. Voter registration applications to be attached to or included in tax booklets and forms used by state agencies and other alternate forms deemed appropriate by the secretary of state must include spaces for the information required in Minnesota Statutes, section 201.071, and must be approved by the secretary of state.

8200.1200 REGISTRATION CARD APPLICATION; FORMAT.

Subpart 1. Form. ~~The Any~~ Any voter registration ~~card~~ application must:

A. ~~contain the data elements provided in~~ meet the requirements of Minnesota Statutes, section 201.071;

B. ~~contain the following certification. I certify that I~~

~~→ will be at least 18 years old on election day;~~

~~→ a am a citizen of the United States;~~

~~→ a will have resided in Minnesota for 20 days immediately preceding election day;~~

~~→ a maintain residence at the address given on the registration form;~~

~~→ a am not under guardianship of the person;~~

~~→ a have not been found by a court to be legally incompetent to vote;~~

~~→ a have not been convicted of a felony without having my civil rights restored; and~~

~~→ a have read and understand this statement, that giving false information is a felony punishable by not more than 5 years imprisonment or a fine of not more than \$10,000, or both;~~

~~C. be consistent in layout with the data entry screens used by the statewide voter registration system;~~

~~D. C. take into consideration readability and ease of understanding;~~

~~E. D. provide room for including a mailing address for returning the completed registration;~~

~~F. E. have printed on or with the card application a set of instructions for completing the registration each element of the application;~~
and

~~G. E. have printed on or with the card application a statement that assistance for registration and voting is available for elderly and disabled individuals persons and residents of health care facilities.~~

Subp. 1a. Voter registration application approval.

A. The secretary of state must approve the design of any voter registration application to be used in this state before any election official is permitted to accept or process that application or cause the application to be printed or distributed.

B. Only the secretary of state has the authority to approve a voter registration application for use in this state.

Subp. 1b. Design specifications. The secretary of state shall provide examples design specifications of the each approved voter registration card application to all county auditors, from which all voter registration applications for distribution and use shall be printed.

Subp. 2. Box for office use only. ~~The~~ Voter registration card applications must contain a box marked for "election day official use only" which contains "W __", "P __", and "SD." These abbreviations stand for "ward," "precinct," and "school district." Other information may also be included. Judges of election shall record the type of election day voter registration proof and its number, if any, in the "election day official use only" box.

Subp. 3. Identifying mark. ~~The~~ Voter registration card applications may include a mark identifying where the voter applicant obtained the ~~card~~ application or how the ~~card~~ application was delivered to the county auditor or secretary of state.

8200.1700 PRINTING AND DISTRIBUTING VOTER REGISTRATION CARDS APPLICATIONS.

Each county auditor shall have printed and shall maintain an adequate number of voter registration ~~cards~~ applications in compliance with chapter 8200 and Minnesota Statutes, chapter 201. An election official who causes voter registration ~~cards~~ applications to be printed shall print the ~~cards~~ applications in a form ~~prescribed by~~ meeting the requirements of this chapter 8200 and Minnesota Statutes, chapter 201, and meeting the design approved by the secretary of state pursuant to part 8200.1200. The auditor shall provide voter registration

Exempt Rules

cards applications to any person or group who requests a reasonable number of cards applications for the purpose of distribution.

8200.2100 DUTIES OF AUDITOR.

Each county auditor shall designate a number of public buildings within the county where persons may obtain, complete, and deposit registration cards applications. The county auditor or a designee shall be on duty in the designated building and the person on duty shall transmit completed registration cards applications to the county auditor within two working days after receipt.

8200.2200 BUILDINGS FOR REGISTRATION.

Each political subdivision shall have at least one building where voter registration cards applications may be obtained and deposited, for every 30,000 residents of the political subdivision.

8200.2500 DEFINITION OF ACCEPTED OR PROCESSED.

For purposes of section 303(a)(5)(A)(i) of the Help America Vote Act of 2002, Public Law 107552, "accepted or processed" means that the determination has been made that the voter registration application is not deficient and the registration status of the voter is "active" or "challenged."

8200.2600 PROPERLY COMPLETED REGISTRATIONS AND NAME AND ADDRESS CHANGES TO REGISTRATIONS.

If a county auditor determines that a registration card application or a name or address change to registration has been properly completed, the auditor shall file the card application or name or address change to registration and enter the registration or name or address change to registration on the state registration system. The county auditor shall file and maintain the file each voter registration application in an orderly manner. The county auditor shall have a card notice mailed to each newly registered voter and to each voter who changed name or address information indicating the voter's name, address, precinct, and polling place. The card notice must require that it be returned if not deliverable as addressed.

8200.2900 DEFICIENT REGISTRATIONS; NOTICE OF DEFICIENT REGISTRATIONS.

When a person attempts to register prior to election day and the county auditor determines that the registration is deficient, the auditor shall notify the person attempting to register that the registration was not correctly completed. The auditor shall attempt to obtain from the applicant any needed information by mail or, if a telephone number or an email address was provided by the applicant, by telephone or email.

If the needed information consists of the applicant's Minnesota driver's license, Minnesota state identification card, or Social Security number, or confirmation that the applicant has not been issued a Minnesota driver's license, Minnesota state identification card, or Social Security number, the auditor shall also attempt to obtain that information through the process provided in part 8200.9310, subpart 2.

If the auditor cannot obtain the needed information, the voter registration application is deficient and the registration card shall not be filed and shall be maintained separately for 22 months. The applicant shall be allowed to vote only after correctly completing a registration card.

A new applicant whose voter registration application is deficient shall not be classified as "active" or "challenged."

If an applicant submits a voter registration application that is deficient, the county auditor shall send a notice of deficient registration to the person seeking to register.

If the auditor notifies a person an applicant of an incorrectly completed a deficient voter registration application, the auditor shall also notify the applicant of the dates on which registrations cannot be accepted for an election a preelection registration is not permitted by Minnesota Statutes, section 201.061, subdivision 1, and of the procedures for election day registration.

In the notice to the applicant, the auditor shall explain that a correctly completed registration received by the auditor during the period when registrations cannot be accepted for the upcoming election preelection registration is not permitted by Minnesota Statutes, section 201.061, subdivision 1, will make the applicant registered to vote on the day after the upcoming election.

If an auditor receives applicant submits a faulty or deficient voter registration application during the period when registrations cannot be accepted for an election preelection registration is not permitted by Minnesota Statutes, section 201.061, subdivision 1, the auditor shall notify the applicant that the applicant must register at the polling place of the precinct in which she or he resides on election day to vote at the election. In the notice to the applicant, the auditor shall explain that a correctly completed registration received by the auditor during the period when registrations cannot be accepted for the upcoming election will make the applicant registered to vote on the day after the upcoming election.

The secretary of state shall provide a sample notice of deficient registration.

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

8200.2950 ADDRESSES ON VOTER REGISTRATION CARDS APPLICATIONS.

A person having a residence with a street address who completes a voter registration ~~card~~ application must provide the street address assigned to the person's residence in the residence space on the voter registration ~~card~~ application. Only when the United States Postal Service will not deliver mail to the registrant's residence address, the registrant must also enter an alternate mailing address on the voter registration ~~card~~ application.

8200.3000 REGISTRATION IN WRONG COUNTY.

When a county auditor receives a voter registration ~~card~~ application from a person whose address is in another county, the auditor shall within two working days forward the registration ~~card~~ application to the auditor of the proper county if ~~it~~ the county can be ascertained.

8200.3100 ~~NOTICES NOTICE OF DEFICIENT AND LATE INCOMPLETE REGISTRATION; COMPLETION OF INCOMPLETE REGISTRATIONS.~~

~~Subpart 1. Conditions requiring. If a county auditor receives a voter registration card that is deficient, the auditor shall send a notice of deficient registration to the person seeking to register. If a county auditor receives a voter registration card that is filed during the period when preelection voter registrations cannot be accepted, the auditor shall send a notice of late registration to the person seeking to register. The notice of late registration must require that it be returned if not deliverable. The secretary of state shall provide sample notices of deficient and late registration.~~

~~A. If an applicant submits a voter registration application that is incomplete as defined in Minnesota Statutes, section 201.061, subdivision 1a, the auditor shall send a notice of incomplete registration. The notice sent to the applicant must:~~

- ~~(1) inform the applicant that the registration is incomplete;~~
- ~~(2) inform the applicant that to complete the registration, the applicant must present documents or take actions prior to voting;~~
- ~~(3) explain the applicant's options for completing the registration prior to 20 days before the election or at the polls on election day as set forth in Minnesota Statutes, section 201.061, subdivision 1a;~~
- ~~(4) provide the list of documents that may be presented to complete the registration; and~~
- ~~(5) explain the methods by which the applicant can register to vote on election day if the applicant is unable to complete the registration by any of the options described in subitem (3).~~

~~B. If an applicant submits a voter registration application that is incomplete as defined in Minnesota Statutes, section 201.121, subdivision 1, paragraph (f), the auditor shall record in the voter registration system that the registration is incomplete under that section and send the applicant a notice of incomplete registration advising the voter that the voter needs to:~~

- ~~(1) provide information that completes the registration to the registration office or contact that office prior to 20 days before the election; or~~
- ~~(2) provide the information to the election judges on election day for entry on the roster.~~

~~The secretary of state shall provide a sample notice of incomplete registration. The applicant must be allowed to vote only after completing the registration or after registering or updating their registration using current information for the applicant.~~

~~After an election, the auditor shall compile a list of voters who voted who were not verified by election day. The auditor shall verify the records in the manner described in part 8200.5500 for registrations received on election day.~~

~~If a voter provides the necessary information and votes without updating their registration or registering on election day to correct information listed on the roster, the county auditor shall send that person a postal verification card as if the voter had registered on election day.~~

~~If that postal verification card is returned to the county auditor, the auditor shall challenge the status on the voter record and may refer the registration to the county attorney.~~

8200.3110 NOTICE OF LATE REGISTRATION.

A. If an applicant submits a voter registration application that is not deficient but that is filed during the period when preelection registration is not permitted by Minnesota Statutes, section 201.061, subdivision 1, the auditor shall send a notice of late registration to the person seeking to register. The notice of late registration must require that it be returned if not deliverable and must explain that if the applicant chooses not to register and vote at the upcoming election, the applicant's registration will become effective on the day after the election.

