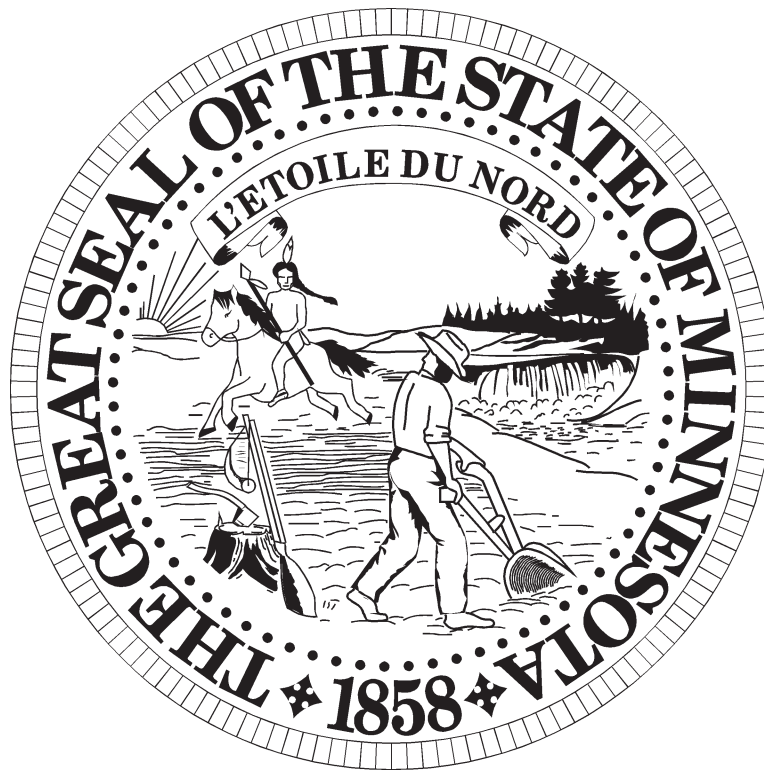


Minnesota

State Register

(Published every Monday (Tuesday when Monday is a holiday).)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;
Executive Orders; Appointments; Commissioners' Orders; Revenue Notices;
Official Notices; State Grants & Loans; State Contracts;
Non-State Public Bids, Contracts & Grants**

**Monday 19 August 2013
Volume 38, Number 8
Pages 239 - 260**

Minnesota State Register

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

The *Minnesota State Register* is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes*, Chapter 14, and *Minnesota Rules*, Chapter 1400. It contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoed Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-State Public Bids, Contracts and Grants

Printing Schedule and Submission Deadlines

Vol. 38 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Proposed, Adopted and Exempt RULES
# 9	Monday 26 August	Noon Tuesday 20 August	Noon Wednesday 14 August
# 10	TUESDAY 3 SEPTEMBER	Noon Tuesday 27 August	Noon Wednesday 21 August
# 11	Monday 9 September	Noon Tuesday 3 September	Noon Wednesday 28 August
# 12	Monday 16 September	Noon Tuesday 10 September	Noon Wednesday 4 September

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Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. 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, but 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.

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 #40-52 inclusive, with final index (#1-52, or 53 in some years). 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, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757. TTY relay service phone number: (800) 627-3529.

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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.

Minnesota Department of Commerce

Proposed Permanent Rules Governing the Valuation of Life Insurance Policies

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendment to Rules Governing the Valuation of Life Insurance, *Minnesota Rules*, chapter 2747; Revisor's ID Number 4116

Introduction. The Department of Commerce intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until September 20, 2013.

Agency Contact Person. You must submit comments or questions on the rules and written requests for a public hearing to the agency contact person. The agency contact person is:

Susan Bergh
Minnesota Department of Commerce
85 - 7th Place East, Suite 500
St. Paul, Minnesota 55101
Phone: (651) 539-1456
E-mail: rules.commerce@state.mn.us
TTY users may call the Department of Commerce at 1-800-627-3529.

Subject of Rules and Statutory Authority. The proposed rules are updating the guidelines and standards to be followed by life insurance companies for statements of actuarial opinion and supporting memoranda submitted in accordance with *Minnesota Statutes*, section 61A.25, Minnesota's Standard Valuation Law. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 61A.25 and 45.023. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on September 20, 2013, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and the agency contact person must receive it by the due date. The Department encourages comment. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. You must also make any comments about the legality of the proposed rules during this comment period.

