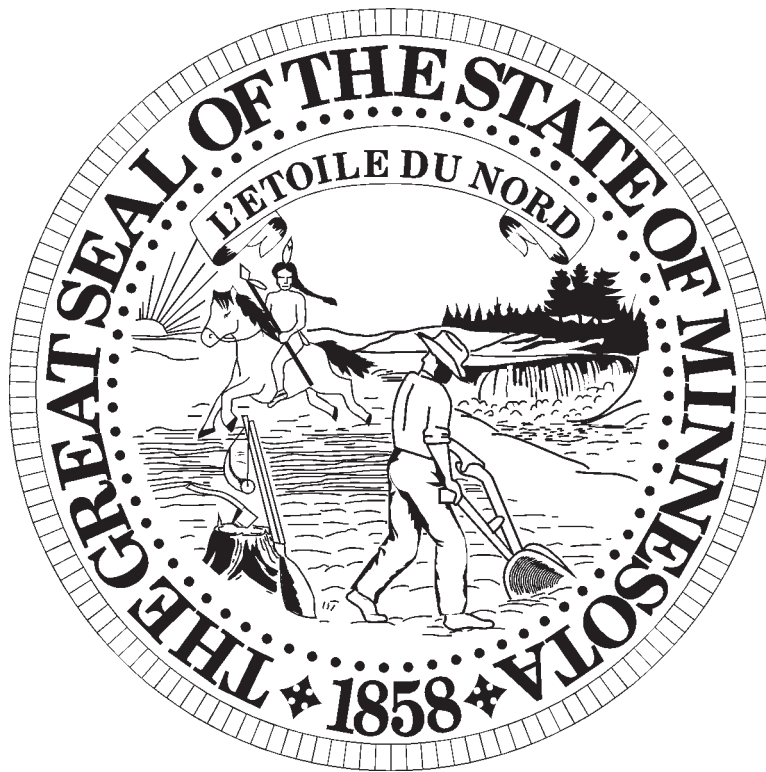


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State Register



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State Register

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

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
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# 52	Monday 26 June	Noon Tuesday 20 June	Noon Wednesday 14 June
Vol. 31, # 1	Monday 3 July	Noon Tuesday 27 June	Noon Wednesday 21 June
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NOTICE: How to Follow State Agency Rulemaking in the State Register

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

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

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

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

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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*.

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

Department of Administration

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Minnesota Pollution Control Agency

Environmental Analysis and Outcomes Division

Proposed Permanent Rules Relating to Water Quality

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 Rule Amendments to *Minnesota Rules*, Chapter 7050, Governing the Classification and Standards for Waters of the State, as Required by *Minnesota Session Law 2003*, Chapter 128, Article 1, Section 156, as Amended by *Minnesota Session Law 2005*, First Special Session, Chapter 1, Article 2, Section 151

Introduction. The Minnesota Pollution Control Agency (MPCA) 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* §§ 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 July 19, 2006, the public hearing will be held on Wednesday, August 9, 2006, starting at 9:30 a.m. until noon at the MPCA St. Paul Office, Board Room, 520 Lafayette Road North, St. Paul, MN 55155-4194. This hearing will resume at 1:30 p.m. if additional time is needed to address public comments. To find out whether the rules will be adopted without a hearing or if the hearing

Proposed Rules

will be held, you should contact the MPCA contact person after July 19, 2006, and before August 9, 2006.

MPCA Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the MPCA contact person. The MPCA contact person is: Frank Kohlasch, Minnesota Pollution Control Agency, Environmental Analysis and Outcomes Division, 520 Lafayette Road North, St. Paul, MN 551554194; telephone number: (651) 296-7355 or toll-free 1-800-657-3864; facsimile number: (651) 297-7709; and e-mail: mnrule7050@pca.state.mn.us. TTY users may call the MPCA at TTY (651) 292-5332 or 1-800-657-3864.

Subject of the Rules. The MPCA is proposing to adopt rule amendments to *Minnesota Rules*, Chapter 7050, specifically parts 7050.0150 and proposed part 7050.0405, which relate to water quality assessment for waters of the state. As explained below, *Minnesota Laws* 2003, Chapter 128, Article 1 § 156, as amended by *Minnesota Laws* 2005, Chapter 1, Article 2 § 151 (hereinafter referred to as Session Law), requires the MPCA to adopt rules relating to water quality assessment for the waters of the state by October 1, 2006. These proposed rule amendments, when adopted, will satisfy that requirement.

Chapter 7050 contains statewide provisions that protect the quality of Minnesota's surface and ground waters from pollution, which include the following:

- A classification system of beneficial uses for both surface and ground waters;
- Numerical and narrative water quality standards;
- Nondegradation provisions;
- Treatment requirements and effluent limits for wastewater discharges;
- Provisions for the protection of wetlands; and
- Other provisions related to the protection of Minnesota's water resources.

The requirements of the Session Law, to which this rulemaking is expressly limited, concerns narrative water quality standards, the water quality assessment process and beneficial use classifications. The MPCA last adopted amendments to Chapter 7050 in February 2003, which added "factors" to describe the types of data and information the MPCA uses to determine whether rivers and lakes are meeting narrative water quality standards (referred to as water quality assessment). The MPCA uses the water quality assessment process to create the 303(d) list of Minnesota surface waters that are not meeting one or more water quality standard and do not support designated beneficial uses. The list is required by 40 CFR section 130.7. A total maximum daily load analysis is conducted for waters on the 303(d) list to determine the source(s) of the pollution and to prepare a plan to bring the waterbody back into compliance with water quality standards.

After the MPCA adopted the 2003 amendments, the Session Law was enacted, which required the MPCA to adopt additional rules governing the water quality assessment process. More specifically, the Session Law required the MPCA to adopt rules relating to water quality assessment for waters of the state that: a) define certain terms used in the narrative standards in *Minnesota Rules*, part 7050.0150; b) clarify how waters of the state are determined to be impaired; c) specify that temperature and hydraulic detention time will be considered when assessing a waterbody's potential impairment due to excess nutrients; and d) add an administrative process that must be used when an outside party requests a reclassification of a waterbody. *Minnesota Rules*, part 7050.0150, and 40 CFR, part 130, reference the current water quality assessment process.

Consequently, the MPCA is proposing to amend part 7050.0150 to include definitions for the following existing terms, each of which is specifically required by the Session Law: Altered Materially, Material Increase, Material Manner, Seriously Impaired, Significant Increase, Normal Fishery and Normally Present. In addition, the MPCA is proposing two other revisions to part 7050.0150 to comply with the Session Law: a) subpart 1 (Policy and Scope) is revised to clarify how waters of the state are determined to be impaired; and b) the word "temperature" is added to subpart five, which details how the trophic status of a given water is determined.

The MPCA is also proposing to add part 7050.0405, which will codify the process an outside party can use to petition the MPCA to consider the attainability of a beneficial use assigned to a waterbody in *Minnesota Rules*, Chapter 7050. If an outside party wants the MPCA to reconsider a designated use, on the basis that the use assigned to a waterbody may have never existed or is unattainable now, this is the process by which a petition can be submitted to the MPCA for reconsideration of that designated use. It specifies what must be submitted to the MPCA and, if warranted, how the reclassification of that waterbody can be proposed in rulemaking by the Commissioner of the MPCA.

It is important to emphasize that no other changes (e.g., new or revised water quality standards, effluent limits, or other requirements) to *Minnesota Rules*, Chapter 7050, are being proposed at this time. As mentioned above, these amendments are expressly being proposed to satisfy the requirements of the Session Law. The MPCA is currently engaged in a separate rulemaking process, known as the triennial rulemaking, which will propose more comprehensive revisions to *Minnesota Rules*, Chapter 7050; however, those revisions, much larger in scope, are not yet finalized. When ready, the MPCA will publish a separate notice of intention to adopt those proposed amendments in the *State Register*. Please see the following Web page for further information and related updates: <http://www.pca.state.mn.us/water/standards/rulechange.html>

Statutory Authority. The statutory authority to adopt these proposed rules is found in *Minnesota Laws* 2003, Chapter 128, Article

Proposed Rules

1 § 156, as amended by *Minnesota Laws* 2005, Chapter 1, Article 2 § 151. The MPCA also has general authority to adopt water quality standards and to classify waters of the state as provided in *Minnesota Statutes* § 115.03, particularly subdivisions 1(b) and 1(c), and also subdivision 5. Additional authority for adopting standards is established under *Minnesota Statutes* § 115.44, subdivisions 2 and 4.

Availability of Rules. A copy of the proposed rules is published in the *State Register* after this notice, or they can be viewed at the following MPCA Web site: <http://www.pca.state.mn.us/news/data/index.cfm?PN=1>. A free copy of the proposed rules is also available upon request by contacting Frank Kohlasch at (651) 296-7355. Only one free copy will be sent per request.

Comments. You have until 4:30 p.m. on July 19, 2006, to submit written comments in support of, or in opposition to, the proposed rule amendments. Your comments must be in writing and received by the MPCA contact person by the due date. Written comments may be submitted to the MPCA contact person at the address, facsimile number, or email address listed above. Comments are 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 MPCA contact person by 4:30 p.m. on July 19, 2006. 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 proposed rule amendments. Any request that does not comply with these requirements is not valid and cannot be counted by the MPCA 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, the public hearing, scheduled above, will be held unless a sufficient number withdraw their requests in writing. If enough requests for a hearing are withdrawn to reduce the number below 25, the MPCA must give written notice of this to all persons who requested a hearing, explain any actions the MPCA took to affect the withdrawal, and invite written comments on this action. If a public hearing is required, the MPCA will follow the procedures in *Minnesota Statutes* §§ 14.131 to 14.20.