B. The secretary of state shall provide a sample notice of late registration.

8200.3200 CERTAIN APPLICANTS EXEMPT FROM IDENTIFICATION REQUIREMENTS.

Pursuant to section 303(b)(3)(C) of the Help America Vote Act of 2002, Public Law 107252, persons who are voting by absentee ballot or otherwise than in person pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, the Voting Accessibility for the Elderly and Handicapped Act, or any other federal law are exempt from Minnesota Statutes, section 201.061, subdivision 1a.

Exempt Rules

Persons exempt under the Voting Accessibility for the Elderly and Handicapped Act are those who are 65 years of age or older or have a temporary or permanent physical disability, and include all those persons permitted to vote pursuant to Minnesota Statutes, sections 203B.04, subdivisions 2 and 5, and 203B.11.

8200.3550 NOTICE OF CHALLENGE REMOVAL.

The county auditor shall mail a notice indicating the ~~individual's~~ person's name, address, precinct, and polling place to any registered voter whose civil rights have been restored after a felony conviction; who has been removed from under a guardianship of the person under which the person did not retain the right to vote; or who has been restored to capacity by the court after being ineligible to vote. The notice must require that it be returned if not deliverable.

8200.3600 CHANGE OF RESIDENCE.

~~Any~~ A person who has previously registered to vote in Minnesota who changes residence ~~shall~~ must be permitted to vote only after reregistering updating the registration by completing a voter registration application using the person's new residence address.

8200.3700 REMOVAL OF CARDS FROM REGISTRATION FILES CHANGE OF STATUS OF VOTER REGISTRATION APPLICATIONS.

If a voter registration card is to be removed from the registration files application has its status changed to inactive, except that of a deceased person or that of a voter person who has reregistered updated his or her registration pursuant to part 8200.3600 or who has registered in another county or state, the county auditor may must notify the person whose card is to be removed status is to be changed of the removal change and the reason for the removal change in writing. The cards removed applications whose status is changed must be maintained in separate files for 22 months.

8200.3900 PROCESSING OF NATIONAL VOTER REGISTRATION ACT APPLICATIONS.

All county auditors shall accept voter registration applications on forms prescribed by the Federal Election Commission as provided by the National Voter Registration Act if the application is from a person eligible to vote in Minnesota, and includes whether the person is a United States citizen and will be 18 years old on or before election day, the registrant's applicant's name, address in Minnesota, previous address (if any), date of birth, registrant's current and valid Minnesota driver's license or Minnesota state identification card number, or, if the applicant has no current and valid Minnesota driver's license or Minnesota state identification card, the last four digits of the applicant's Social Security number if the applicant has been issued a Social Security number, the applicant's signature, and the date of registration. The application must be processed and stored treated by the county auditor in the same manner as a Minnesota voter registration card application.

8200.5300 ELECTION JUDGE DUTIES.

One judge may both distribute ballots and register voters during the course of an election day, but one judge shall not perform both functions for the same voter. Persons wishing to register to vote on election day may determine whether they wish to fill out the voter registration card application themselves or request the assistance of an election judge. The judges shall confine their questions to information necessary to complete the voter registration card application.

8200.5400 NOTATION OF IDENTIFICATION ON REGISTRATION ~~CARD~~ APPLICATION.

When a voter uses a Minnesota driver's license, learner's permit, Minnesota identification card, United States passport, United States military identification card, or Minnesota postsecondary student identification card to prove residence or identity when registering on election day, the election judge who is registering voters shall record the number on the card voter registration application in the "election day official use only" area of the registration card application. When a voter uses one of the documents listed in part 8200.5100, subpart 2, item B, to prove residence for election day registration, the election judge who is registering voters shall record the type of document on the card in the "office use only" area of the registration card application.

8200.5500 REGISTRATION CARDS REGISTRATIONS RECEIVED ON ELECTION DAY.

Registrations received at polling places on election day must be filed in the same file and in the same manner as registrations received prior to that election day.

Subpart 1. Sufficiency of driver's license, Minnesota state identification card, or fourdigit Social Security number information. Minnesota driver's license, Minnesota state identification card, or Social Security number information provided as part of an election day

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

registration voter registration application pursuant to Minnesota Statutes, section 201.061, subdivision 3, is sufficient as defined in section 303(a)(5)(A)(iii) of the Help America Vote Act of 2002, Public Law 107252, to permit the applicant to vote at the election or an applicant can register as otherwise provided by Minnesota law.

Subp. 2. Verification; correction; enforcement. All new voter registration applications and updates of existing voter registrations submitted on election day pursuant to Minnesota Statutes, section 201.061, subdivision 3, must be verified pursuant to part 8210.9310 and Minnesota Statutes, section 201.121.

If, after matching the information in the statewide voter registration system with the information contained in the Department of Public Safety database or, in the case of an applicant who does not have a Minnesota driver's license or Minnesota identification card, in the database of the Social Security Administration, the accuracy of the information on the voter registration application cannot be verified, the county auditor must investigate and attempt to resolve the discrepancy.

The county auditor must send notices to election day registrants whose information cannot be verified and request that the voters contact the registration office.

If the voter does not provide information that resolves the discrepancy so that the voter registration application can be verified, the county auditor must challenge the voter in the statewide voter registration system and may refer the matter to the county attorney. If during the verification process the Department of Public Safety provides information that indicates that the voter is ineligible to vote, the county auditor must challenge the vote in the statewide voter registration system and refer the matter to the county attorney.

8200.6200 PUBLIC INFORMATION LIST AVAILABLE FOR INSPECTION.

A copy of the public information list must be available for public inspection for authorized purposes at all times in the county auditor's office. The secretary of state may make available for purchase public information lists ~~on paper and~~ in electronic or other media.

8200.6400 FORM OF PUBLIC INFORMATION LIST PROVIDED BY SECRETARY OF STATE.

The public information list provided by the secretary of state must contain the information required by Minnesota Statutes, section 201.091, subdivision 4, and must not contain the information in Minnesota Statutes, section 201.091, subdivision 9. The public information list may also include the precinct, ward, congressional district, legislative district, county commissioner district, judicial district, school district, or other identifiers for each election district in which the voter resides. The public information list may be requested ~~on paper or on~~ in electronic or other media.

8200.9115 FORM OF POLLING PLACE ROSTERS.

Subpart 1. General form of roster. The polling place rosters must contain the following items from the statewide registration system: voter's name, voter's address, voter's date of birth, voter's school district number, and a line on which the voter's signature can be written. When a voter's registration has been challenged pursuant to Minnesota Statutes, section 201.121, subdivision 2, an indicator noting the voter's challenged status must be printed on the line provided for the voter's signature. A similar indicator must be printed on the line provided for the voter's signature to note a voter's guardianship or felony status, if any.

The following certification must be printed at the top of each page of the polling place roster: "I certify that I am at least 18 years of age and a citizen of the United States; that I reside at the address shown and have resided in Minnesota for 20 days immediately preceding this election; that I am not under guardianship of the person where I have not retained the right to vote, have not been found by a court to be legally incompetent to vote, and have not been convicted of a felony without having my civil rights restored; and that I am registered and will be voting only in this precinct. I understand that giving false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

One or more pages in the polling place roster must be provided for use by voters who register to vote in the polling place on election day. An election day registrant shall fill in the registrant's name, address, and date of birth and shall sign the roster on the line provided.

Each page in the polling place roster must also contain the name of the precinct and a page number. In addition, each line provided for a voter's signature must be consecutively numbered on each page.

The roster may also include additional material as permitted under Minnesota Statutes, section 201.221, subdivision 3.

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

8200.9300 MAINTAINING DUPLICATE VOTER REGISTRATION RECORDS.

Subp. 7. Challenges and other notices. A record of any challenge to a voter registration shall be made part of the registration file and shall remain until removed according to law. The word "challenged" shall appear on the same line as or directly above the name of a challenged voter on the polling place roster. A record of any notice affixed to a voter registration ~~card~~ application pursuant to Minnesota Statutes, section 201.15, shall remain part of the file until removed according to law. The word "guardianship" shall appear on the same line as or directly above the name of the voter on the polling place roster. If any other special notice or information is affixed to a voter registration ~~card~~ application, an indication of the notice shall be printed on the polling place roster.

Exempt Rules

Subp. 8. Absentee voting. When an absentee return envelope is marked "Accepted" pursuant to Minnesota Statutes, section 203B.12, subdivision 3, the election judge shall place the letters "A.B." in the space for the voter's signature on the precinct election list followed by the judge's initials. When a return envelope is accepted from a voter who registers on election day by including a voter registration card application with the absentee ballot, the election judge shall print the voter's name, address, and month, day, and year of birth and the letters "A.B." in the appropriate places on the precinct election list.