Proposed Rules

Request for a Hearing. In addition to submitting comments, you may also request that the Department hold a hearing on the rules. Your request must be in writing and the agency contact person must receive it by 4:30 p.m. on September 20, 2013. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. 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 Department will hold a public hearing unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format. Upon request, the Department can make this Notice 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.

Modifications. The Department may modify the proposed rules as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules, unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Department encourages you to participate in the rulemaking process.

Statement of Need and Reasonableness. The statement of need and reasonableness contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review, or obtain copies at the cost of reproduction, by contacting the agency contact person.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You should direct questions about this requirement to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-539-1180 or 1-800-657-3889.

Adoption and Review of Rules. If no hearing is required, the agency may adopt the rules after the end of the comment period. The agency will then submit the rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the Department submits the rules 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.

Dated: 22 July 2013

Michael Rothman, Commissioner
Minnesota Department of Commerce

2747.0030 GENERAL CALCULATION REQUIREMENTS FOR BASIC RESERVES AND PREMIUM DEFICIENCY RESERVES.

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

Subp. 2. **Deficiency reserves.** Deficiency reserves, if any, are calculated for each policy as the excess, if greater than zero, of the quantity A over the basic reserve. The quantity A is obtained by recalculating the basic reserve for the policy using guaranteed gross premiums instead of net premiums when the guaranteed gross premiums are less than the corresponding net premiums. At the election of the company for any one or more specified plans of insurance, the quantity A and the corresponding net premiums used in the determination of quantity A may be based upon the 1980 CSO valuation tables with select mortality factors, or any other valuation mortality table adopted by the National Association of Insurance Commissioners after January 1, 2000, and adopted by rule by the commissioner. If select mortality factors are elected, they may be:

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

C. for durations in the first segment, X percent of the select mortality factors in part 2747.0060, subject to the following:

(1) X may vary by policy year, policy form, underwriting classification, issue age, or any other policy factor expected to affect

Proposed Rules

mortality experience;

~~(2)~~ X shall not be less than 20 percent;

~~(3)~~ X shall not decrease in any successive policy years;

~~(4)~~ (2) X is such that, when using the valuation interest rate used for basic reserves, unit (a) is greater than or equal to unit (b):

(a) the actuarial present value of future death benefits, calculated using the mortality rates resulting from the application of X; and

(b) the actuarial present value of future death benefits calculated using anticipated mortality experience without recognition of mortality improvement beyond the valuation date;

~~(5)~~ (3) X is such that the mortality rates resulting from the application of X are at least as great as the anticipated mortality experience, without recognition of mortality improvement beyond the valuation date, in each of the first five years after the valuation date;

~~(6)~~ (4) the appointed actuary shall increase X at any valuation date where it is necessary to continue to meet all the requirements of this item;

~~(7)~~ (5) the appointed actuary may decrease X at any valuation date as long as X does not decrease in any successive policy years and as long as it continues to meet all the requirements of this item;

~~(8)~~ (6) the appointed actuary shall specifically take into account the adverse effect on expected mortality and lapsation of any anticipated or actual increase in gross premiums; and

~~(9)~~ (7) if X is less than 100 percent at any duration for any policy, the following requirements shall be met:

(a) the appointed actuary shall annually prepare an actuarial opinion and memorandum for the company in conformance with part ~~2711.0080~~ 2711.0230; and

(b) the appointed actuary shall disclose, in the Regulatory Asset Adequacy Issues Summary, the impact of the insufficiency of assets to support the payment of benefits and expenses and the establishment of statutory reserves during one or more interim periods;
and

~~(b)~~ (c) the appointed actuary shall annually give an opinion for all policies subject to this chapter as to whether the mortality rates resulting from the application of X meet the requirements of this item. This opinion shall be supported by an actuarial report, subject to appropriate Actuarial Standards of Practice promulgated by the Actuarial Standards Board of the American Academy of Actuaries. The X factors shall reflect anticipated future mortality, without recognition of mortality improvement beyond the valuation date, taking into account relevant emerging experience; or

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

[For text of subs 3 to 6, see M.R.]

Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

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

Minnesota Department of Human Services (DHS) Adopted Permanent Rules Relating to Medical Assistance; Rehabilitative and Therapeutic Services

The rules proposed and published at *State Register*, Volume 37, Number 31, pages 1119-1126, January 28, 2013 (37 SR 1119), are adopted with the following modifications:

9505.0390 REHABILITATIVE AND THERAPEUTIC SERVICES.

Subpart 1. **Definitions.** For purposes of parts 9505.0390 to 9505.0392 and 9505.0410 to 9505.0412, the following terms have the meanings given them in this part.