Alternative Format/Accommodation. Upon request, this Dual 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 MPCA contact person at the address, telephone number, or email address 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 MPCA 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 August 9, 2006, as indicated above, will be canceled if the MPCA does not receive timely requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the MPCA will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the MPCA contact person, Frank Kohlasch, at (651) 296-7355 after July 19, 2006, 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 by 4:30 p.m. on July 19, 2006, a hearing will be held following the procedures in *Minnesota Statutes* §§ 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 Steve M. Mihalchick is assigned to conduct the hearing. Judge Mihalchick can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, MN 55401-2138, telephone number (612) 349-2544 and facsimile (612) 349-2665.

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 MPCA 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* §§ 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The MPCA 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 MPCA contact person at the address stated above.

Statement of Need and Reasonableness. A statement of need and reasonableness (SONAR) is now available from the MPCA by contacting Frank Kohlasch at (651) 296-7355. This SONAR contains a summary of the justification for the proposed rules, including a

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description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. Copies of the SONAR may be obtained at the cost of reproduction from the MPCA. In addition, the MPCA has placed a copy of the SONAR on its Web site at: <http://www.pca.state.mn.us/news/data/index.cfm?PN=1>.

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 number (651) 296-5148 or 1-800-657-3889.

Request to Have MPCA Citizens' Board Make Decision on Rule if No Hearing is Required. If a hearing is required, the MPCA Citizens' Board will make the final decision on whether to adopt the proposed rules. However, even if a hearing is not required, you may submit a request to the MPCA Commissioner or an MPCA Citizens' Board member to have the MPCA Citizens' Board make the decision on whether to adopt the proposed rule amendments. Your request must be in writing, must state to whom it is directed, and must be received by the MPCA contact person by 4:30 p.m. on July 19, 2006. Under *Minnesota Statutes* § 116.02, when a public hearing is not required, the MPCA Citizens' Board will only make the decision on the rule if the MPCA Commissioner grants your request or if an MPCA Citizens' Board member makes a timely request that the decision be made by the MPCA Citizens' Board.

Adoption Procedure if No Hearing. If no hearing is required, the MPCA may adopt the rules after the end of the 30-day 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 MPCA 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 MPCA contact person stated above.

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

Dated:

Sheryl A. Corrigan, Commissioner
Minnesota Pollution Control Agency

7050.0150 DETERMINATION OF COMPLIANCE WITH WATER QUALITY STANDARDS AND WATER QUALITY CONDITION.

Subpart 1. **Policy and scope.** The intent of the state is to protect and maintain surface waters in a condition which allows for the maintenance of all existing beneficial uses. The condition of a surface water body is determined by its physical, chemical, and biological qualities. The agency shall determine an exceedance of water quality standards or an impaired condition based on pollution of the waters of the state from point and nonpoint sources that has resulted in degradation of the physical, chemical, or biological qualities of the water body to the extent that attainable or previously existing beneficial uses are actually or potentially lost.

The narrative water quality standards in subpart 3 prescribe the qualities or properties of surface waters that are necessary for the protection of designated public uses and benefits. If the narrative standards in this part are exceeded, it is considered indicative of a polluted condition which is actually or potentially deleterious, harmful, detrimental, or injurious with respect to the designated uses of the waters of the state.

Subparts 5 to 7 list factors the commissioner will use to determine if surface waters are in compliance with applicable narrative standards in subpart 3. Determination of compliance with the narrative standards will be made for individual water bodies on a case by case basis.

[For text of subs 2 and 3, see M.R.]

Subp. 4. **Definitions.** For the purposes of this part chapter, the following terms have the meanings given them.

A. "Altered materially," "material increase," "material manner," "seriously impaired," and "significant increase," as used in subparts 3, 5, and 6, mean that pollution of the waters of the state has resulted in degradation of the physical, chemical, or biological qualities of the water body to the extent that attainable or previously existing beneficial uses are actually or potentially lost.

B. "Chlorophyll-a" means a pigment in green plants including algae. The concentration of chlorophyll-a, expressed in weight per unit volume of water, is a measurement of the abundance of algae.

C. "Ecoregion" means an area of relative homogeneity in ecological systems based on similar soils, land use, land surface form, and potential natural vegetation.

D. "Hydraulic residence time" means the time water resides in a basin or, alternately, the time it would take to fill the basin if it were empty.

E. "Impaired water" or "impaired condition" means a water body that does not meet applicable water quality standards or fully support applicable beneficial uses, due in whole or in part to water pollution from point or nonpoint sources, or any combination thereof.

Proposed Rules

E. F. “Index of biological integrity” or “IBI” means an index developed by measuring attributes of an aquatic community that change in quantifiable and predictable ways in response to human disturbance, representing the health of that community.

F. G. “Lake morphometry” means the physical characteristics of the lake basin that are reasonably necessary to determine the shape of a lake, such as maximum length and width, maximum and mean depth, area, volume, and shoreline configuration.

G. H. “Mixing status” means the frequency of complete mixing of the lake water from surface to bottom, which is determined by whether temperature gradients are established and maintained in the water column during the summer season.

I. I. “Normal fishery” and “normally present” mean the fishery and other aquatic biota expected to be present in the water body in the absence of pollution of the water, consistent with any variability due to natural hydrological, substrate, habitat, or other physical and chemical characteristics. Expected presence is based on comparing the aquatic community in the water body of interest to the aquatic community in representative reference water bodies.

H. J. “Nuisance algae bloom” means an excessive population of algae that is characterized by obvious green or blue-green pigmentation in the water, floating mats of algae, reduced light transparency, aesthetic degradation, loss of recreational use, possible harm to the aquatic community, or possible toxicity to animals and humans. Algae blooms are measured through tests for chlorophyll-a, observations using a Secchi disk, and observations of impaired recreational and aesthetic conditions by the users of the water body, or any other reliable data that identifies the population of algae in an aquatic community.

F. K. “Readily available and reliable data and information” means chemical, biological, and physical data and information determined by the commissioner to meet the quality assurance and quality control requirements in subpart 8, that are not more than ten years old from the time they are used for the assessment. A subset of data in the ten-year period, or data more than ten years old can be used if credible scientific evidence shows that these data are representative of current conditions.

F. L. “Reference water body” means a water body least impacted by point or nonpoint sources of pollution that is representative of water bodies in the same ecoregion or watershed. Reference water bodies are used as a base for comparing the quality of similar water bodies in the same ecoregion or watershed.

K. M. “Secchi disk transparency” means the average water depth of the point where a weighted white or black and white disk disappears when viewed from the shaded side of a boat, and the point where it reappears upon raising it after it has been lowered beyond visibility. The Secchi disk measures water clarity and is usually used in lakes.

E. N. “Summer average” means a representative average of concentrations or measurements of nutrient enrichment factors, taken over one summer growing season from June 1 through September 30.

M. O. “Transparency tube” means a graduated clear plastic tube, 24 inches or more in length by 1-1/2 inches in diameter, with a stopper at the bottom end, the inside surface of which is painted black and white. The tube is filled with water from a surface water; the water is released through a valve at the bottom end until the painted surface of the stopper is just visible through the water column when viewed from the top of the tube. The depth of water at the point of initial visibility is the transparency. The transparency tube measures water clarity and is usually used in rivers and streams.

N. P. “Trophic status or condition” means the productivity of a lake as measured by the phosphorus content, algae abundance, and depth of light penetration.

O. Q. “Water body” means a lake, reservoir, wetland, or a geographically defined portion of a river or stream.

Subp. 5. **Impairment of waters due to excess algae or plant growth.** In evaluating whether the narrative standards in subpart 3, which prohibit any material increase in undesirable slime growths or aquatic plants including algae, are being met, the commissioner will use all readily available and reliable data and information for the following factors of use impairment:

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

D. any other scientifically objective, credible, and supportable factor.

A finding of an impaired condition must be supported by data showing elevated levels of nutrients in item A, and at least one factor showing impaired conditions resulting from nutrient over-enrichment in items B and C. The trophic status data described in items A to D must be assessed in light of the magnitude, duration, and frequency of nuisance algae blooms in the water body; and documented impaired recreational and aesthetic conditions observed by the users of the water body due to excess algae or plant growth, reduced transparency, or other deleterious conditions caused by nutrient over-enrichment.

Assessment of trophic status and the response of a given water body to nutrient enrichment will take into account the trophic status of reference water bodies; and all relevant factors that affect the trophic status of the given water body appropriate for its geographic region, such as the temperature, morphometry, hydraulic residence time, mixing status, watershed size, and location. The factors in this subpart apply to lakes and, where scientifically justified, to rivers, streams, and wetlands.

[For text of subs 6 to 8, see M.R.]

7050.0405 PETITION BY OUTSIDE PARTY TO CONSIDER ATTAINABILITY OF USE.

Subpart 1. **Petition.** Any person may present evidence to the agency that a beneficial use assigned to a water body in this chapter does not exist or is not attainable and petition the agency to consider a reclassification of that water body under *Minnesota Statutes*, section

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14.09. Outside parties must submit written evidence in support of the petition to the commissioner that includes:

A. the name and address of the petitioner;

B. the name, location, and description of the water body;

C. the specific designated use or uses that do not exist or are unattainable in the water body and the reasons they do not exist or are unattainable;

D. the reasons the current use classification is causing harm, unnecessary expense, or other hardship to the petitioner; and

E. any additional supporting evidence including, but not limited to, water quality, hydrological, and other relevant data; pictures; testimony of local residents; survey results; and resolutions or actions by local organizations or governmental entities.