[For text of subps 9 and 10, see M.R.]

Subp. 11. Voter registration ~~cards~~ applications. Voter registration ~~cards~~ applications must conform to the specifications of part 8200.1100.

8200.9305 ADMINISTRATION OF STATEWIDE REGISTRATION SYSTEM.

The secretary of state shall develop and operate a centralized database of all registered voters in the state of Minnesota. The database must be available to each county in the state through a statewide registration system provided by the secretary of state. The registration system must allow the secretary of state and the county auditors to ~~add, change, and delete~~ or modify information from the system in order to maintain an accurate database of registrants. The system must provide all county auditors and the secretary of state and, within a reasonable time after the system is initially implemented, municipal and school district clerks, with a method to view and search registration information.

A county auditor must use the statewide registration system to execute the duties of chief registrar of voters and chief custodian of registration records in the auditor's county.

8200.9310 PROCESSING TREATMENT OF COMPLETED VOTER REGISTRATION CARDS APPLICATIONS.

Subpart 1. Transmission of voter registration applications. A completed voter registration ~~card~~ application may be ~~returned~~ submitted to any state agency or county auditor. The secretary of state shall provide training to state agencies on the proper forwarding of ~~completed voter registration cards applications~~. ~~Completed~~ Voter registration cards received by applications submitted to the secretary of state must be forwarded to the appropriate county auditor for entry into the statewide registration system. With the approval of the appropriate county auditor, the secretary of state shall enter the registration ~~cards~~ applications into the statewide registration system for that county.

The secretary of state may electronically transmit the information on the voter registration ~~cards~~ applications to the appropriate county auditor. The county auditor shall promptly enter the information into the statewide registration system. The original ~~registration cards applications~~ submitted to the secretary of state must be maintained either by the secretary of state or by the appropriate county auditor. Voter registration ~~cards~~ applications must be stored in either paper, microfilm, or electronic format.

The secretary of state shall have full access to all functions of the statewide registration system ~~and may, with the authorization of the county, add, change, or delete registration records or other information in the system.~~

Subp. 2. Verification; defined; notification.

A. Verification means:

(1) that the information provided by the applicant on the voter registration application for all of the following categories matches the information in the same categories of the database maintained by the Department of Public Safety or in the database of the Social Security Administration if the applicant has no driver's license or identification card:

(a) name;

(b) date of birth;

(c) Minnesota driver's license or Minnesota state identification card number; or

(d) last four digits of Social Security number, if the applicant has not been issued a Minnesota driver's license or Minnesota state identification card. If a voter has not been issued a Minnesota driver's license, a Minnesota state identification card, or a Social Security number, and the voter has so indicated on the voter's voter registration application, units (c) and (d) are inapplicable and the registration is verified; or

(2) that if after matching the information listed in subitem (1), even though the information may not be an exact match, the county auditor can still reasonably conclude that the information in the database of the Department of Public Safety, or in the database of the Social Security Administration if the applicant has no driver's license or identification card, and the information provided by the applicant on the voter registration application, relate to the same person, in which case the county auditor shall note in the statewide registration system the basis for the conclusion.

B. The secretary of state must attempt to verify information entered into the voter registration system as a result of new voter registration applications by comparing the information stored by the voter registration system with information contained in the database

KEY: Proposed Rules Section - <u>Underlining</u> 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 - <u>Underlining</u> indicates additions to proposed rule language. Strikeout indicates deletions from proposed rule language.

Exempt Rules

maintained by the Department of Public Safety. The secretary of state must provide reports on attempted verifications that show the information of record in each database and that list:

(1) voter registration applications that match the information in the Department of Public Safety database or, in the case of an applicant who does not have a Minnesota driver's license or Minnesota identification card in the database of the Social Security Administration, and that are therefore verified;

(2) voter registration applications that cannot be verified with certainty against the information in the Department of Public Safety database or, in the case of an applicant who does not have a Minnesota driver's license or Minnesota identification card, in the database of the Social Security Administration. The report must match and contrast the information contained in the several databases; and

(3) voter registration applications with Minnesota drivers' license numbers, Minnesota identification card numbers, or if the applicant has no driver's license or identification card, the last four digits of the applicant's Social Security number that do not match the numbers of record in the Department of Public Safety database or, in the case of an applicant who does not have a Minnesota driver's license or Minnesota identification card, in the database of the Social Security Administration.

The reports prepared by the secretary of state must include a separate list of potential matches for incomplete mail-in registrations described in Minnesota Statutes, section 201.061, subdivision 1a.

C. The county auditor must review the reports provided by the secretary of state of records that have not been verified with certainty within ten days after the reports become available in the statewide voter registration system. The auditor must attempt to match the information on the voter registration application with the information in the database maintained by the Department of Public Safety or, in the case of an applicant who does not have a Minnesota driver's license or Minnesota identification card, in the database of the Social Security Administration, to permit the auditor to verify the information supplied on the voter registration application. The auditor shall attempt to obtain from the applicant any needed information by mail or, if a telephone number or an email address was provided by the applicant, by telephone or email. The auditor must record on the voter record in the statewide voter registration system each registration verified in this manner.

If the auditor cannot verify information for a registration, the auditor must record that the information supplied on the voter registration application could not be verified and is incomplete pursuant to Minnesota Statutes, section 201.121, subdivision 1.

Subp. 3. Correction. If a Minnesota driver's license number or Minnesota state identification card number supplied by the applicant cannot be verified because it does not exist in the Department of Public Safety database, the secretary of state or the county auditor shall correct the voter record to indicate that the number must not be used as the verification number on the voter record. In the case of an applicant who does not have a Minnesota driver's license number, Minnesota identification card number, or Social Security number that can be verified by comparison with the Department of Public Safety database, or in the database of the Social Security Administration, if the applicant has no Minnesota driver's license or Minnesota identification card, the unique voter record number generated by the statewide voter registration system must be used as the verification number for the record.

Subp. 4. Omission of required information. If the applicant did not supply a Minnesota driver's license, Minnesota identification card, or Social Security number, and the auditor concludes that a number exists for that applicant after comparing the voter registration application with the information in the Department of Public Safety database or, in the case of an applicant who does not have a Minnesota driver's license or Minnesota identification card, in the database of the Social Security Administration, the auditor must attempt to contact the applicant and request that the applicant provide the number. If the applicant does not provide the number, the county auditor must notify the applicant that the application is deficient and cannot be accepted and processed and that the applicant must provide the appropriate number to the county auditor 20 days prior to the election or register on election day.

Subp. 5. Updates.

A. A voter with an active voter registration may change the information on record by submitting a voter registration application meeting all the requirements for a new voter registration application.

B. If, after matching the updated information with the information contained in the Department of Public Safety database or, in the case of an applicant who does not have a Minnesota driver's license or Minnesota identification card, in the database of the Social Security Administration, the accuracy of the updated information cannot be verified, the county auditor must send a notice to the voter whose information cannot be verified and request that the voter provide the information or contact the registration office.

If the discrepancy cannot be resolved, the county auditor must challenge the voter in the statewide voter registration system and may refer the matter to the county attorney. If during the verification process the Department of Public Safety provides information that indicates that the voter is ineligible to vote, the county auditor must challenge the voter in the statewide voter registration system and refer the matter to the county attorney.

8200.9315 PROCEDURE FOR ENTERING DATA INTO STATEWIDE VOTER REGISTRATION SYSTEM.

When entering information from a voter registration ~~card~~ application into the statewide registration system, the secretary of state or county auditor shall:

A. conduct a statewide search of the registration database to determine if the ~~registrant~~ applicant has previously registered in Minnesota;

Exempt Rules

- B. assign the registrant applicant to the proper voting precinct for the address provided on the registration card application;
- C. determine all election districts in which the registrant applicant will be eligible to vote;
- D. notify the appropriate county auditor if the registrant applicant has moved from another county in the state in which the registrant was previously registered;
- E. assign the registration record a unique identification number, and date the record as to when the registration was entered into the registration database;
- F. maintain a record of voting history of the registrant for at least the previous six calendar years and a record of previous registrations and changes to voter status in the state for at least two years; and
- G. provide information on prior registrations in other states. At periodic intervals, the Secretary of State shall notify the chief election officials of other states of individuals persons who have registered to vote in Minnesota and who indicated a prior registration in their state.

The secretary of state shall establish a precinct finder that must be maintained by each county auditor. The precinct finder must identify the voting precinct that will be assigned to the registrant applicant. For the purposes of redistricting, the secretary of state shall include geographical data from the United States Census Bureau in the precinct finder.

8210.0050 ABSENTEE OR MAIL BALLOT MATERIALS.

All materials mailed in connection with absentee or mail voting shall bear the official United States Postal Service Election Mail insignia, except that county auditors may consume stock on hand when this rule becomes effective.

All envelopes used in connection with absentee or mail voting shall also bear a legend indicating the ballot category enclosed, in no smaller than 8point type. The categories are:

- A. registered;
- B. nonregistered;
- C. registered (agent delivery);
- D. nonregistered (agent delivery);
- E. military/overseas;
- F. presidential only; and
- G. mail.

County auditors may consume the existing stock of absentee ballot applications on hand when the 2004 amendments to part 8210.0200 become effective.

8210.0100 PRESIDENTIAL ABSENTEE BALLOTS.

Subpart 1. Procedure for voting. A person who is qualified under United States Code, title 42, section 1973aa1, to vote for the offices of president and vicepresident or for electors for president and vicepresident may vote by absentee ballot or in person at the auditor's office in the county where the person formerly resided. The affidavit of eligibility on the back of the absentee ballot return envelope must be printed in the form shown in subpart 2.