B. "Delegation of duties" means, notwithstanding any other definition of direction in parts 9505.0170 to 9505.0475, the actions of a physical or occupational therapist who delegates to the physical therapist assistant or the occupational therapy assistant ~~in~~ specific duties to be performed, monitors the provision of services as the therapy assistants provide the service, and meets the supervisory requirements of *Minnesota Statutes*, sections 148.706 and 148.6432, respectively when treatment is provided by a physical therapist assistant or occupational therapy assistant.

Subp. 4. **Covered service; audiology.** To be eligible for medical assistance payment as a rehabilitative and therapeutic service, an audiology service must be:

B. provided by an audiologist as defined in ~~part 9505.0390~~, subpart 1, item A;

Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

Office of the Governor

Executive Order 13-10: Affirming the Government-to-Government Relationship between the State of Minnesota and the Minnesota Tribal Nations: Providing for Consultation, Coordination, and Cooperation; Rescinding Executive Order 03-05

I, MARK DAYTON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the power invested in me by the Constitution and applicable statutes, do hereby issue this Executive Order:

WHEREAS, the United States and the State of Minnesota have a unique legal relationship with federally recognized Tribal Nations, as affirmed by the Constitution of the United States, treaties, statutes, and case law; and

WHEREAS, the State of Minnesota is home to 11 federally recognized Tribal Nations (“the Minnesota Tribal Nations”) with elected or appointed Tribal Governments; and

WHEREAS, the State of Minnesota recognizes and supports the unique status of the Minnesota Tribal Nations and their right to existence, self-government, and self-determination; and

WHEREAS, the Minnesota Tribal Nations are comprised of a majority of the State’s 61,000 American Indians and provide significant employment in the State; and

WHEREAS, members of the Minnesota Tribal Nations are citizens of the State of Minnesota and possess all the rights and privileges afforded by the State; and

WHEREAS, the State of Minnesota and the Minnesota Tribal Nations significantly benefit from working together, learning about one another, and partnering where possible; and

WHEREAS, meaningful and timely consultation between the State of Minnesota and the Minnesota Tribal Nations will facilitate better understanding and informed decision making by allowing for collaboration on matters of mutual interest, and helping to establish respectful relationships between the State and the Minnesota Tribal Nations.

NOW, THEREFORE, I hereby order that:

1. All Executive Branch agencies of the State of Minnesota shall recognize the unique legal relationship between the State of Minnesota and the Minnesota Tribal Nations, respect the fundamental principles that establish and maintain this relationship, and accord Tribal Governments the same respect accorded to other governments.
2. By March 10, 2014, the following Cabinet-level Executive Branch agencies (hereinafter “Cabinet Agency” and “Cabinet Agencies”) shall, in consultation with the Minnesota Tribal Nations, develop and implement tribal consultation policies to guide their work and interaction with the Minnesota Tribal Nations: the Department of Corrections, Department of Education, Department of Health, Housing Finance Agency, Department of Human Rights, Department of Human Services, Department of Natural Resources, Pollution Control Agency, Department of Public Safety, Department of Transportation, and Department of Veterans Affairs. All other Cabinet-level Executive Branch agencies shall coordinate, as needed, with the tribal liaison in the Governor’s Office to consult with the Minnesota Tribal Nations. Prior to February 1 of each year, each Cabinet Agency shall consult with each of the Minnesota Tribal Nations to identify priority issues for consultation.

Executive Orders

3. As appropriate, and at the earliest opportunity, Cabinet Agencies shall consult with the Minnesota Tribal Nations prior to undertaking actions or policies related to the list of priority issues identified in Paragraph 2. Cabinet Agencies shall consider the input generated from tribal consultation into their decision-making processes, with the goal of achieving mutually beneficial solutions.
4. Each Cabinet Agency shall designate a staff member to assume responsibility for implementation of the tribal consultation policy and to serve as the principal point of contact for the Minnesota Tribal Nations. Each Cabinet Agency's designated staff member shall work with a representative(s) designated by the Minnesota Tribal Nations, who shall serve as the Cabinet Agency's principal point of contact.
5. All Cabinet Agencies shall provide training for designated staff who work with the Minnesota Tribal Nations in an effort to foster a collaborative relationship between the State of Minnesota and the Minnesota Tribal Nations.