Subp. 2. **Disposition of petition.** Upon receiving a petition, the commissioner has 60 days to reply in writing and indicate a plan for disposition of the petition. The commissioner may request additional information from the petitioner if the request is considered incomplete, in which case the commissioner has 60 days to reply after the additional information is received and the petition is complete. If the commissioner finds that the evidence submitted supports a review of the designated uses, a use attainability analysis must be commenced within six months of the commissioner's reply to the complete petition. The petition becomes part of the use attainability analysis. If the commissioner finds that the use attainability analysis supports a change in use classification, the commissioner shall propose the change through rulemaking.

Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

Minnesota Department of Natural Resources

DECISION RECORD

OFFICIAL NOTICE AND ORDER

Use Change in a Scientific and Natural Area Pursuant to *Minnesota Statutes*, 97A.093 and 86 A.05, Subd. 5

COMMISSIONER'S DESIGNATION ORDER: REGARDING CHANGING USE IN A SPECIFIC SCIENTIFIC AND NATURAL AREA IN ITASCA COUNTY, MINNESOTA

NOTICE PUBLISHED: June 19, 2006

EFFECTIVE DATE: June 19, 2006

NOTICE IS HEREBY GIVEN that the Commissioner of the Minnesota Department of Natural Resources orders the opening of Chisholm Point Island Scientific and Natural Area to archery deer hunting on such occasions and with such limitations as the Commissioner determines necessary to ensure proper management of deer populations.

WHEREAS:

1. *Minnesota Statutes*, 86A.05, subd. 5 (d) require a public hearing before altering the use of a scientific and natural area.
2. *Minnesota Statutes*, 97 A.093, subd. 2, requires following the procedures in *Minnesota Statutes*, 86A.05, subd. 5 (d) before opening any scientific and natural area to hunting if the scientific and natural area's designating document did not allow hunting.
3. The agency held a public hearing and solicited and received written and verbal comments regarding the change in use.
4. The notice and procedural requirements in *Minnesota Statutes*, and other applicable rules and law have been compiled with.
5. The use change is both needed and reasonable.

Commissioner's Orders

NOW THEREFORE, IT IS ORDERED that the above use change be implemented.

IT IS FURTHER ORDERED that the use change above become effective on June 19, 2006.

A copy of this order shall be filed with the Secretary of State.

Dated at St. Paul, Minnesota, this 1st day of June, 2006.

Gene Merriam, Commissioner
Department of Natural Resources

Minnesota Department of Natural Resources

Decision Record

Official Notice and Order

Use changes in a Scientific and Natural Area pursuant to *Minnesota Statutes*, 97A.093 and 86 A.05, Subd. 5

COMMISSIONER'S DESIGNATION ORDER: Regarding Changing Uses In A Specific Scientific and Natural Area in Morrison County, Minnesota

NOTICE PUBLISHED: June 19, 2006
EFFECTIVE DATE: June 19, 2006

NOTICE IS HEREBY GIVEN that the Commissioner of the Minnesota Department of Natural Resources orders the opening Lake Alexander Woods Scientific and Natural Area (SNA) to public hunting in seasons for protected game species.

WHEREAS:

1. *Minnesota Statutes*, 86A.05, Subd. 5 (d) require a public hearing before altering the use of a scientific and natural area.
2. *Minnesota Statutes*, 97A.093, subd. 2, requires following the procedures in *Minnesota Statutes*, 86A.05, Subd. 5 (d) before opening any scientific and natural area to hunting if the scientific and natural area's designating document did not allow hunting.
3. The agency held a public hearing and solicited and received written and verbal comments regarding the changes in use.
4. The notice and procedural requirements in *Minnesota Statutes*, and other applicable rules and law have been compiled with.
5. The use changes are both needed and reasonable.

NOW THEREFORE, IT IS ORDERED that the above use changes be implemented.

IT IS FURTHER ORDERED that the use changes above become effective on June 19, 2006

Dated at St. Paul, Minnesota, this 1st day of June, 2006.

Gene Merriam, Commissioner
Department of Natural Resources

Department of Natural Resources

Commissioner's Decision Record

Official Notice, and Scientific and Natural Order

No. 185: Moose Mountain Scientific and Natural Area; Superseding Scientific and Natural Area Order No. 66

WHEREAS, certain lands in St. Louis County, Minnesota, described as:

Tract "B" of Registered Land Survey No. 8; the Southwest Quarter of the Southeast Quarter (SW ¼ SE ¼); the South 478× of the West 912× of the Southwest Quarter (SW ¼); and the Southwest Quarter (S/W ¼) except commencing 506.372 East of Northwest Quarter (NW ¼) to point of beginning, thence West along North line 506.372 to Northwest Quarter (NW ¼), thence South along West line 2502, thence East 458.582 of South 5002

Commissioners' Orders

of North 7502 and except West 9122 line South of North 7502, ALL IN Section Twenty-two (22), Township Fifty-one (51) North, Range Thirteen (13) West, containing 176.8 acres, more or less, are under the control and possession of the Department of Natural Resources.

WHEREAS, such lands contain old growth northern hardwood and post fire-regenerated successional communities and habitat for rare plant species including Carolina spring-beauty (*Claytonia caroliniana*) and moschatel (*Adoxa moschatellina*);

WHEREAS, the most effective means by which such lands can be protected and perpetuated in their natural state and used for educational and research purposes in such a manner as will leave them conserved for future generations is by designation as a Scientific and Natural Area;

NOW THEREFORE, I, Gene Merriam, Commissioner of Natural Resources, pursuant to authority vested in me by *Minnesota Statutes*, Sections 84.033, 86A.05, subd. 5, 97A.093, and other applicable laws, do hereby designate the above-described lands as Moose Mountain Scientific and Natural Area.

FURTHERMORE, Moose Mountain Scientific and Natural Area is designated as a Public Use unit, open to the public for nature observation and general educational and research activities.

IT IS FURTHER ORDERED that Scientific and Natural Area Order No. 66 is hereby superseded.

IT IS FURTHER ORDERED that the provisions of *Minnesota Rules* 6136.0100 through 6136.0600 shall apply to the above-designated area, except **NOTICE IS HEREBY GIVEN** that the Commissioner of the Minnesota Department of Natural Resources orders the opening of Moose Mountain Scientific and Natural Area to: 1) picking edible berries for non-commercial purposes, 2) picnicking, 3) deer hunting on such occasions and with such limitations as the Commissioner determines necessary to ensure proper management of deer populations, 4) dogs under control and snowmobiles on the existing maintained power line right-of-way.

WHEREAS:

1. *Minnesota Statutes*, 86A.05, subd. 5(d), require a public hearing before altering the use of a scientific and natural area.
2. *Minnesota Statutes*, 97 A.093, subd. 2, requires following the procedures in *Minnesota Statutes*, 86A.05, subd. 5(d), before opening any scientific and natural area to hunting if the scientific and natural area's designating document did not allow hunting.
3. The agency held a public hearing and solicited and received written and verbal comments regarding the changes in use.
4. The notice and procedural requirements in *Minnesota Statutes*, and other applicable rules and law have been compiled with.
5. The use changes are both needed and reasonable.

IT IS FURTHER ORDERED that the use changes above become effective on June 19, 2006.

A copy of this order shall be filed with the Secretary of State.

Dated at St. Paul, Minnesota, this 1st day of June, 2006.

Gene Merriam, Commissioner

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.

Department of Agriculture Rural Finance Authority Notice of Change of Date and Meeting Place

The date of the July 5, 2006 Rural Finance Authority (RFA) Board meeting has been changed to July 18, 2006. The location of this meeting has also been changed. This meeting will start at 1:00 p.m., July 18, 2006, at Freddie's Family Restaurant & Banquet Facility in Mora, Minnesota. For more information, call Lori Schmidt at (651) 201-6556.

Future monthly meetings will be held on the first Wednesday of each month at 625 Robert Street North at 1:00 p.m. Some members may participate in certain of these meetings by electronic means. In accordance with *Minnesota Statutes*, Section 471.705 (1997), the Agency, to the extent practicable, will allow a person to monitor those certain meetings electronically from a remote location. If such monitoring shall occur, the Agency may require the person making such a connection to pay for documented marginal costs that the Agency incurs as a result of the additional connection. For additional information, contact James Boerboom, Minnesota Department of Agriculture, 625 Robert Street North, St. Paul, MN 55155-2538 or call (651) 201-6395.

James A. Boerboom
Agricultural Finance Division Executive Director

Minnesota Board of Chiropractic Examiners Request for Comments on Possible amendment to Rules Governing Records Retention Requirements; *Minnesota Rules*, 2500.5000

Subject of Rules. The Minnesota Board of Chiropractic Examiners requests comments on its possible rules governing the proper retention, security, and disposition of patient's healthcare records for licensees who leave their practice for reasons such as death, retirement, relocation, revocation, etc. This rule is intended to give guidance to doctors in developing a plan commensurate with HIPAA guidelines and patient needs to assure continued access to these files by the patients in the event the licensee is no longer accessible.

Persons Affected. The amendment to the rules would likely affect actively licensed chiropractors in Minnesota, patients, and patient representatives.

Statutory Authority. *Minnesota Statutes*, section 14.23 and 148.08, authorizes and requires the MBCE to promulgate rules necessary to administer sections 148.01 to 148.105 to protect the health, safety, and welfare of the public, including rules governing the practice of chiropractic, and defining any terms, whether or not used in sections 148.01 to 148.105, if the definitions are not inconsistent with the provisions of 148.01 to 148.105.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that the Board intends to adopt or to withdraw the rules. The Board does not contemplate appointing an advisory committee to comment on the possible rules.