Subp. 2. Form of affidavit of eligibility.

TO BE COMPLETED BY VOTER

VOTER'S NAME (PLEASE PRINT)

VOTER'S FORMER ADDRESS IN MINNESOTA (PLEASE PRINT)

CITY OR TOWN (PLEASE PRINT)

COUNTY (PLEASE PRINT)

I certify that I

- will be at least 18 years old on election day;
- am a citizen of the United States;
- am not under guardianship of the person where I have not retained the right to vote;
- have not been found by a court to be legally incompetent to vote;

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

- have not been convicted of a felony without having my civil rights restored;
- previously lived in Minnesota at the address printed above;
- moved from Minnesota to another state within 30 days of the election; and
- am not eligible to register to vote in the state in which I now live.

VOTER'S SIGNATURE

DATE

8210.0225 APPLICATIONS FROM CHALLENGED VOTERS.

A voter registration ~~card~~ application must be sent with the ballot to any challenged voter and to each voter whose voter registration application is incomplete under Minnesota Statutes, section 201.061, subdivision 1a, or 201.121, who applies for an absentee ballot. The absentee ballot process must be administered as if the voter was not registered to vote.

8210.0500 INSTRUCTIONS TO ABSENT VOTER.

Subpart 1. Required instructions. Instructions to the absent voter shall be enclosed with the absentee ballot materials mailed or delivered to the absent voter. The instructions shall be in the form in subpart 2 ~~or~~ 3, or 4. The instructions may include a telephone number or electronic mail address which voters can call or write contact for help in absentee voting. In election jurisdictions using electronic voting systems, the instructions may must explain how to correctly mark and fold the electronic voting system ballots. The instructions must inform the voter of the effect of casting multiple votes for an office and, in the case of a partisan primary, the effect of voting for candidates of more than one party. The instructions must include information on how to correct a ballot before it is cast and counted, including instructions on how to request a replacement ballot if the voter is unable to change the ballot or correct an error.

Subp. 2. Instructions for unregistered voters.

INSTRUCTIONS TO ABSENTEE VOTERS,
VOTERS WHO ARE CURRENTLY NOT REGISTERED
IN MINNESOTA, VOTERS WHOSE REGISTRATIONS
HAVE BEEN DULY CHALLENGED, AND
VOTERS WHO REGISTERED BY MAIL AND
HAVE NOT COMPLETED REGISTRATION REQUIREMENTS
"IMPORTANT NOTICE TO CHALLENGED VOTERS:"

Pursuant to Minnesota Statutes, chapter 201, the county auditor is required to "challenge" your voter registration, either because of a notification from the post office that you no longer live at the address listed on your voter registration or because of another question about your eligibility to vote. To remove the challenge so that your ballot can be counted, you must complete the enclosed Minnesota voter registration application. Read the statement at the bottom of the registration application and sign the application only if all parts apply to you. To complete the return envelope, follow the instructions provided."

Follow these instructions carefully.

Before you vote by absentee ballot you must have a witness.

Step 1. Locate one of the following individuals to serve as your witness:

- a. anyone who is registered to vote in Minnesota including your spouse or another relative who meets this qualification;
- b. a notary public; or
- c. any person having authority to administer oaths.

Step 2. Fill out the voter registration ~~card~~ application. Remember to sign your name at the bottom of the ~~card~~ application.

Step 3. Show your witness your proof of residence in the precinct. One of the following documents may be used as proof of residence:

- a. a valid Minnesota driver's license, permit, or identification card, or a receipt for any of these forms, that contains your current address;
- b. one document from the list in (i) and one document from the list in (ii):
 - (i) an original bill in your name for gas, electric, telephone, cable television, solid waste, water, or sewer services showing your current address and due up to

Exempt Rules

30 days before or after election day, and
(ii) your Minnesota driver's license or identification card, United States passport, United States military identification card with your photograph, or Minnesota postsecondary student identification card with your photograph;

- c. the signature of a registered voter who lives in your precinct; if your witness is registered to vote in your precinct, your witness may also vouch for you;
- d. a student identification card, registration card, or fee statement that contains the student's current address in the precinct; ~~or~~
- e. a current valid registration in the same precinct; or
- f. tribal band members living on an Indian reservation may prove residence for purposes of registering by showing an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, street address, signature, and picture of the individual. The county auditor of each county having territory within the reservation shall maintain a record of the number of election day registrations accepted under this section.

Step 4. Show your witness the unmarked ballots.

Step 5. Mark the ballots in secrecy. If you are disabled or otherwise unable to mark the ballots, you may ask your witness to assist you. Mark your votes in the manner shown or explained at the top of the ballots. Follow the instructions under each office that tell you how many votes can be cast and do not cast more votes than instructed. Casting more votes than instructed for an office will prevent your votes from being counted for that office.

FOR PRIMARY VOTERS ONLY: Carefully follow the instructions on the ballot. If you are voting in a partisan primary, you may only vote for the candidates of one party. Voting for candidates in more than one party will prevent your partisan ballot from being counted. If you make an error when marking your ballot, you may request a new ballot from the election official from whom you received your ballot. If you cannot request a new ballot for any reason, completely erase any errors and remark your ballot.

Step 6. Fold each ballot so that ~~your votes cannot be seen~~ it fits within the tan ballot secrecy envelope. Do not put any identifying marks on the ballot.

Step 7. Place all voted ballots in the tan ballot secrecy envelope and seal the envelope. Do not write on the tan ballot secrecy envelope.

Step 8. Place the tan ballot secrecy envelope and your completed voter registration ~~card~~ application into the white ballot return envelope and seal the envelope.

Step 9. Print your name and address and sign your name on the back of the white ballot return envelope. The name, address, and signature of your witness are required as well.

- Step 10. Return your ballot to the address on the white ballot return envelope in one of the following ways:
- a. by mail so it will be delivered by election day;
 - b. in person no later than 5:00 p.m. on the day before election day; or
 - c. by having someone else return your ballot by 3:00 p.m. on election day (this person cannot be a candidate and cannot return ballots for more than three voters).

NOTE: Follow these instructions carefully. An improperly completed ballot, or statement of voter or witness, will invalidate your votes. If you have any questions, please call (651) 215-1440.

Subp. 3. Instructions for registered voters.

INSTRUCTIONS TO ABSENTEE VOTERS

Follow these instructions carefully.

Before you vote by absentee ballot you must have a witness.

- Step 1. Locate one of the following individuals to serve as your witness:
- a. anyone who is registered to vote in Minnesota including your spouse or another relative who meets this qualification;
 - b. a notary public; or
 - c. any person having authority to administer oaths.

Step 2. Show your witness the unmarked ballots.

Step 3. Mark the ballots in secrecy. If you are disabled or otherwise unable to mark the ballots, you may ask your witness to assist you. Mark your votes in the manner shown or explained at the top of the ballots. Follow the instructions under

KEY: Proposed Rules Section - <u>Underlining</u> 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 - <u>Underlining</u> indicates additions to proposed rule language. Strikeout indicates deletions from proposed rule language.

Exempt Rules

each office that tell you how many votes can be cast and do not cast more votes than instructed. Casting more votes than instructed for an office will prevent your votes from being counted for that office.

FOR PRIMARY VOTERS ONLY: Carefully follow the instructions on the ballot. If you are voting in a partisan primary, you may only vote for candidates of one party. Voting for candidates in more than one party will prevent your partisan ballot from being counted.

If you make an error when marking your ballot, you may request a new ballot from the election official from whom you received your ballot. If you cannot request a new ballot for any reason, completely erase any errors and remark your ballot.

Step 4. Fold each ballot so that your votes cannot be seen it fits within the tan ballot secrecy envelope. Do not put any identifying marks on the ballot.

Step 5. Place all voted ballots in the tan ballot secrecy envelope and seal the envelope. Do not write on the tan ballot secrecy envelope.

Step 6. Place the tan ballot secrecy envelope into the white ballot return envelope and seal the envelope.

Step 7. Print your name and address and sign your name on the back of the white ballot return envelope. The name, address, and signature of your witness are required as well.

Step 8. Return your ballot to the address on the white ballot return envelope in one of the following ways:

- a. by mail so it will be delivered by election day;
- b. in person no later than 5:00 p.m. on the day before election day; or
- c. by having someone else return your ballot by 3:00 p.m. on election day (this person cannot be a candidate and cannot return ballots for more than three voters).

Note: Follow these instructions carefully. An improperly completed ballot, or statement of voter or witness, will invalidate your votes. If you have any questions, please call (651) 215-1440.

Subp. 4. Instructions for military and overseas voters. The following instructions must be sent to military and overseas absentee voters voting under Minnesota Statutes, sections 203B.16 to 203B.27:

INSTRUCTIONS TO ABSENTEE VOTERS

Follow these instructions carefully.

Step 1. Mark the ballots in secrecy. Mark your votes in the manner shown or explained at the top of the ballots. Follow the instructions under each office that tell you how many votes can be cast and do not cast more votes than instructed. Casting more votes than instructed for an office will prevent your votes from being counted for that office.

FOR PRIMARY VOTERS ONLY: Carefully follow the instructions on the ballot. If you are voting in a partisan primary, you may only vote for candidates of one party. Voting for candidates in more than one party will prevent your partisan ballot from being counted.