Nothing in this Order shall require state agencies to violate or ignore any laws, rules, directives, or other legal requirements or obligations imposed by state or federal law, or set forth in agreements or compacts between one or more of the Minnesota Tribal Nations or any other Tribal Nation and the State or its agencies. This Order is not intended to, and does not create, any right to administrative or judicial review, or any other right or benefit or responsibility, substantive or procedural, enforceable against the State of Minnesota, its agencies or instrumentalities, its officers or employees, or its subdivisions or any other persons. Nothing in this Order prohibits or limits any state agency from asserting any rights or pursuing any administrative or judicial action under state or federal law to effectuate the interests of the State of Minnesota or any of its agencies.

If any provision in this Order conflicts with any laws, rules, or other legal requirements or obligations imposed by state or federal law, state and federal laws shall control.

Under *Minnesota Statutes*, section 4.035, subdivision 2, this Executive Order is effective 15 days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes*, section 4.035, subdivision 3.

In Testimony Whereof, I have set my hand on this 8th day of August, 2013.

Signed: Mark Dayton
Governor

Filed According to Law:

Signed: Mark Ritchie
Secretary of State

Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Minnesota Department of Human Services (DHS) Request for Statements of Interest from Expert Autism Spectrum Disorder (ASD) Professional Consultants to Assist with the ASD Benefit Design

The Minnesota Department of Human Services (DHS) is requesting statements of interest from expert ASD professionals who would like to assist in the design of the new ASD early intervention Medical Assistance (MA) benefit. DHS is developing a new ASD early intervention benefit pursuant to *2013 Laws of Minnesota*, Chapter 108, Article 7, Section 14. The process DHS will use in developing the benefit will include receiving input from the following:

- Professional consultants across a range of disciplines and with expertise in the field of ASD
- Culturally diverse groups
- A separate group of community stakeholders
- Formal publication of the benefit for public comment, prior to submission

The ASD professional consultants will provide clinical and other professional expertise for DHS' efforts to develop the new benefit. They will serve as high-level experts and representatives of their disciplines/professions as direct providers of services to children with ASD and their families and/or academicians with significant expertise in treating ASD and understanding the scientific literature concerning ASD treatments. DHS will prioritize the selections of professionals who can objectively represent the following professional perspectives and expertise and collectively offer cultural diversity:

- Behavioral interventions
- Developmental interventions
- Medicine
- Occupational therapy
- Psychology
- Research methodology
- Social work
- Special education
- Speech therapy

Except for academicians, each must be a licensed professional in the state in which he or she practices. Among academicians, those who also maintain a licensed professional practice may be preferred. DHS will work to recruit a diverse and balanced distribution of disciplines and perspectives among the team of consultants. The ideal team will include a mix of national and Minnesota-based experts with significant experience in serving culturally diverse communities and in serving urban, suburban and rural populations with ASD. Consultants must participate fully in a collaborative process that acknowledges the value of other members' expertise and integrates a broad range of ideas and perspectives about how best to diagnose, assess, treat and monitor progress of children with ASD.

Selected consultants can expect to participate in 5 – 10 conference calls prior to the end of 2013, as well as a 2-day, in-person retreat scheduled for September 24 – 25. The consultants may be reconvened to respond to input from the community stakeholder group. Persons who live greater than 60 miles from the Twin Cities metropolitan area will receive travel assistance, including transportation and lodging to attend the retreat and any other in-person meetings that might be scheduled. Meals during the retreat will be provided.

Statement of interest submission deadline

Statements of interest should address the following:

- Professional area of expertise and/or perspective
- Experience with ASD
- Reason for interest in participating in this consultation group
- Description of any potential conflicts of interest and how you may address these

Official Notices

Statements of interest submitted by 4:00 p.m., August 26, 2013 are assured of full consideration by the Department of Human Services. The Department may choose not to review statements of interest received after that date.

To submit a paper statement of interest, send it by mail to:

ATTN: Anne Harrington
Minnesota Department of Human Services
P.O. Box 64967
St. Paul, MN 55164-0967

To submit a statement of interest by email, send it to: anne.harrington@state.mn.us

If you have questions, please contact Anne Harrington at (651) 431-2119 or at the email address above.