Rules Drafts. The Board does not anticipate that a draft of the rule 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: Micki King at Minnesota Board of Chiropractic Examiners, 2829 University Ave SE, Suite 300, Minneapolis Minnesota 55414, (612) 617-2226, and Micki.king@state.mn.us. TTY users may call the Board at 1-800-627-3529.

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

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

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you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: June 14, 2006

Larry A. Spicer, DC
Executive Director

Emergency Medical Services Regulatory Board Notice of Completed Application In the Matter of the License Application of the Allina Medical Transportation, New Ulm, Minnesota

PLEASE TAKE NOTICE that the Emergency Medical Services Regulatory Board (hereinafter EMSRB) has received a completed application from the **Allina Medical Transportation, New Ulm, Minnesota**, for a new license, advanced ambulance – part time.

NOTICE IS HEREBY GIVEN that, pursuant to *Minnesota Statutes*, Section 144E.11, subd. 3, each municipality, county, community health board, governing body of a regional emergency medical services system, ambulance service and other person wishing to make recommendations concerning the disposition of the application, shall make written recommendations or comments opposing the application to the EMSRB within 30 days or by July 20, 2006, 4:30 p.m.

Written recommendations or comments opposing the application should be sent to:

Mary Hedges, Executive Director,
EMSRB,
2829 University Avenue S.E., Suite 310,
Minneapolis, Minnesota 55414-3222.

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

Dated: June 6, 2006

Mary F. Hedges, Executive Director
Emergency Medical Services Regulatory Board

Minnesota Dept. of Employment and Economic Development Minnesota Statewide Independent Living Council Applications are Sought for Governor Appointments

The Statewide Independent Living Council (SILC) has immediate openings and is seeking statewide representation from persons with a broad range of disabilities; Centers for Independent Living; parents and legal guardians of individuals with disabilities; advocates for individuals with disabilities; representatives from private businesses; representatives from providers of services to people with disabilities; and other appropriate individuals.

The SILC provides statewide planning and policies necessary to provide Independent Living Services. Council members embrace the philosophy that services to people with disabilities be provided in a manner that maximises consumer control, peer support, self determination, and equal access. The Council works to maximize the leadership, independence, and productivity of individuals with disabilities and envisions a state with the full inclusion of individuals with disabilities into the mainstream of their community.

The Council typically meets the second Thursday of the month, usually in the Twin Cities metro area, eight times annually, from 9:00 to 2:30. A small per diem is available to those eligible.

For more information about the SILC, contact Brad Westerlund.

Minnesota SILC
Rehabilitation Services Branch
Minnesota Dept. of Employment and Economic Development
1st National Bank Building

332 Minnesota Street, Suite E200
St. Paul, MN 55101
Voice: (651) 297-2705
TTY: (651) 296-5629
Fax: (651) 297-5159
E-mail: *brad.westerlund@state.mn.us*

Department of Health

Infectious Disease Epidemiology, Prevention and Control Division STD and HIV Section

Notice of Availability of Funds for HIV Health Education and Risk Reduction Project in the African American Community Targeting Adult MSM of All Races

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health is requesting proposals for the purpose of providing HIV health education and risk reduction information and behavior change interventions for Adult Men Who Have Sex With Men of All Races, a community in Minnesota where the rates of HIV are highest. Eligible agencies will be administered and staffed by African Americans and serve the African American Community.

Work is proposed to start after October 1, 2006.

The Request for Proposal packet can be obtained by going to:

<http://www.health.state.mn.us/divs/idepc/diseases/hiv/rfp/herrmsm/index.html>

or by contacting Jessica Barry at (651) 201-4005.

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address below on or before 4:00 p.m., Wednesday, July 19, 2006 or have a legible postmark from the United States Postal Service, or a legible pick-up or drop-off time from a private carrier with a date and time that precedes 4:00 p.m., Wednesday, July 19, 2006. Late proposals will not be considered. Fax or e-mailed proposals will not be considered. MDH will not be responsible for a proposal lost in transit by any carrier.

Full proposals are to be submitted by the specified date and time to:

US Postal Service Mailing Address:

Jessica Barry
STD and HIV Section
Minnesota Department of Health
Freeman Building
625 Robert Street North
PO Box 64975
St. Paul, Minnesota 55164-0975

Street Address (drop off or courier):

Jessica Barry
STD and HIV Section
Minnesota Department of Health
Freeman Building
625 Robert Street North
St. Paul, Minnesota 55101-2516

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.

Official Notices

Department of Human Services Children and Family Services

Updated Child Care Fund Sliding Fee Copayment Schedule

Pursuant to *Minnesota Statutes* section 119B, and *Minnesota Rules*, part 3400.0100, Subp. 5 (Publication of state median income and fee schedule in *State Register*), the Department of Human Services hereby gives notice of the updated Sliding Fee Monthly Copayment Schedule. This schedule is based on the FFY 2006 federal poverty guidelines as published in the February 24, 2006 *Federal Register*. The schedule published is for family sizes of two through six and is effective July 1, 2006 until further notice. Please contact the Child Care Assistance Program for the schedule for larger families or for the biweekly copayment schedule for all family sizes. This fee schedule replaces the schedule published December 19, 2005.

Any questions about the updated schedule should be directed to:

Child Care Assistance Program
Department of Human Services
Children and Family Services
P. O. Box 64951
St. Paul, MN 55164-0951
Telephone: (651) 431-4052

Two Person Household

Federal Poverty Guidelines (FPG) \$13,200
175% of FPG (Entrance Limit) \$23,100

Gross Income Range

Monthly Copayment

\$0	\$9,899	\$	-
\$9,900	\$13,199	\$	5
\$13,200	13,859		37
\$13,860	14,519		39
\$14,520	15,179		41
\$15,180	15,839		43
\$15,840	16,499		49
\$16,500	17,159		51
\$17,160	17,819		53
\$17,820	18,479		55
\$18,480	19,139		63
\$19,140	19,799		66
\$19,800	20,459		68
\$20,460	21,119		84
\$21,120	21,779		86
\$21,780	22,439		103
\$22,440	23,099		113
\$23,100	23,759		124
\$23,760	24,419		142
\$24,420	25,079		154
\$25,080	25,739		166
\$25,740	26,399		186
\$26,400	27,059		224
\$27,060	27,719		282
\$27,720	28,379		299
\$28,380	29,039		317
\$29,040	29,699		335
\$29,700	30,359		363

Three Person Household

Federal Poverty Guidelines (FPG) \$16,600
175% of FPG (Entrance Limit) \$29,050

Gross Income Range

Monthly Copayment

\$0	\$12,449	\$	-
\$12,450	\$16,599	\$	5
\$16,600	17,429		47
\$17,430	18,259		49
\$18,260	19,089		51
\$19,090	19,919		54
\$19,920	20,749		62
\$20,750	21,579		65
\$21,580	22,409		67
\$22,410	23,239		70
\$23,240	24,069		80
\$24,070	24,899		82
\$24,900	25,729		85
\$25,730	26,559		105
\$26,560	27,389		108
\$27,390	28,219		130
\$28,220	29,049		142
\$29,050	29,879		156
\$29,880	30,709		179
\$30,710	31,539		193
\$31,540	32,369		208
\$32,370	33,199		234
\$33,200	34,029		281
\$34,030	34,859		355
\$34,860	35,689		376
\$35,690	36,519		398
\$36,520	37,349		421
\$37,350	38,179		457

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\$30,360	31,019	406	\$38,180	39,009	511
\$31,020	31,679	430	\$39,010	39,839	540
\$31,680	32,339	468	\$39,840	40,669	589
\$32,340	32,999	495	\$40,670	41,499	622
\$33,000		INELIGIBLE	\$41,500		INELIGIBLE

Four Person Household

Federal Poverty Guidelines (FPG) \$20,000
 175% of FPG (Entrance Limit) \$35,000

Gross Income Range	Monthly Copayment	
\$0	\$14,999	\$ -
\$15,000	\$19,999	\$ 5
\$20,000	20,999	57
\$21,000	21,999	59
\$22,000	22,999	62
\$23,000	23,999	65
\$24,000	24,999	75
\$25,000	25,999	78
\$26,000	26,999	81
\$27,000	27,999	84
\$28,000	28,999	96
\$29,000	29,999	99
\$30,000	30,999	103
\$31,000	31,999	127
\$32,000	32,999	131
\$33,000	33,999	156
\$34,000	34,999	171
\$35,000	35,999	187
\$36,000	36,999	215
\$37,000	37,999	233
\$38,000	38,999	251
\$39,000	39,999	282
\$40,000	40,999	339
\$41,000	41,999	428
\$42,000	42,999	453
\$43,000	43,999	480
\$44,000	44,999	507
\$45,000	45,999	550
\$46,000	46,999	615
\$47,000	47,999	651
\$48,000	48,999	709
\$49,000	49,999	750
\$50,000		INELIGIBLE

Five Person Household

Federal Poverty Guidelines (FPG) \$23,400
 175% of FPG (Entrance Limit) \$40,950

Gross Income Range	Monthly Copayment	
\$0	\$17,549	\$ -
\$17,550	\$23,399	\$ 5
\$23,400	24,569	66
\$24,570	25,739	69
\$25,740	26,909	72
\$26,910	28,079	76
\$28,080	29,249	88
\$29,250	30,419	91
\$30,420	31,589	95
\$31,590	32,759	98
\$32,760	33,929	112
\$33,930	35,099	116
\$35,100	36,269	120
\$36,270	37,439	148
\$37,440	38,609	153
\$38,610	39,779	183
\$39,780	40,949	201
\$40,950	42,119	219
\$42,120	43,289	252
\$43,290	44,459	272
\$44,460	45,629	294
\$45,630	46,799	330
\$46,800	47,969	397
\$47,970	49,139	500
\$49,140	50,309	530
\$50,310	51,479	562
\$51,480	52,649	593
\$52,650	53,819	644
\$53,820	54,989	720
\$54,990	56,159	762
\$56,160	57,329	830
\$57,330	58,499	877
\$58,500		INELIGIBLE