If you make an error when marking your ballot, you may erase any errors and remark your ballot or you may request a new ballot from the county auditor from whom you received your ballot. If you are disabled or otherwise unable to mark the ballots, you may have someone assist you. Do not permit any other individual to observe the marking of the ballot.

Step 2. Fold each ballot so that it fits within the tan ballot secrecy envelope. Do not put any identifying marks on the ballot.

Step 3. Place all completed ballots in the tan ballot secrecy envelope and seal the envelope. Do not write on the tan ballot secrecy envelope. Do not permit other individuals to see your ballot before sealing the ballot envelope.

Step 4. Place the tan ballot secrecy envelope into the white ballot return envelope and seal the envelope.

Step 5. Write your military identification number or passport number on the back of the white ballot return envelope. If you cannot provide your military identification number or passport number on the return ballot envelope, you must have the signature and certification of a commissioned officer of the armed forces or any official authorized to administer oaths under federal law or the law of the state of Minnesota or other place where the oath is administered.

Step 6. Print your name and your present or last address in Minnesota. Date and sign your name on the back of the white ballot return envelope.

Step 7. Return your ballot to the address on the white ballot return envelope by mail or expedited delivery service so it will be delivered by no later than election day.

8210.3000 MAIL BALLOTING

[For text of subps 1 to 3, see M.R.]

Subp. 4. Mailing ballots. The county auditor, municipal clerk, or school district clerk shall mail ballots to the voters registered in the municipality or unorganized territory. A ballot mailing must be sent to each registered voter no earlier than 20 or later than 14 days prior to the election. No ballot may be mailed to a challenged voter. A challenged voter may apply for an absentee ballot.

The mail balloting process for voters whose registrations are incomplete under Minnesota Statutes, section 201.061, subdivision 1a, or 201.121, must be administered as if the voter were not registered to vote.

Ballots must be sent by nonforwardable mail. Ballots for eligible voters who reside in health care facilities may be delivered as provided in Minnesota Statutes, section 203B.11. The ballot mailing must be addressed to the voter at the voter's residence address as

Exempt Rules

shown on the registration file unless the voter completes an absentee ballot request as provided in Minnesota Statutes, section 203B.04 or 203B.16.

A return envelope, a ballot secrecy envelope, and instructions for marking and returning mail ballots must be included with the ballots. The instructions may include a telephone number or electronic mail address which voters can call or write for help in mail voting. At the request of the secretary of state, a survey card that the voter can return to the secretary of state must also be included. The ballot return envelope must be printed with the mail voter's certificate. The ballot return envelope must be addressed for return to the county auditor, municipal clerk, or school district clerk that is conducting the election. First class postage must be affixed to the return envelope.

Subp. 4a. Form of instructions to mail voters.

INSTRUCTIONS TO MAIL BALLOT VOTERS

Follow these instructions carefully.

Before you vote you must have a witness.

Step 1. Locate one of the following individuals to serve as your witness:

- a. anyone who is registered to vote in Minnesota including your spouse or another relative who meets this qualification;
- b. a notary public; or
- c. any person having authority to administer oaths.

Step 2. Show your witness the unmarked ballots.

Step 3. Mark the ballots in secrecy. If you are disabled or otherwise unable to mark the ballots, you may ask your witness to assist you. Mark your votes in the manner shown or explained at the top of the ballots. Follow the instructions under each office that tell you how many votes can be cast and do not cast more votes than instructed. Casting more votes than instructed for an office will prevent your votes from being counted for that office.

FOR PRIMARY VOTERS ONLY: Carefully follow the instructions on the ballot. If you are voting in a partisan primary, you may only vote for candidates of one party. Voting for candidates in more than one party will prevent your partisan ballot from being counted.

If you make an error when marking your ballot you may request a new ballot from the election official from whom you received your ballot. If you cannot request a new ballot for any reason, completely erase any errors and remark your ballot.

Step 4. Fold each ballot so that ~~your votes cannot be seen~~ it fits within the tan ballot secrecy envelope. Do not put any identifying marks on the ballot.

Step 5. Place all voted ballots in the tan ~~colored~~ ballot secrecy envelope and seal the envelope. Do not write on this envelope.

Step 6. Place the tan ~~colored~~ ballot secrecy envelope into the white ballot return envelope and seal the envelope.

Step 7. Print your name and address and sign your name on the back of the white ballot return envelope. The name, address, and signature of your witness are required as well.

Step 8. Return your ballot to the address on the white ballot return envelope by mail so it will be delivered by election day or in person or through your designated agent no later than 8:00 p.m. on election day.

If you have questions, please call (651) 215-1440.

For text of subps 4b to 13, see M.R.

REPEALER. Minnesota Rules, parts 8200.2800; 8200.5700; and 8210.0200, subpart 1b, are repealed.

KEY: Proposed Rules Section - <u>Underlining</u> 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 - <u>Underlining</u> indicates additions to proposed rule language. Strikeout indicates deletions from proposed rule language.

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; Mourning Dove Season

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 rules is Minnesota Statutes, sections 97A.015, subd. 24, and 97B.731, as amended by Laws of MN 2004, Chapter 215, Sections 1 and 38.

The emergency conditions that do not allow compliance with Minnesota Statutes, sections 97A.0451 to 97A.0459, are that national mourning dove population trend data are not available until June, federal migratory bird hunting season frameworks are not finalized until July, and restoration of the commissioner's authority to set a mourning dove season under state law is not effective until August 1, 2004.

Dated: July 27, 2004

Gene Merriam
Commissioner of Natural Resources

6240.0250 TAKING MOURNING DOVES.

Subpart 1. Open season. Mourning doves may be taken during the 60day period beginning September 1.

Subp. 2. Daily limit. A person may not take more than 15 mourning doves per day during the open season.

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 Department of Administration

Building Codes and Standards Division

REQUEST FOR COMMENTS on Possible Amendments to Rules Governing the Minnesota State Building Code

Subject of Rules. The Minnesota Department of Administration, Building Codes and Standards Division, requests comments on its possible amendments to rules governing various chapters of the Minnesota State Building Code. The rule chapters being considered for amendment include Minnesota Rules, chapters 1300 – Administration of the State Building Code, 1303 – Minnesota Provisions of the State Building Code, 1305 – Adoption of the 2003 International Building Code, 1306 – Special Fire Protection Systems (optional), 1309 – Adoption of the 2003 International Residential Code, 1311 – Adoption of the Guidelines for the Rehabilitation of Existing Buildings, 1315 – Adoption of the 2005 National Electrical Code, 1322 (proposed) – Residential Energy Code and 1323 (proposed) – Commercial Energy Code. The Department is considering rule amendments to update or revise current rule language. Specific descriptions for each rule chapter are as follows:

1300 – Administration of the State Building Code. The Department intends to revise this chapter to clarify or update provisions for administering the State Building Code, including adding any new provisions needed relative to the adoption of the 2003 International Building Code and 2003 International Residential Code, as well as other chapters of the State Building Code.

1303 – Minnesota Provisions of the State Building Code. The Department intends to revise this chapter to incorporate possible revisions to the snow load map and update statutory requirements located in this chapter.

Official Notices

1305 – Adoption of the 2003 International Building Code. The Department intends to revise this chapter to incorporate by reference the 2003 International Building Code (2003 IBC) published by the International Codes Council. The 2003 IBC is an updated version of the 2000 International Building Code, which is the model building code currently adopted by reference in this rule chapter.

1306 – Special Fire Protection Systems (optional). The Department intends to revise this chapter to exempt open parking garages, to review the thresholds for “M” and “B” occupancies, attached townhouses, and thresholds for membrane structures.

1309 – Adoption of the 2003 International Residential Code. The Department intends to revise this chapter to incorporate by reference the 2003 International Residential Code (2003 IRC) published by the International Codes Council. The 2003 IRC is an updated version of the 2000 International Residential Code, which is the model residential code currently adopted by reference in this rule chapter.

1311 – Adoption of the Guidelines for the Rehabilitation of the Existing Buildings. The Department intends to revise this chapter to incorporate clarifications to existing provisions and adding any new provisions needed relative to the adoption of the 2003 International Building Code, 2003 International Residential Code, updated accessibility provisions, as well as other chapters of the State Building Code.

1315 – Adoption of the 2005 National Electrical Code. The Department intends to revise this chapter to incorporate by reference the 2005 National Electrical Code. The 2005 edition of this code will be available to the public in approximately August 2004. The Department intends to review the document at that time for adoption into the state building code.

1322 (proposed) – Residential Energy Code. The Department intends to create a new chapter in the state building code to incorporate new residential energy provisions, pursuant to Minn. Stat. 16B.617. The Department intends to repeal all old rule chapters related to the current Minnesota Energy Code.

1323 (proposed) – Commercial Energy Code. The Department intends to create a new chapter in the state building code to incorporate new commercial energy provisions, pursuant to Minn. Stat. 16B.617. The Department intends to repeal all old rule chapters related to the current Minnesota Energy Code.

The Agency is utilizing advisory committees for rules associated with chapters 1300, 1305, 1306, 1309, 1311, 1322, and 1323.

Persons Affected. Persons affected by amendments to chapter 1300, 1303, 1305, 1306, 1309, 1311, 1315, 1322 (proposed) and 1323 (proposed) may include municipal building inspection department personnel, building contractors, architects, engineers, fire inspection personnel, pre-engineered building and material manufacturers and/or suppliers, and ultimately the general public.

Persons additionally affected by amendments to chapter 1315 may include electrical contractors and electrical material suppliers.