Minnesota Pollution Control Agency (MPCA)

Watershed Division

Request for Public Comment on Draft 2013 Revisions to the MN Nonpoint Source Management Program Plan

Public Comment Period Begins:

August 19, 2013

Public Comment Period Ends:

September 17, 2013

The Minnesota Nonpoint Source Management Program Plan (NPSMPP) contains strategies to help protect and improve the quality of Minnesota's water resources by identifying activities to reduce nonpoint sources of water pollution. These strategies were developed collectively by workgroups with over 200 members; representing 50 federal and state agencies, local units of government and public and private organizations. Updating the NPSMPP every 5 years is a requirement for Minnesota to remain eligible to receive federal Clean Water Act Section 319 funds for protection of surface and ground waters. Section 319 funds are passed through to candidates that meet program eligibility requirements and, in their grant applications, reference Action Step(s) identified in Minnesota's NPSMPP.

The Minnesota Pollution Control Agency (MPCA) is implementing a four-year, phased approach for revisions to the 2008 NPSMPP. The first phase includes the following amended portions, which are currently open to the public for a 30-day comment period:

Phase 1 - Chapters and Tables:

Chapter 1 (items listed below, not full chapter)

- Acknowledgements
- Table of Contents
- Executive Summary

Chapter 3 Watershed Planning and Management Framework

Chapter 4 Overall Strategies for Each Water Resource

- Section 4.1 Ground Water
- Section 4.2 Lakes
- Section 4.3 Rivers and Streams
- Section 4.4 Wetlands

Chapter 5 Monitoring

Appendices A and B

- Nine Key Elements of a Successful Nonpoint Source Management Program
- Best Management Practices - Definitions

Only the Needs, Priorities and Milestones, Action Plan Tables for the following Chapters
(Text and tables for these chapters will be revised in future phases):

Chapter 6	Information and Education
Chapter 7	Feedlots
Chapter 8	Agricultural Erosion
Chapter 9	Agricultural Nutrients
Chapter 10	Agricultural Pesticides
Chapter 11	Urban Runoff
Chapter 12	Forestry
Chapter 13	Individual Sewage Treatment Systems
Chapter 14	Effects of Atmospheric Deposition on Water Quality

For copies of these documents, please access the following MPCA website at: <http://www.pca.state.mn.us/index.php/water/water-types-and-programs/water-nonpoint-source-issues/minnesota-nonpoint-source-management-program-plan-nsmpp.html> or, a request may be made to the MPCA contact identified below. All comments must be received in writing at the Minnesota Pollution Control Agency St. Paul office by close of business on September 17, 2013

Comments are to be directed to:

Minnesota Pollution Control Agency
Attention: Denise M. Leezer
520 Lafayette Road North
St. Paul, MN 55155-4194
Phone: (651) 757-2523
E-mail: Denise.Leezer@state.mn.us

Minnesota Department of Transportation (Mn/DOT) Engineering Services Division, Office of Construction and Innovative Contracting Notices of Suspension and Debarment

NOTICE OF SUSPENSION

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be suspended for a period of sixty (60) days, effective May 6, 2013 until July 5, 2013:

- Marlon Louis Danner and his affiliates, South St. Paul, MN
- Danner, Inc. and its affiliates, South St. Paul, MN
- Bull Dog Leasing, Inc. and its affiliates, Inver Grove Heights, MN
- Danner Family Limited Partnership and its affiliates, South St. Paul, MN
- Ell-Z Trucking, Inc. and its affiliates, South St. Paul, MN
- Danner Environmental, Inc. and its affiliates, South St. Paul, MN

NOTICE OF DEBARMENT

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of three (3) years, effective March 25, 2011 until March 25, 2014:

- Philip Joseph Franklin, Leesburg, VA
- Franklin Drywall, Inc. and its affiliates, Little Canada, MN
- Master Drywall, Inc. and its affiliates, Little Canada, MN

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of three (3) years, effective May 6, 2013 until May 6, 2016:

- Gary Francis Bauerly and his affiliates, Rice, MN

Official Notices

- Gary Bauerly, LLC and its affiliates, Rice, MN
- Watab Hauling Co. and its affiliates, Rice, MN

Minnesota Statute section 161.315 prohibits the Commissioner, counties, towns, or home rule or statutory cities from awarding or approving the award of a contract for goods or services to a person who is suspended or debarred, including:

- 1) any contract under which a debarred or suspended person will serve as a subcontractor or material supplier,
- 2) any business or affiliate which the debarred or suspended person exercises substantial influence or control, and
- 3) any business or entity, which is sold or transferred by a debarred person to a relative or any other party over whose actions the debarred person exercises substantial influence or control, remains ineligible during the duration of the seller's or transfer's debarment.