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Six Person Household

Federal Poverty Guidelines (FPG) \$26,800
175% of FPG (Entrance Limit) \$46,900

Gross Income Range	Monthly Copayment	
\$0	\$20,099	\$ -
\$20,100	\$26,799	\$ 5
\$26,800	28,139	76
\$28,140	29,479	79
\$29,480	30,819	83
\$30,820	32,159	87
\$32,160	33,499	100
\$33,500	34,839	105
\$34,840	36,179	109
\$36,180	37,519	113
\$37,520	38,859	129
\$38,860	40,199	133
\$40,200	41,539	137
\$41,540	42,879	170
\$42,880	44,219	175
\$44,220	45,559	209
\$45,560	46,899	230
\$46,900	48,239	251
\$48,240	49,579	288
\$49,580	50,919	312
\$50,920	52,259	336
\$52,260	53,599	377
\$53,600	54,939	454
\$54,940	56,279	573
\$56,280	57,619	607
\$57,620	58,959	643
\$58,960	60,299	679
\$60,300	61,639	737
\$61,640	62,979	825
\$62,980	64,319	873
\$64,320	65,659	950
\$65,660	66,999	1,005
\$67,000		INELIGIBLE

Department of Human Services

Notice of Request for Information (RFI) Concerning Potential Electronic Prescription Services for Minnesota's Medicaid Authority

The purpose of the Request for Information (RFI) is to identify and obtain information about vendors experienced in the provision of electronic drug prescriptions. Response to this Request for Information is completely voluntary. The State is seeking information that it may use for future planning, policy development or competitive contracting for professional/technical services. This RFI and responses to it does not in anyway obligate the State nor will it provide any advantage to respondents in potential future Requests for Proposals for competitive contracting. Respondents are responsible for all costs associated with the preparation and submission of responses to this RFI

The complete Request for Information will be available by mail or e-mail from this office through 2:00 pm Monday June 12, 2006. **request (by direct mail, fax or e-mail) is required to receive the Request for Information.**

The Request for Information can be obtained from:

Tom Trant
Minnesota Department of Human Services
Health Care Operations
540 Cedar Street
Saint Paul, MN 55155
Telephone: (651) 431-3177
Fax: (651) 431-7439
E-mail: *Thomas.F.Trant@state.mn.us*

Information submitted in response to the Request for Information in this advertisement must be received at the address above no later than **.2:00 pm, Monday, July, 2006. Late submissions will not be considered.**

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

Department of Labor and Industry

Labor Standards Unit

Notice of Correction to Commercial Prevailing Wage Rates for Tile Setters in Beltrami County

A **correction** has been made to the Commercial Prevailing Wage Rates certified 12/27/05, for **Labor Code 424**, Tile Setters, in Beltrami County.

Copies with the correction of the certified wage rates for this county may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 284-5091, or accessing our web site at *www.doli.state.mn.us*. Charges for the cost of copying and mailing are \$.25 per page. Make check or money order payable to the State of Minnesota.

M. Scott Brener
Commissioner

Minnesota Pollution Control Agency

Environmental Analysis and Outcomes Division

Amendment to Request for Comments Published in the *State Register* on June 6, 2005

Possible Amendments to the Minnesota Pollution Control Agency's Rules, Chapters 7005, 7007 and 7011 Governing Large and Small Municipal Waste Combustors, Medical Waste Incinerators, and Commercial/Industrial Solid Waste Incinerators.

Subject of Rule: The Minnesota Pollution Control Agency (MPCA or Agency) is amending the Requests for Comments Notice published in the *State Register* on June 6, 2005 (Cite 30 SR 450). The MPCA is adding large municipal waste combustors on its planned

Official Notices

rule amendments governing emissions and operations of solid waste combustors.

This rulemaking is being undertaken to incorporate current federal rules into state rules for large and small municipal waste combustors, hospital, medical and infectious waste incinerators, air curtain incinerators, and commercial/industrial waste combustors. The rulemaking will also address conflicts between federal rules and existing state rules, as well as correct errors in current state rules. Incorporating the federal standards into Minnesota's state rules will allow the MPCA to request delegation authority from the United States Environmental Protection Agency for implementation and enforcement of these standards through a mechanism referred to as a "111(d) plan".

Further, the MPCA will examine the applicability of Minnesota's waste combustor rule to fuels that are biomass-based. The MPCA is contemplating whether the existing rule should be modified to exempt certain biomass-based wastes from being subject to the waste combustor rules, and if so, under what conditions.

Persons Affected: The proposed amendments may affect persons and facilities that operate solid waste incinerators: local units of government and state agencies that operate municipal waste combustors, facilities that burn hospital, medical, and infectious waste, industries and commercial facilities that burn solid wastes, and owners and operators of facilities that are capable of burning biomass fuels. Changes to these rules could directly or indirectly affect all citizens of the state because the changes are contemplated to affect permitting requirements for burning solid wastes.

Statutory Authority: The MPCA's authority to adopt and implement these rule amendments is found in *Minnesota Statutes* § 116.07, subd. 4. This provision authorizes the MPCA to adopt rules "for the prevention, abatement, or control of air pollution." The portion of Section 116.07, subd. 4, relevant to air quality regulation reads as follows:

Subd. 4. Rules and Regulations. Pursuant and subject to the provisions of chapter 14, and the provisions hereof, the pollution control agency may adopt, amend and rescind rules and standards having the force of law relating to any purpose within the provisions of Laws 1967, chapter 882, for the prevention, abatement, or control of air pollution. Any such rule or standard may be of general application throughout the state, or may be limited as to times, places, circumstances, or conditions in order to make due allowance for variations therein. Without limitation, rules or standards may relate to sources or emissions of air contamination or air pollution, to the quality or composition of such emissions, or to the quality of or composition of the ambient air or outdoor atmosphere or to any other matter relevant to the prevention, abatement, or control of air pollution.

Public Comment: Interested persons or groups may submit comments or information on this planned rule in writing or orally until 4:30 p.m. on July 19, 2006. The MPCA does not anticipate appointing an advisory committee to comment on the possible rule amendments.

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

Agency Contact Person: Written or oral comments, questions, requests to receive a draft of the rules when they become available, and requests for more information on these possible rule amendments should be directed to:

Anne Jackson
Minnesota Pollution Control Agency
Air Policy and Mobile Sources Unit
520 Lafayette Road North
St. Paul, Minnesota, 55155-4194
Telephone: (651) 296-7949
Fax: (651) 297-8676
E-mail: anne.jackson@pca.state.mn.us

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.

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 MPCA is required to submit to the judge reviewing the rules only those written comments received in response to the rules after they are formally 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.

Sheryl Corrigan, Commissioner

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 Human Services Continuing Care Administration Home and Community-Based (HCBS) Employee Scholarship Program Open For Proposals

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals from qualified Medicaid Home and Community-Based service (HCBS) providers interested in receiving scholarship funds for employee education and training in nursing and other health care fields.

The 2005 Minnesota legislature enacted a program to address scholarships for Home and Community-Based healthcare workers (see, *Minnesota Statutes* §256B.0918). The purpose of the HCBS Scholarship fund is to help create meaningful career paths for employees serving in the field of long-term care, specifically those serving in HCBS programs. In addition, this funding supports provider efforts to recruit, retain and train qualified employees and to expand the long-term care workforce. The State strongly desires that providers use these funds as part of their employee recruitment and retention strategy, by assisting eligible employees to achieve their educational objectives.

Home and Community-Based providers approved to participate in the HCBS scholarship program will receive a rate adjustment of up to 3/10 of one percent of their medical assistance reimbursement rate, to be used for qualified employee scholarships.

The term of any resulting contract is anticipated to be from July, 2006 or upon program implementation (whichever is later), until September 30, 2007. A bidder's conference will be held at The Minnesota Department of Human Services (DHS) Elmer Andersen Building, 540 Cedar Street, St. Paul, MN., on Monday July 10, 2006 from 10:00 a.m. until 12 NOON in Room 2223.

The Request for Proposal (RFP) can be obtained from:

Suzanne Wilson
Department of Human Services
Continuing Care Administration
444 Lafayette Road North
P.O. Box 64973
St. Paul, MN 551640973
Phone: (651) 431-2273
E-mail: suzanne.m.wilson@state.mn.us

Proposals submitted in response to the Request for Proposals in this advertisement **must be received at the address above no later than 4:00 p.m., Central Time, Monday July 17, 2006. Late 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.

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.

Department of Administration

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Colleges and Universities, Minnesota State

Anoka-Ramsey Community College, Coon Rapids Campus

Advertisement for Bids for the Sidewalk Snow Melt Project

NOTICE OF INTENT to Request Bids for the Sidewalk Snow Melt Project at the Coon Rapids Campus.

Project Description: Installation of 12,600 square feet of hydronic snowmelt system for multiple sidewalks and entries for the Gym, Theater, Science, and Technology Buildings, at the Anoka Ramsey Community College, Coon Rapids Campus. All sidewalks and entries are existing to be removed and replaced. The snowmelt system(s) consist of heat exchangers, pumps, piping, zone manifolds, snowmelt tubing, and DDC controls. Equipment will be located in existing mechanical rooms. Zone manifolds will be located in new closets.