Persons affected by all of the above chapters of the Minnesota State Building Code may include building owners and managers and users of the facilities or structures.

Statutory Authority. Minnesota Statutes, sections 16B.59, 16B.61, and 16B.64, authorize the Department to adopt or amend rules governing code administration, Minnesota provisions of the state building code, the adoption of the International Building Code, special fire protection systems, the adoption of the International Residential Code, the Guidelines for the Rehabilitation of Existing Buildings, the National Electrical Code, and the energy code. Minnesota Statutes, sections 326.243 additionally authorizes the Department to adopt or amend rules governing the Electrical Code. Minnesota Statutes, section 16B.617 additionally authorizes the Department to adopt or amend rules governing the energy code.

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. The Department has appointed advisory committees to comment on the possible rules.

Rules Drafts. The Department does not anticipate that drafts of the rules amendments will be available before the publication of the proposed rules.

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: Colleen Chirhart at the Building Codes and Standards Division, Department of Administration, 121 E. 7th Place, #408, St. Paul, Minnesota 55101, (651) 296-4329, FAX (651) 297-1973, and email to colleen.d.chirhart@state.mn.us. TTY users may call (651) 627-3529 or 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

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: 7 July 2004

Brian J. Lamb, Commissioner
Department of Administration

Board of Animal Health Notice of Quarterly Meeting

The Board of Animal Health will hold its quarterly meeting on Wednesday September 8th, 2004 at 9:30 a.m. at the Country Inn & Suites 1900 Premier Dr, Mankato, MN 56001.

Department of Human Services Authorization List

The following is a listing of added drugs to the current authorization list. The newly added drug codes will require authorization on or after September 6, 2004. As authorized by Minnesota Statutes, section 256B.0625 subdivision 25, the following list includes all drugs that have been added requiring 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 non preferred drugs will require Authorization for services provided on or after September 6, 2004.

DRUGS

Added drugs

Angiotensin Receptor Blockers

Brand	Generic
Atacand	Candesartan
Avapro	Irbesartan
Benicar	Olmesartan
Micardis	Telmisartan
Teveten	eprosartan

Angiotensin Receptor Blocker/diuretic combinations

Brand	Generic
Atacand HCT	Candesartan
Avalide	Irbesartan

Benicar HCT	Olmesartan
Micardis HCT	Telmisartan
Teveten HCT	Eprosartan

Histamine receptor 2 antagonists

Generic nizatidine

Department of Human Services

Health Care Purchasing and Delivery Systems Division, Health Care Administration

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

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

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

The Department requires Medical Assistance pharmacy providers to submit their usual and customary costs. Pharmacy providers are reimbursed at the lower of: 1) the federal or state MAC, plus a dispensing fee; 2) the submitted usual and customary charge to the general public; or 3) a discount off of average wholesale price, plus a dispensing fee.

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

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

<u>GCN</u>	<u>Drug Name</u>	<u>Strength</u>	<u>MAC Price</u>
16386	BUPROPION HCL	150 MG	1.3510

These additions are made to bring Medical Assistance reimbursement to pharmacists more closely in line with the actual acquisition cost of the drugs listed above. The Department estimates that there will be a state savings of \$460,000 for State Fiscal Year 2005 (July 1, 2004 through June 30, 2005).

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

Written comments and requests for information may be sent to:

Cody Wiberg, Pharm.D., R.Ph.
Pharmacy Program Manager
Health Care Purchasing and Delivery Systems Division
Minnesota Department of Human Services
444 Lafayette Road North
St. Paul, Minnesota 55155-3854
Phone: (651) 282-6496
Email: cody.wiberg@state.mn.us

Official Notices

Department of Human Services

Notice of Public Comment Period for the "Title XX Intended Use Report: Block Grant for Social Service"

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services (DHS), Child Safety and Permanency Division, is seeking comments from the public regarding the "Title XX Intended Use Report - Block Grant for Social Services".

The Title XX Intended Use Report summarizes the intended use of payments received by the State under Title XX of the Social Security Act. It includes information about the activities to be funded and characteristics of the individuals who will be served for the twelve months of the federal fiscal year 2005 (October 1, 2004 through September 30, 2005). The report can be reviewed at www.comm.media.state.mn.us.

The comment period is from August 23 to September 22, 2004.

Written comments may be submitted to:

Carol Janson, Social Services Program Advisor
444 Lafayette Road
St. Paul, MN 55155-3832
Or by email to: carol.janson@state.mn.us.

Public Employees Retirement Association

Notice of Meeting of the Board of Trustees

A meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, August 12, 2004, at 9:30 a.m., in the PERA offices, 60 Empire Drive, Room 117, Saint Paul, Minnesota.

State Grants & Loans

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

Minnesota Department of Education

Early Learning Services

Notice of Availability of Grant Funds for Head Start Collaboration Activities

The Minnesota Department of Education, Early Learning Services Section, is making available grant funds to strengthen the service delivery and management systems and overall performance of Community Action Agencies, Head Start programs and Child Care Resource and Referral Agencies through a Management Institute. It is anticipated that a total of one (1) grant contract will be awarded for the period of October 1, 2004 through June 30, 2005 for a total of \$100,000 to provide these services.

Funding for this project is made available through federal Head Start Collaboration funds, CFDA 93.600.

This request for proposals does not obligate the state to award a grant contract. The state reserves the right to cancel this request for proposals if it is considered to be in the state's best interest or if funding is terminated from the Minnesota Legislature or Federal Department of Health and Human Services.

Note that the deadline for submission of applications for this competitive grant award is Wednesday, September 1, 2004, 3:00 P.M.

To obtain a complete copy of the grant application materials contact Lisa Boemer at lisa.boemer@state.mn.us or (651) 582-8510.

Department of Labor and Industry Workplace Safety Consultation Unit Notice of Safety Grants for Employers

The Department of Labor and Industry (DLI) announces continuation of its safety hazard abatement matching grant program under Minnesota Statutes, section 79.253, and Minnesota Rules, parts 5203.0010 through 5203.0070. Employers covered by workers' compensation insurance, and those approved as self-insured employers, are eligible to apply for safety/health matching grants to abate safety hazards in their workplace. The safety/health hazards must have been identified in an on-site survey conducted by one of the following:

- 1) MNOSHA safety/health investigator,
- 2) DLI Workplace Safety Consultation safety/health consultant,
- 3) in-house employee safety/health committee,
- 4) workers' compensation underwriter,
- 5) private safety/health consultant or
- 6) a person under contract with the Assigned Risk Plan.

The on-site safety/health survey must have resulted in specifically recommended safety and/or health practices or equipment, training for purchased equipment, and/or tuition reimbursement designed to reduce the risk of injury to employees. Costs eligible for program participation are all or part of the cost of purchasing and installing recommended safety/health equipment, training for purchased equipment, tuition reimbursement, the cost of operating or maintaining safety/health equipment, and/or the cost of purchasing or renting real property, if necessary, to meet criteria established by the on-site safety/health survey. Automobiles, weapons, or personnel costs, such as salary and benefits, will not be covered by these grants.

Whether we approve your grant application or not, in no way diminishes, delays or absolves you of any obligation to abate hazards as required by law. No state funds will be distributed until all grant documents are signed by all parties; funds expended before that must not rely on grant approval. Invoices dated prior to your fully executed grant agreement are not eligible for this program.

Grants are limited to a total maximum match of \$10,000 per project. The employer must provide at least \$1.00 (one dollar) in project costs for every dollar awarded. No grant will be awarded for more than half the amount of the approved project. Projects will be judged according to the criteria established by law. Qualified projects having the greatest impact and feasibility will be given priority. Priority will also be given to projects meeting the other requirements for grants: creating production jobs in an area, preventing loss of jobs due to safety problems, and in areas that are the current focus of Minnesota OSHA compliance and consultation strategies, including public sector, food and kindred products, lumber and wood products, furniture and fixtures, paper and allied products, printing and publishing, rubber and miscellaneous plastics, industrial machinery and equipment, communications, hotels and other lodging places, automotive dealers and service stations, construction, health services, ergonomic equipment, training for purchased equipment, and tuition reimbursement. Less than the requested amount may be awarded if program resources are insufficient to provide full assistance to all approved applicants and if the reduced grant could still achieve safety objectives.

Grant applications will be accepted continuously and awarded on a monthly basis. Applications must be received by the last day of the month to be awarded the next month. An employer that has received a grant for a particular worksite will not be eligible to receive another grant for that worksite during the two years after the date of the award. All applicable information requested on the grant application form is required for grant approval. Missing information will result in your application being returned to you.

Eligible applicants for grants must submit their proposals to: James Collins, OSHA Management Team Director, Workplace Safety Consultation, 443 Lafayette Road N., St. Paul, MN 55155. For further information or to request a grant application, please contact Ernest Mattila, Grants Administrator, MNOSHA Workplace Safety Consultation, at (651) 284-5162, 1-800-731-7232 or e-mail at Ernest.Mattila@State.MN.US.

Minnesota Pollution Control Agency Applications Accepted for Nonpoint Source Water Pollution Project Grants and Loans through the State Clean Water Partnership and the Federal Clean Water Act Section 319 Grant Programs

The Minnesota Pollution Control Agency (MPCA) hereby announces that it will accept applications for project implementation grants through the federal Clean Water Act Section 319 Nonpoint Source Grant Program (Section 319). Typically, State Clean Water Partnership (CWP) Program grant funds are available, however, again this year the grant funds were used to fund continuation projects. CWP loans will be available this funding round.