Sealed Bids to: Michael Ash, Business Office
Anoka Ramsey Community College
Room C140, College Services Building
11200 Mississippi Boulevard Northwest
Coon Rapids, Minnesota 55433

Pre-Bid Meeting: 1:00 PM, Tuesday, June 27, 2006
Room SC200 (Riverview), Student Center Building

Bid Date & Time: 10:00 AM, Thursday, July 13, 2006
Room SC200 (Riverview), Student Center Building
All bids will be opened and publicly read aloud.

Bid Documents: Bid Forms, Contract Documents, Drawings and Specifications as prepared by the Project Engineer, **Sebesta Blomberg and Associates** are on file at the following locations:

- 1.) Sebesta Blomberg and Associates.
- 2.) Builders Exchanges: Minneapolis and St. Paul
- 3.) Dodge Plan Room
- 4.) National Association of Minority Contractors of Upper Midwest

Complete sets only of bid forms and Drawings and Specifications for use by Bidders in submitting a bid may be obtained at the following address:

Sebesta Blomberg and Associates
3535 40th Avenue Northwest
Suite 102
Rochester, Minnesota 55901
Attn: Lori Nierman
Telephone: (507) 424-3918

A deposit of **\$75.00** is required for each set.

Prospective Bidders requesting that Bidding documents (complete sets only) be mailed to them may send a separate non refundable payment (check made out to the Engineer) for **\$50.00** per set for shipping & handling (in addition to the **\$75.00** deposit) to the Engineer. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid which totals over \$15,000.00 must be accompanied by a bid bond or other security described here as a proposal guarantee that the bidder will enter into a contract if its bid is accepted. This security may be either a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than five percent (5%) of the total base bid or a corporate surety bond for the same amount by a surety company authorized to do business in the State of Minnesota.

Colleges and Universities, Minnesota State (MnSCU) Century College

Notice of Request for Proposals (RFP) for Commissioning Authority

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Century College, is soliciting proposals for experienced consulting services for Commissioning Authority. The project consists of the design and new building construction of approximately 72,000 gross square feet to be located on the East Campus southwest area. This building will consist of Science and Learning Resource classrooms, library and offices.

Proposals must be delivered to Dona K. Bettinger, Purchasing Coordinator, 3300 Century Ave. N., White Bear Lake, MN 55110, Main Entrance, West Campus Business Office, no later than June 27, 2006 at 3:00 p.m. CDT. Late responses will not be considered.

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

For RFP document, contact Mark Hovelson at <mailto:mhovelson@bossardt.com> or (952) 831-5408.

Colleges and Universities, Minnesota State

Inver Hills Community College, Inver Grove Heights, MN

Notice of Availability of Request for Proposal (RFP) for Designer Selection for the Classroom Renovation and Addition

(State Project No. 06-01)

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Inver Hills Community College, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

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

An informational meeting is tentatively scheduled for 1:30 PM, June 22, 2006 in the Theater of the Fine Arts Building, at Inver Hills Community College, 2500 80th Street East, Inver Grove Heights, MN 55076. All firms interested in this meeting should contact Pat Buhl, at (651) 450-8536 or pbuhl@inverhills.mnscu.edu to sign up for the meeting.

Proposals must be delivered to Mary Golike, Executive Secretary, State Designer Selection Board, in the State Architect's Office, not later than 1:00 P.M., Wednesday, July 5, 2006. Late responses will not be considered.

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

State Contracts

Colleges and Universities, Minnesota State (MnSCU)

Normandale Community College

Notice of Request for Proposals (RFP) for Managed Server Web Hosting Services for Up to Three Years, if Acceptable to Both Parties on an Annual Basis

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on the behalf of Normandale Community College, is soliciting proposals from interested qualified vendors.

Proposals must be delivered to Steven Wyffels, of our ITS Dept., Room L1701 by 12:00 p.m. CDT June 30, 2006. Late responses will not be considered.

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

For RFP Document, contact Steven Wyffels, **e-mail:** steven.wyffels@normandale.com or **phone:** (952) 487-8166.

Colleges and Universities, Minnesota State (MnSCU)

St. Cloud Technical College

Request for Bid for Student Chairs

NOTICE IS HEREBY GIVEN that St. Cloud Technical College will receive bids for 393 student chairs. Specifications are listed below and will also be available on June 19, 2006 on the website <http://www.sctc.edu/rfp>. Copies of the specifications can also be obtained from Paula Andrist at (320) 308-5946 or pandrist@sctc.edu. Sealed bids must be received by Paula Andrist at St. Cloud Technical College, Room 1-102, 1540 Northway Drive, St. Cloud, MN 56301 by 1:00 p.m. on Friday, July 7, 2006. St. Cloud Technical College reserves the right to reject any or all bids, or portions thereof, or to waive any irregularities or informalities, in bid received.

Background/Purpose

St. Cloud Technical College has done its due diligence with respect to adding new equipment in classrooms. St. Cloud Technical College has completed a thorough classroom analysis and has selected the appropriate equipment for their environment.

Questions:

All questions and inquiries related to this RFB must be in writing and directed to Paula Andrist, Purchasing, St. Cloud Technical College, 1540 Northway Drive, St. Cloud, MN 56303 (320) 308-5946. Other department personnel are NOT allowed to discuss the Request for Bid with anyone, including responders, before the bid submission deadline.

General requirements and instructions to bidders:

- No substitutions will be allowed. Only requested equipment will be accepted unless the requested equipment is no longer available.
- Bids containing any alteration or erasure will be rejected unless initialed as required by law. Bids made in pencil will be rejected. Bids must be signed and dated.

It is understood that this is NOT a Purchase Order but a request for bid.

Specifications:

- Chairs should be HON 5902 or equal
- ANSI/BIFMA, ISTA approved
- Pneumatic height adjustment
- Back height adjustment, seat depth adjustment
- Overall depth = 28 ¾", seat depth 18"
- Overall width = 23", seat width 20"
- Overall height = 39 ¾"
- Frame – black
- Fabric – black
- Carpet casters
- Made in America
- Lifetime warranty on frame, cylinders, controls
- Chairs must be delivered to St. Cloud Technical College by August 2, 2006
- Price must include, delivery, storage, handling, full assembly, installation to all rooms, disposal of packing materials and any associated costs

Colleges and Universities, Minnesota State**Southwest Minnesota State University****Notice of Availability of Request for Proposal (RFP) for Construction Manager as Constructor for Regional Event Center****(State Project No. 06-08)**

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Southwest Minnesota State University, through the State Designer Selection Board, is soliciting proposals from interested, qualified Construction Management firms for the above referenced project.

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

An information meeting is tentatively scheduled for 1:00 PM, Tuesday, June 27, 2006 in Charter Hall, Room 225 at Southwest Minnesota State University, 1501 State Street, Marshall, MN, 56258. All firms interested in this meeting should contact Cyndi Holm, holmcm@southwestmsu.edu, (507) 537-6577 to sign up to attend the meeting.

Proposals must be delivered to Cyndi Holm, Facilities Director, Southwest Minnesota State University, Founders Hall 223, 1501 State Street, Marshall, MN 56258 not later than **4:00 P.M., Thursday, July 13, 2006**. Late responses will not be considered.

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

Minnesota Historical Society**Notice of Request for Bids for Café Minnesota Remodel at the Minnesota History Center, St. Paul, Minnesota**

The Minnesota Historical Society (hereinafter called the Society) is seeking bids from qualified firms to provide all labor, materials, equipment, and supplies to remodel Café Minnesota (hereinafter called the Site) in the Minnesota History Center, which is located at 345 Kellogg Boulevard West, St. Paul, Minnesota 55102.

More specifically, the work consists of the following tasks: removal of the south marketplace servery wall; demolition of the existing servery floor tile, concrete curbs, food station tiled knee walls, and dishwashing equipment; installation of new floor tile; refurbishing the existing food service stations and dishwashing room; construction of a new central marketplace island with decorative trellis as well as a new pizza/pasta station; and the installation of new dishwashing equipment.

There will be a **MANDATORY pre-bid meeting** for all interested parties at **2:00 p.m. Local Time on Tuesday, June 27, 2006** at the Site.

Procedural questions regarding this request for bids should be directed to Kathryn Ludwig, Contracting Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, Minnesota 55102; telephone: (651) 297-5863; e-mail: kathryn.ludwig@mnhs.org.

Substantive questions regarding project scope should be referred to Michelle Heikens, Durrant, 430 Oak Grove Street, Suite 300, Minneapolis, Minnesota 55403; telephone: (612) 564-1335; e-mail: mheikens@durrant.com, who is also the contact to obtain plans and specifications for this project. A refundable plan deposit of \$50.00 will be required for one set. Make plan deposit checks out to Durrant. Deposits will be returned to all parties returning plans and specifications in good condition.

The Request for Bids and other front-end documents are available by contacting Mary Green Toussaint, Purchasing Coordinator, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102. Telephone: (651) 297-7007; e-mail:

mary.green-toussaint@mnhs.org.

All bids are **due** no later than **2:00 p.m. Local Time on Thursday, July 11, 2006**. A public bid opening will be conducted at that time. Late bids will not be considered.

Dated: June 19, 2006

State Contracts

Department of Human Services

Request for Proposal (RFP) on Vulnerability Assessment of Health Care Systems' Externally Accessible Applications

The Minnesota Department of Human Services is contracting for a comprehensive security vulnerability assessment of the Health Care Systems' externally facing applications. It is expected this work will include all servers, systems, and applications related to the Health Care System.

The objective of this RFP is to contract with a qualified Responder to perform the tasks and services set forth in this RFP. The term of any resulting contract is anticipated to start between January and April 2007.

The deliverables from this contract will include reports of findings as they are discovered, a final report of all vulnerabilities uncovered and suggested mitigation and remedies in keeping with industries best practices.

The request for proposal is available by contacting Kim.Brust@State.mn.us or by calling (651) 772-6018.

Responders' *questions* regarding this RFP must be submitted in writing prior to July 10, 2006. All questions must be e-mailed to: Barry.Caplin@state.mn.us

It is anticipated that answers to questions will be provided via email no later than the end of business on July 15, 2006. Other personnel are **NOT authorized** to discuss this RFP with Responders before the proposal submission deadline. **Contact regarding this RFP with any State personnel not listed above could result in disqualification.**

Proposal Responses must be physically received (not postmarked) **by 4:00 p.m. Central Time on July 17, 2006** to be considered. Late Proposals will not be considered. **Faxed or electronically sent proposals will not be considered. Proposals must be sent to:**

Request for Proposal Response:

Barry Caplin, CISO: Information Technology Services Division [Andersen Bldg]
Department of Human Services
444 Lafayette Road
Saint Paul, MN 55155

The State reserves the right to reject any and all proposals received in response to this RFP, disqualify any responder whose conduct or proposal fails to conform to the requirements of this RFP.

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

State Board of Investment

Notice of Request for Private Money Management Firms to Manage a Portion of the Pension Assets

The Minnesota State Board of Investment (MSBI) retains private money management firms to manage a portion of the pension assets and other accounts under its control. Firms interested in managing domestic stock, international stock, domestic bond or global bond portfolios for the MSBI are asked to write to the following address for additional information:

External Manager Program
Minnesota State Board of Investment
60 Empire Drive, Suite 355
St. Paul, MN 55103-3555
Telephone: (651) 296-3328
Fax: (651) 296-9572
E-mail: minn.sbi@state.mn.us

Please refer to this notice in your written notice.

Iron Range Resources

Notice of Availability of Contract for Golf Course Management and Food and Beverage Services

The State of Minnesota's Office of the Commissioner of Iron Range Resources is requesting proposals from qualified golf course management companies to manage and operate two state-owned championship 18-hole golf courses, The Legend and The Quarry, and associated food and beverage services, at Giants Ridge Golf and Ski Resort in Biwabik, Minnesota.

It is anticipated that this management agreement will commence Fall 2006.

A complete Request for Proposal will be available by mail, free of charge, through July 3, 2006. After July 3, 2006, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Joyce Stoehr, Contract Coordinator
4261 Highway 53 South
P.O. Box 441
Eveleth, MN. 55734
Phone: (218) 744-7342
Fax: (218) 744-7456
E-mail: joyce.stoehr@ironrangeresources.org

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 3:30 p.m. CDT, Monday, July 10, as indicated by the date stamp made by the Receptionist, IRR Offices, 4261 Highway 53 S, Eveleth, MN. 55734. Late proposals will **not** be considered. Fax or emailed proposals will **not** be considered.

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

Department of Military Affairs

Facilities Management Office, Camp Ripley, Little Falls, MN

Request for Proposals for Consultant Services for an Urban Assault Course (UAC) and an Infantry Squad Battle Course (ISBC) at Camp Ripley, Little Falls, MN (Project No. 06905)

The State of Minnesota, Department of Military Affairs, is soliciting proposals from interested, qualified consultants to provide architect-engineer services to design two range facilities, an Urban Assault Course (UAC) and an Infantry Squad Battle Course (ISBC) at Camp Ripley, Little Falls, MN. The UAC (budgeted at \$1,527,400.00) is a Federal FY 10 project with the **high possibility** of becoming a FY 07 project. The ISBC (budgeted at \$3,414,200.00) is a Federal FY 11 project and also has a possibility of becoming a FY 07 project. The UAC consists of five stations: Individual and Team, Squad and Platoon, Grenadier Gunnery, Urban Offense/Defense and Under-ground Training. Support facilities will include various buildings, stationary targets, service roads and associated range power and data cabling. See: www.hnd.usace.army.mil/rdg/InterTemplate.aspx for general UAC range information. The ISBC incorporates a Convoy Live Fire Lane (CLFL) and consists of five wartime objectives: Troops in the open, machine gun emplacements, observation stations, trenches and mortar emplacements. The CLFL consists of five miles of existing roadway that will have various obstacles, bridges/overpasses, snipers, etc. that convoys can encounter in a hostile environment. Support facilities will include various buildings, target emplacements and electrical/data cabling. See: www.hnd.usace.army.mil/rdg/InterTemplate.aspx for general ISBC range information.

A full Request for Proposal (RFP) is available on the Department of Military Affairs website:

<http://www.dma.state.mn.us/STARC/fmo/fmom/RFP.htm>

or telephone Anna Swoboda at (320) 616-2630 for a paper copy. All addenda items to the RFP will be posted on this website.

All RFP responses must be received by the Department of Military Affairs, Attn: Anna Swoboda, Facilities Management Office, Camp Ripley, 15000 Highway 115, Little Falls, Minnesota 56345-4173 not later than 2:00 p.m. on Friday, July 7, 2006. **Late responses will not be considered.**

A project information meeting/site visit for the **short listed firms** will take place at the Facilities Management Office, Camp Ripley, 15000 Highway 115, Little Falls, Minnesota, on Monday, 24 July, 2006.

The Department of Military Affairs is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

State Contracts

Minnesota Department of Public Safety State Patrol Division (Patrol)

Notice of Availability of Contract to Provide Assistance in the Management and Implementation of the State's Light Rail Safety Oversight Program

The Minnesota Department of Public Safety, State Patrol Division is requesting proposals from professional organizations to provide the Patrol with assistance in the management and implementation of the State's Light Rail Safety Oversight Program related to the Hiawatha Light Rail Fixed Guideway System. Services will include auditing established Safety and Security Plans, and compliance of the Metro Transit with the standards set forth in the Minnesota Rail Safety Oversight Program Standards and Procedures, and the Federal Transit Administration rules and regulations as described in Federal Statute 49 CFR part 659. Details are contained in a complete Request for Proposals that may be obtained by e-mail from:

Paul.Schoen@state.mn.us

All questions concerning this RFP must be submitted via e-mail to: *Paul.Schoen@state.mn.us*, no later than 2:00 P.M., Central Daylight Time, on June 29, 2006. Final date to submitting proposals is 2:00 P.M., Central Daylight Time, on July 10, 2006. Late proposals will not be considered. This request for Proposal does not obligate the State to complete the proposed project and the State reserves the right to cancel solicitation if it is considered to be in the State's best interest.

All expenses incurred in responding to this notice shall be borne by the responder. The DPS will retain the option to extend the contract, with the selected contractor's consent, for up to two additional one-year periods. The value of the contract for subsequent years may be adjusted.

Minnesota State Retirement System

Notice of Availability of Contract for Term Life Insurance for Health Care Savings Plan

The Minnesota State Retirement System is requesting proposals for the purpose of providing Term Life Insurance for Health Care Savings Plan participants who have no surviving spouse or legal dependents and die with a positive balance in their account.

Work is proposed to start after July 1, 2006.

A Request for Proposals will be available by mail from this office through June 26, 2006. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After June 23, 2006, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Sue Willinger
Minnesota State Retirement Systems
60 Empire Drive; Suite 300
St. Paul, MN 55103
Fax: (651) 297-5238

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 3:00 PM, Friday, June 30, 2006. **Late proposals will not be considered.** Fax or e-mailed proposals will **not** be considered.

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

Supreme Court

Request for Proposals for Migration of MS ACCESS 2003 Database (Galaxy) to Sequel Server 2005 for the Minnesota Guardian Ad Litem Program

The State of Minnesota, State Court Administrator's Office, Guardian ad Litem Program ("STATE") is using a competitive selection process to select the vendor responsible for completing the migration of the current Guardian ad Litem Program database ("GALAXY") from MS Access 2003 to SQL Server 2005. This is not a bid but a request for a proposal that could become the basis for negotiations leading to a contract with a designated vendor to provide services as described in the detailed RFP. The completed project will be performed according to the specifications described in the detailed Request for Proposal document which can be found at:

<http://www.courts.state.mn.us/news/posting.aspx?ID=20380&pageID=131>

The State Guardian ad Litem Program reserves the right to accept or reject any and all proposals, waive defects in any bid proposal and to accept the proposal or any part thereof that appears in the opinion of the Program, most advantageous to the objectives of the project.

Responder Inquiries

An initial inquiry period is set for all interested Responders to perform a detailed review of the Galaxy database scheduled for migration to Sequel Server. Requests to review the application should be made to the State program contact below.

The State Guardian ad Litem program will only consider written and timely communications from Responders. An authorized representative of the Responder shall submit inquiries in writing. Only those inquiries received by the established deadline shall be considered by the State Guardian ad Litem program. Answers to questions that change or substantially clarify the solicitation shall be issued by addendum and provided to all prospective Responders.

Inquiries concerning this solicitation may be delivered by mail, express courier, e-mail, hand, or fax to:

Mark Toogood
State GAL Program Manager
25 Rev. Dr. Martin Luther King Jr. Blvd.
Suite 105
St. Paul, MN 55155
Phone: (651) 215-9467
Fax: (651) 296-6609
E-mail: *mark.toogood@courts.state.mn.us*

Inquiry deadline

No later than 4:30p.m. CST on June 26th, 2006

Proposal Submission Deadline

Final Written Proposals must be submitted to Mark Toogood at the address indicated above no later than 4:30p.m. CST on Wednesday, June 28, 2006

Department of Transportation (Mn/DOT)

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 Ron Bisek at (651) 296-1361 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:

Ron Bisek
Consultant Services
Office of Technical Support
Minnesota Department of Transportation
Consultant Services

State Contracts

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 (Mn/DOT) 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.