In 1987, the Minnesota Legislature established the CWP Program (Minnesota Statutes §§ 103F.70 through 103F.761) to protect and improve surface and ground water in Minnesota through financial and technical assistance to local units of government. Section 319

State Grants and Loans

provides federal grant money for nonpoint pollution abatement and water resource restoration.

Notes to Current Application Process:

- This funding round will have no CWP grant funding available for this competitive process, therefore, there are no monies available for diagnostic studies;
- A portion of Section 319 funds available this funding round will be dedicated to projects implementing Total Maximum Daily Load (TMDLs) that have been approved by the U.S. Environmental Protection Agency (EPA);
- Priority will be given to projects that pertain to restoring impaired waters on the impaired waters list at the MPCA web site at: <http://www.pca.state.mn.us/water/tmdl.html> and projects that are part of Governor's Water Initiative at the web site: <http://www.governor.state.mn.us>;
- To be eligible for Section 319 funds for feedlot projects, a county that has more than 200 feedlots that are required to be registered must be delegated. See MPCA web site at: <http://www.pca.state.mn.us/hot/feedlot-countyprogram.html>;
- Applications must be sent in electronic and paper form.

Types of Projects

Project funding will be awarded for two types of projects this round:

1. Education Projects with Statewide or regional applicability demonstrating new or innovative technology or best management practices or for developing educational programs related to nonpoint source pollution; and
2. Implementation projects that were identified during a CWP Phase I investigation, or projects in a watershed with impairments listed on the 2004 list for the pollutants of concern at the MPCA web site at: <http://www.pca.state.mn.us/publications/leg-04sy1-04.pdf> or projects implementing approved TMDLs.

Criteria for Project Selection

Minnesota Rules 7076.0100 through 7076.0290 and EPA Section 319 Program guidance provide the criteria and procedural condition under which the MPCA may award assistance. In addition, there will be three criteria that will be emphasized to evaluate projects:

1. The first criterion is whether a sponsor of a project is self-sustaining or has plans in place to become self-sustaining within three (3) years.
2. The second criterion is whether the watershed project or education project addresses impairments that are listed on the 2004 list for the pollutants of concern.
3. For implementation projects only, the evaluation teams will evaluate whether the projects applying for implementation money have done a comprehensive assessment and planning process in the watershed or around the water body of concern. Such assessments might consist of a CWP Phase I or equivalent, a TMDL, completed basin or watershed plan specific to the project, wellhead or source water protection plan, or other recent comprehensive studies specific to the project.

Eligible Applicants

Applications will be accepted from local units of government interested in leading a nonpoint source pollution control project. Applications will also be accepted from other entities besides local units of government, but such applications would only be eligible for Section 319 Program funding. Ineligible Section 319 costs include activities addressing National Pollutant Discharge Elimination System permit requirements such as feedlot or stormwater permits, any type of point source related activities, and activities addressing enforcement actions. Any non-permitted feedlots addressed with Section 319 money must have a Comprehensive Nutrient Management Plan.

Request Limits

This year there will be a per-project grant cap of Three-Hundred Thousand Dollars (\$300,000.00), total project grant request regardless of duration, not per year. There will be no cap on loan requests this year for qualifying projects.

Submission Deadline and Requirements

All completed applications must be received both electronically and in hard copy by 4:30 p.m. on Friday, October 8, 2004, in order to be eligible. All applications must be submitted in electronic form (preferred computer file format is Microsoft Word) to the MPCA by email: CWP-319.grant.program@pca.state.mn.us

Applicants must also send two (2) hard copies of their application, including the portions of the application that do not transfer readily electronically (signatures, maps, other attachments, etc.), to Markell Lanpher at the address listed below. Incomplete applications will not be considered for funding. Faxed copies will not be accepted. Any project that is implementing a TMDL with a MPCA-approved implementation plan should include "TMDL" in the project title to help ensure the project is considered for funding with TMDL dedi-

State Grants and Loans

cated funds. The CWP/319 application, a copy of Minnesota Rules 7076.0100 through 7076.0290, and guidance documents are available for downloading on the MPCA website at: <http://www.pca.state.mn.us/water/cwp-319.html>.

If you need additional information or a copy of the CWP/319 application, email or call:

Markell Lanpher
Nonpoint Source 319 Coordinator
Minnesota Pollution Control Agency
Regional Environmental Management Division
520 Lafayette Road North
St Paul, MN 55155-4194
Phone No: (651) 297-2810
Fax No: (651) 297-8676
Email: markell.lanpher@pca.state.mn.us

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 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.

St. Cloud Technical College

Request for Proposal for Graphic Arts Program to Include the Purchase of a Digital Platemaking Equipment and the Trade-in of Surplus Presses

NOTICE IS HEREBY GIVEN that Offers will be received by the Director of Purchasing, St. Cloud Technical College, until 2:00 P.M. on August 30, 2004 for the purpose of purchase and installation of Digital Platemaking Equipment and the removal of trade-in equipment for the Graphic Arts Program, according to the specifications on file at:

St. Cloud Technical College
Business Office
1540 Northway Drive
St. Cloud, Minnesota 56303
Attention: Jeff John
Phone: 320-308-5512
Fax: 320-308-5027
Email: jjohn@sctc.edu

Specifications and Request for Proposal forms may be obtained from Jeff John the Director of Purchasing at the address shown above. The request for proposal may also be downloaded from the St Cloud Technical College's web site by visiting www.sctc.edu/rfp beginning August 9, 2004 until August 30, 2004.

Offers are to be submitted in a sealed envelope addressed to the Director of Purchasing at the above address and clearly marked:

"DIGITAL PLATEMAKER RFP"

All applicants must provide one original and (2) copies of the proposal. The final date for submitting a proposal is August 30, 2004 by 2:00 P.M. Central Daylight Time. Late proposals will not be considered. Faxed or e-mailed proposals will not be considered.

St. Cloud Technical College reserves the right to reject any and all Offers and to waive any informalities contained in such Offers. This

State Contracts

request does not obligate the St Cloud Technical College to complete this project. The St Cloud Technical College reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota Department of Health Request for Proposals for Environmental Health Risk Survey

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health is seeking qualified vendors to work with the Department to conduct a survey of Minnesotan's willingness to pay to reduce health risks from environmental hazards. Work for this contract must be completed by May 13, 2005.

Qualified vendors shall be considered who have:

- 1) Experience conducting survey work, including population-based random sampling, self-administered questionnaires, and computer-assisted surveys;
- 2) Organizational capacity to recruit a sample of participants from multiple geographical areas of Minnesota and to administer surveys at fixed sites or via the internet; and
- 3) Experience collecting, managing, and analyzing survey data; and a demonstrated ability to implement data quality control measures and ensure data privacy.

A written request (by direct mail, fax or e-mail) is required to receive this Request for Proposals. To submit requests, or for more information, contact:

Amy Lockheart
Minnesota Department of Health
Health Risk Assessment, Suite 220
P.O. Box 64975
St. Paul, MN 55164
Phone: (651) 215-0920
Fax: (651) 215-0975
Email: amy.lockheart@health.state.mn.us

Deadline for proposals is 4:00 p.m. CDT on Monday, September 13, 2004. Late proposals will not be considered. Faxed or e-mailed proposals will not be considered.

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

Minnesota Higher Education Services Office Request for Proposals to Develop Interactive CD-ROM

The Minnesota Higher Education Services Office is requesting proposals from qualified professionals to develop an interactive CD-ROM primarily for sixth grade students served by the Get Ready! early college awareness program. The CD will be designed to teach children financial literacy and applications to learning about the price of higher education and the ways to pay for it. Proposals must be submitted no later than Thursday, September 2, 2004 at 4:00 p.m. CDT.

The Request for Proposals (RFP) does not obligate the Higher Education Services Office to complete this project, and the Services Office reserves the right to cancel the solicitation if it is considered in its best interest.

The total cost of this proposal is not to exceed \$60,000 for Fiscal Years 2004 and 2005.

Copies of the complete RFP are available from:

Communications
Minnesota Higher Education Services Office
1450 Energy Park Drive, Suite 350
St. Paul, Minnesota 55108-5227
(651) 642-0554

Minnesota Historical Society Notice of Request for Bids for the Creation of a Web-Based Data-Entry Application Pertaining to Architecture in Minneapolis and Saint Paul, Minnesota

The Minnesota Historical Society is seeking bids from qualified individuals or firms to provide technical services related to the development of an electronic database about key examples of Twin Cities' architecture. The project would require the creation of a web-

based data entry application and the ability to link this application to an SQL Server 2000 database.

The Request for Proposals is available by calling or writing Mary Green Toussaint, Contracting & Purchasing Assistant, Minnesota Historical Society, 345 Kellogg Blvd. W., St. Paul, MN 55102. Telephone: 651-297-7007 or e-mail: mary.green-toussaint@mnhs.org.

Bids must be received no later than 2:00 p.m., Local Time, Wednesday, August 25, 2004. No late bids will be accepted.
Dated: 9 August 2004

Minnesota Historical Society

Notice of Request for Proposals for Technical Services Related to Reproducing Wallpaper at the Alexander Ramsey House in Saint Paul, Minnesota

The Minnesota Historical Society is seeking proposals from qualified individuals or firms to provide technical services related to the reproduction of 1880s' wallpaper and border in the parlor of the Alexander Ramsey House in Saint Paul, Minnesota. The work involves the design, production, and delivery of approximately 1000 square feet of wallpaper and approximately 100 square feet of the border.