Dakota County

Notice of Request for Proposal (RFP) for Interpreter, Translator and American Sign Language Interpretation (ASL) Service

NOTICE IS HEREBY GIVEN that the Dakota County is seeking qualified Contractors to provide Interpreter, Translator and American Sign Language (ASL) interpretation County wide. The most common non-English languages encountered are Spanish, Russian, Somali, Hmong, Laotian, Vietnamese, and American Sign Language. Service will be provided to all County Divisions, however work is primarily conducted through the Community Services Division comprised of the following Departments: Employment and Economic Assistance, Public Health, Social Services and Community Corrections. Successful responder's will have proven experience working in health clinics or mental health settings, participating in social work and/or public health home visits and in correctional settings. Additional consideration may be given to providers who can demonstrate the ability to access third party insurance reimbursement through contracted relationships with PMAP providers. The capacity to provide rare languages including African dialects is a must. Provider must be able to assure access to service though out the entire area served by Dakota County. This contract will be in effect from January 1, 2007 through December 31, 2008 with an option to renew for up to three years on an annual basis.

To access the complete RFP online, or to acquire additional information about Dakota County visit our website at: www.co.dakota.mn.us, click on E-Government and select RFP on the menu.

Non-State Contracts & Grants

Contact:

Therese J. Branby, Contract Manager
Dakota County Community Services Division
1 Mendota Road West, Suite 500
West St. Paul, MN 55118-4773
Phone: (651) 554-5878
Fax: (651) 554-5948
E-mail: *therese.branby@co.dakota.mn.us*

Responder's Meeting is scheduled from 9:00 –10:00 a.m. CDT on Monday, July 10, 2006 at the **Dakota County Northern Service Center in West St. Paul. See proposal for details.**

Deadline for proposals is 12:00 p.m. CDT on Thursday, July 27, 2006. No late proposal will be considered.

Dakota County Community Services Division Notice of Request for Letters of Interest (LOI's): Seeking a Taxi Cab Service to Provide A Prompt, Reliable, and Immediate Response to Transportation Requests

NOTICE IS HEREBY GIVEN that the Dakota County Community Services Division is soliciting LOI's from qualified parties for the purpose of selecting a Contractor to provide Taxi Transportation Services. The services are for Community Service Rides, not the General Public. Examples of ride requests are rides for persons that are to appear in court relating to a currently open legal issue with one of the County's Departments; persons who have recently received a court order for visitation and that visitation is to occur in a short period of time; and persons in need of evaluative medical appointments in a short period of time.

Dakota County is looking for Letters of Interest that speak to an applicant's organization, its' history, and current status, including the organization's capacity. Specifically, Dakota County is interested in the total number of taxi cabs in the organization's fleet and the number of taxi cabs anticipated to be available to provide transportation services throughout Dakota County. In addition, written assurance that the taxi transportation services can be provided anywhere within Dakota County within 1 hour of a request except in cases where there is inclement weather, poor road conditions, construction, etc. In these specific situations, Dakota County expects the organization to apply the same guidelines to Dakota County as they do to the general public.

The Deputy Director of Dakota County Social Services, Adult Services, and a Dakota County Contract Manager will screen the LOI's from interested applicants. Final selection is targeted for August 4, 2006. Dakota County reserves the right to reject any or all LOI's that do not satisfy the LOI requirements.

The applicant chosen will be expected to enter into a contractual agreement with Dakota County beginning with the contract implementation date of October 1, 2006 through December 31, 2007, pending funding availability. There is the potential of contract renewal beyond December 31, 2007, with agreement by both parties, pending funding availability. Any contractual agreement is subject to approval by the Dakota County Board of Commissioners.

While it is Dakota County's intent to enter into a contractual agreement with a qualified applicant, the LOI does not obligate Dakota County to complete the LOI process or enter into a contract. Dakota County reserves the right to cancel the LOI at any time for any reason.

Interested applicants can access the LOI online at http://www.co.dakota.mn.us/e_government/bids/bids_rfps.htm, or request a copy of the Request for Letters of Interest by contacting:

Carla Skog, Contract Support Specialist
Dakota County Community Services Administration
Dakota County Northern Service Center
1 Mendota Road West, Suite 500
West St. Paul, MN 55118-4773
E-mail: *carla.skog@co.dakota.mn.us*

The deadline for response is no later than 4:00 P.M. Central Standard Time on July 10, 2006.

Non-State Contracts & Grants

Dakota County Community Services Division

Community Corrections Department

Notice of Request for Proposal (RFP) for Sentenced to Service (STS) Program Sponsored by the Dakota County Community Corrections Department

• **Notice is hereby given** that the Dakota County Community Corrections Department is seeking qualified Contractors to provide a Sentence to Service (STS) program in accordance with State Department of Corrections (DOC) guidelines. This program is a sentencing option available to the courts for non-dangerous felony level offenders. The County is interested in purchasing a comprehensive package of services to include program management, on-site staffing at various sites throughout the County, supervision of work crews and transportation. This contract will be in effect from January 1, 2007 through December 31, 2008 with an option to renew for up to three years on an annual basis.

To access the complete RFP online, or to acquire additional information about Dakota County, visit our website at: www.co.dakota.mn.us, click on E-Government and select RFP on the menu.

Contact:

Therese J. Branby, Contract Manager
Dakota County Community Services Division
1 Mendota Road West, Suite 500
West St. Paul, MN 55118-4773
Phone: (651) 554-5878
Fax: (651) 554-5948
E-mail: therese.branby@co.dakota.mn.us

Responder's Meeting is scheduled from 9:00 –10:00 a.m. CDT on Thursday, June 29, 2006 **at the Dakota County Western Service Center in Apple Valley. See proposal for details.**

Deadline for proposals is 12:00 p.m. CDT on Friday, July 14, 2006. No late proposal will be considered.

Minnesota Association of County Officers Request for Proposal to Provide State Government Relations Consulting (Lobbying Services) and Administrative Services

MACO is seeking a partner whose service(s) can provide:

State Governmental Consulting Services:

1. Will keep MACO's external customers informed of MACO's goals.
2. Will keep MACO informed of any proposed legislative issues.
3. Will develop and support MACO legislative initiatives.
4. Will keep MACO's members informed in coordination with the MACO administrator.

Administrative Services:

1. Coordinate with MACO's Governmental Services to keep MACO members informed.
2. Perform administrative duties to educate and promote MACO goals to external customers and members.

The selected strategic partner should complement MACO staff and provide added expertise and insight into solving complex problems and delivering high-end solutions.

Proposal due date: 3:00 p.m. June 30, 2006.

Interested applicants can access the RFP online at www.mncounties2.org/maco/ or contact Bill Davison (320) 656-3970

Stearns County Purchasing
E-mail: bill.davison@co.stearns.mn.us

Non-State Contracts & Grants

University of Minnesota

Notice of Availability of Request for Proposal (RFP) for Designer Selection for Medical Bioscience Building

(State Designer Selection Board Project No. 06-07)

The State of Minnesota, acting through its Board of Regents for the University of Minnesota is soliciting, through the State Designer Selection Board, proposals from interested, qualified consultants for architectural and engineering design services to complete the design based on the approved predesign document of a facility of approximately 105,000 GSF that will contain medical research laboratories, bio-safety level 3 laboratories, a vivarium and other support space.

A full Request for Proposals is available on the University of Minnesota, website: <http://www.cppm.umn.edu/rfp.html>, click on "Medical Bioscience Building."

An informational meeting is tentatively scheduled for **10am, June 28, 2006** in **Room 318 Donhowe Building, 319 – 15th Avenue SE, Minneapolis**. Questions concerning the project should be referred to: Kevin Ross, Capital Planning & Project Management (612) 626-8283, kmr@umn.edu or Orlyn Miller, (612) 624-7501, om@umn.edu.

Proposals must be delivered to Mary Golike, Executive Secretary, State Designer Selection Board, in the State Architect's Office, not later than 1:00 P.M., Monday, July 10, 2006. Late responses will not be considered.

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

University of Minnesota

Subscribe to Bid Information Service (BIS)

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

Request for Bids/Proposals are also available to the public each business day from 8:00 a.m. to 4:30 p.m. in the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Minneapolis, Minnesota 55454.

Minnesota's Bookstore

Great Books and Gifts for Your Reading Pleasure

- **The Dakota War of 1862 - Minnesota's Other Civil War**, by Kenneth Carley, \$14.95
- **Minnesota Treasures - Stories Behind the State's Historical Places**, by Richard Moe, \$39.95
- **No More Gallant a Deed - A Civil War Memoir of the First Minnesota Volunteers**, by James A. Wright, edited by Steven J. Keillor, \$34.95
- **Minnesota's Indian Mounds and Burial Sites: A Synthesis of Prehistoric and Early Historic Archaeological Data**, by Constance M. Arzigian and Katherine P. Stevenson, \$44.95
- **Mike Lynch's Minnesota Starwatch - The Essential Guide to Our Night Sky**, \$24.95
- **Minnesota's State Capitol - The Arts and Politics of a Public Building**, \$16.95
- **A Birders's Guide to Minnesota**, by Kim R. Eckert, \$20.00
- **Celebrate Saint Paul - 150 Years of History**, \$49.95
- **Minnesota Guidebook to State Agency Services - Owners manual for Minnesotans**, \$14.95

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- Minnesota Highway and Recreational Atlas
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- Fishing Hot Spots