The Request for Proposals is available by calling or writing Mary Green Toussaint, Contracting & Purchasing Assistant, Minnesota Historical Society, 345 Kellogg Blvd. W., St. Paul, MN 55102. Telephone: 651-297-7007 or e-mail mary.green-toussaint@mnhs.org.

Bids must be received no later than 2:00 p.m., Local Time, Thursday, August 26, 2004. No late bids will be accepted.
Dated: 9 August 2004

Department of Human Services

Notice of Availability of Contract for Electronic Benefit Services (EBT)

The Minnesota Department of Human Services is requesting proposals for the purpose of awarding a five year contract to a vendor that will propose, implement, operate and maintain an EBT system for the State of Minnesota. The vendor must meet reporting, auditing and other federal and state requirements in this bid process.

Electronic Benefit Transfer (EBT) is the primary method used to issue food stamp benefits nationwide. The Food Stamp Program is a federally mandated program and all clients must receive their food support using their EBT cards. Minnesota has been using this method statewide since 1998. It is a debit card used by clients to access their food benefits at Point of Sale (POS) terminals in grocery/retailer stores. Clients may choose to receive their cash benefits via the EBT card and can use them at Automated Teller Machines (ATMs).

Work is proposed to start after 03/01/2005.

A Request for Proposals will be available by mail from this office through October 14, 2004. A written request (by direct mail or fax) is required to receive the Request for Proposal.

Questions about this RFP must be submitted in writing to the Director of TSS no later than 4:00 PM (Central Daylight Time) on 08/25/2004. Questions must denote the section of the RFP or Attachments to which they refer. No additional questions will be entertained. Responses to all submitted questions will be sent to all known prospective Offerors in an addendum to this RFP.

The State anticipates issuing an Addendum on 09/15/2004 in response to questions received by 08/25/2004. If a potential Offeror finds discrepancies in the specifications or contract provisions included in this RFP, or should there be doubt as to the meaning or intent of any section or subsection herein, the potential Offeror must request clarification from the Director of TSS by the submission of questions due date.

An Intent to Submit form is included as Attachment L and is requested by 09/29/2004. Intent to Submit forms should be sent to:

Kate Wulf
Director of Transition Support Systems
Department of Human Services
444 Lafayette Road North
St. Paul, MN 55155

The Request for Proposal can be obtained from:

Phyllis Hahn
EBT Manager
Department of Human Services
444 Lafayette Road North
St. Paul, MN 55155
(651) 296-7103 - FAX Number

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00 pm Central Standard Time on October 15, 2004. Late proposals will not be considered. Fax or e-mailed proposals will not be considered.

State Contracts

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

Department of Human Services

Health Care Purchasing and Service Delivery

Notice of Request for Proposals from Managed Care Organizations (MCOs) for the Expansion of Minnesota Senior Health Options

The Department of Human Services is seeking proposals for the Minnesota Senior Health Options Integrated Medicare and Medicaid Demonstration from MCOs with the mission, capacity and expertise to provide primary, acute, home and community-based, and long-term care services, including nursing facility room and board care services to the aged Medicaid/Medicare population in the counties currently served by the Prepaid Medical Assistance Program (PMAP). The Minnesota Senior Health Options (MSHO) project is currently serving this population in 10 counties through three contracted MCOs. The Department seeks proposals from current MSHO contractors interested in expanding to additional counties as well as from new MCOs seeking to provide MSHO services for the first time. MCOs chosen to contract with the Department for this demonstration are required to be current PMAP contractors. Enrollment in MSHO will be on a voluntary basis.

MCOs qualified to respond to this RFP must be able to provide all the MSHO covered services, and must be able to accept financial risk. Capitation rates have been set by DHS in consultation with an independent actuary. Contracts will be awarded based on: (1) capacity and geographic accessibility of service delivery sites; (2) ability to comply with service delivery standards appropriate to the demographic characteristics of the population to be enrolled; (3) financial and risk capability; and (4) ability to meet quality assurance, complaint, appeal and reporting requirements. Proposals and network capacity will be reviewed and approved by Centers for Medicare and Medicaid Services (CMS) and the State and will be subject to the terms and conditions of the demonstration. The Commissioner reserves the right to reject any proposal.

Proposal requirements for prospective respondents include network information, assurances and exhibits addressing service area, care coordination and service delivery, network capabilities, administrative and reporting requirements and enrollment and marketing.

Requests for proposals will be available August 9, 2004. Interested parties may access the RFP from the Department of Human Services website: http://www.dhs.state.mn.us/RFP_Grants/default.htm or receive a paper copy of the request by contacting:

Sue Kvendru
Minnesota Senior Health Options
Minnesota Department of Human Services
444 Lafayette Road
St Paul, Minnesota 55155-3854
Telephone: (651) 215-1828
Fax: (651) 297-3230
Email: sue.kvendru@state.mn.us

Prospective respondents with questions regarding this RFP may call, write or email: Sue Kvendru at the above address or Pam Parker at (651) 296-2140, pam.parker@state.mn.us. Ms. Kvendru and Ms. Parker are the only persons at the Department of Human Services authorized to answer questions regarding this document. A Letter of Intent is due to the Department of Human Services by 4:00 p.m. on September 10, 2004 and the responses to this RFP are due to the Department of Human Services at 4:00 p.m. on November 15, 2004.

Department of Transportation

Engineering Services Division

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

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

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

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

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

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

Send completed application material to:

Robin Valento

Pre-Qualification Administrator

Minnesota Department of Transportation

Consultant Services

395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680

St. Paul, MN 55155

Note: DUE DATE:

APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

Department of Transportation

Engineering Services Division

Notice Concerning Professional/Technical Contract Opportunities

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

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.

Metropolitan Council

Notice of Invitation for Bids (IFB) for the Procurement of Liquid Aluminum Sulfate Reference Number 04P089

The Metropolitan Council is requesting bids for the Furnishing and Delivery of Liquid Aluminum Sulfate for various Wastewater Treatment Plant locations in the Twin Cities metropolitan area.

Issue Invitation for Bids	August 10, 2004
Bids Due	August 26, 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 written request either by e-mail, fax or mail or phone request 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

Minnesota Statutes, Sections 473.144 and 363.073, and Minnesota Rules, Parts 5000.3400 to 5000.3600 will be incorporated into any

Non-State Contracts & Grants

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 Inver Grove Heights Transit Center

RFP Number 04P041

NOTICE IS HEREBY GIVEN that the Metropolitan Council is soliciting proposals from Architect/Engineers for design, bidding documents and some construction support services for its Metro Transit Division to install a permanent transit center at the intersection of T. H. 110 and Mendota Road in Inver Grove Heights.

This work is assisted by Federal Transportation Administration funding. There is a Disadvantaged Business Enterprise goal for 14% participation. The estimated cost for this project from this RFP forward is between \$1.3 to \$1.7 million

The tentative schedule for this process is:

RFP Issue Date	August 5, 2004
Proposals Due	September 3, 2004
Contract Award	September 2004
Term of Contract Ends	March 2005

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
Email: 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.mcconnell@metc.state.mn.us. Any other contact with Council employees on this matter throughout the entire solicitation process risks vendor disqualification.

Metropolitan Council

Notice of Request for Proposals (RFP) for Operation of Regular Route Transit Service

Contract Number 04P002

The Metropolitan Council is requesting proposals to operate regular route transit service for the three service areas listed below.

- East Metro Transit Service (White Bear Lake, Maplewood, Woodbury, and St. Paul)
- West Metro Transit Service (Communities west of Lake Minnetonka, Minnetonka, St. Louis Park, Hopkins, Brooklyn Center, Brooklyn Park, and Crystal)
- Hopkins Area Transit Service (Minnetonka, St. Louis Park and Hopkins - Routes 604, 605, 612 & 614).

Proposals may be submitted to operate services for one or more of the three service areas.

A tentative schedule for this project is shown below.

Issue Request for Proposals	August 6, 2004
Pre-Proposal Meeting	August 20, 2004
Receive Proposals	September 10, 2004
Contract Award	November 2004
Period of Performance	April 2005 – March 2010

All firms desiring to receive a RFP package are invited to submit a request to:

Non-State Contracts & Grants

Harriet Simmons, Senior Administrative Assistant
Contracts and Procurement Unit
Metropolitan Council
230 East Fifth Street
Mears Park Centre
St. Paul, MN 55101
PHONE: (651) 602-1086 FAX: (651) 602-1038
TTY: (651) 229-3760
Email: harriet.simmons@metc.state.mn.us

The Council intends to award one or more contracts for these services.

Metropolitan Council

Notice of Request for Proposals (RFP) for a Third Party ADA Eligibility Assessment Project

Contract Number 02P146

The Metropolitan Council is requesting proposals for a comprehensive Facility Plan for a Third Party ADA Eligibility Assessment Project. This will include evaluation of applicants who are requesting ADA paratransit eligibility. The evaluation is based upon in-person functional assessment of the applicant's physical and/or cognitive and/or mental abilities and makes ADA paratransit eligibility recommendations to Council staff. It is noted that this is a reissue of an earlier RFP with a new revised scope of work

Issue Request for Proposals	August 9, 2004
Receive Proposals	September 14, 2004
Contract negotiated, executed, NTP	November, 2004

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

Harriet Simmons, Senior Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
230 East Fifth Street
Mears Park Centre
St. Paul, MN 55101
PHONE: (651) 602-1068
FAX: (651) 602-1083
Email: harriet.simmons@metc.state.mn.us

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

University of Minnesota

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

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

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.