State Contracts

In addition to the following listing of state contracts, readers are advised to check the Statewide Integrated Financial Tools (SWIFT) Supplier Portal at: <http://supplier.swift.state.mn.us> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be advertised in the Supplier Portal (see link above) or posted on the Department of Administration, Materials Management Division's (MMD) Web site at: <http://www.mmd.admin.state.mn.us/solicitations.htm>.

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 advertised in the SWIFT Supplier Portal or alternatively, in the *Minnesota State Register* if the procurement is not being conducted in the SWIFT system.

Minnesota Department of Administration (Admin) Materials Management Division Request for Proposal (RFP) for Independent External Review of Adverse Determinations of Health Care Complaints SWIFT Event ID # 2000001755

The Department of Administration, in cooperation with the Department of Commerce, Department of Health, Department of Human Services, and Minnesota Management and Budget ("Responsible Agencies"), is issuing this request for proposals (RFP) for contracts with three (3) or more organizations or business entities to provide independent external review of all adverse determinations of health care complaints submitted for external review under *Minnesota Statutes* Section 62Q.73, including submissions from the Responsible Agencies identified above.

The Request for Proposal for Independent External Review of Adverse Determinations of Health Care Complaints will be available in the State's new finance and procurement system, SWIFT, beginning on August 19, 2013. You will need to register in SWIFT, using the SWIFT Supplier Portal, in order to view the RFP.

For more information on using the SWIFT Supplier Portal, registering as a vendor, and submitting responses, please go to:
<http://www.mmb.state.mn.us/vendorresources>.

The deadline for submitting a proposal may be found in SWIFT by going to the Supplier Portal (*<http://supplier.swift.state.mn.us>*) and selecting Event ID # 2000001755.

All responses to the RFP must be submitted through the SWIFT Supplier portal.

This Request for Proposal does not obligate the State of Minnesota, the Department of Administration, or any Responsible Agencies, to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota State Colleges and Universities (MnSCU) Minnesota West Community and Technical College Notice of Request for Proposals for Developer to Finance, Design and Construct Student Housing

Minnesota West Community and Technical College is seeking a third party developer to finance, design, and construct student housing on its Worthington campus in Worthington, Minnesota.

Details regarding the student housing project can be obtained from Lori Voss, Vice President of Administration at 507-223-1331, Minnesota West Community & Technical College, 1011 First Street West, Canby, MN 56220 or **e-mail:** *lori.voss@mnwest.edu*.

A mandatory meeting with interested developers will be held September 9, 2013 in room 209 at 10:00. Proposals are due September 23, 2013 at 4:00. Occupancy is to begin fall semester of 2015. Minnesota West reserves the right to reject all proposals.

Minnesota West Community & Technical College is a member of the Minnesota State Colleges and Universities System.

Minnesota State Colleges and Universities (MnSCU) St. Cloud Technical & Community College Formal Request for Proposal for Tractor and Trailer Maintenance

Response Due Date and Time: Tuesday, September 3, 2013 at 2:00 p.m. Central Time

The complete Request for Proposal will be available on Monday, August 19, 2013 on the website *<http://www.sctcc.edu/rfp>*.

Title of Project: Tractor and Trailer Maintenance

Geographic Location Requirements: St. Cloud Technical & Community College, 1540 Northway Drive, St. Cloud, MN 56303

Responses must be received at the location listed below:

St. Cloud Technical & Community College
1540 Northway Drive
St. Cloud, MN 56303
Susan Meyer, Purchasing Agent, Room 1-401
Phone: (320) 308-5973
Fax: (320) 308-5027
E-mail: *smeyer@sctcc.edu*

State Contracts

Contact for questions: Susan Meyer, Phone: (320) 308-5973, e-mail: smeyer@sctcc.edu

Your response to this Request for Proposal (RFP) must be returned sealed. Sealed responses must be received no later than the due date and time specified above. Late responses cannot be considered and the responses will be rejected.

The laws of Minnesota and MnSCU Board of Trustees policies and procedures apply to this RFP.

All attached General RFP Terms and Conditions, Specifications and Special Terms and Conditions are part of the RFP and will be incorporated into any contract(s) entered into as a result of this RFP.

All responses to this RFP must be prepared as stated herein and properly signed. **Address all correspondence and inquiries regarding this RFP to the Contact person above. This is a request for responses to an RFP and is NOT a purchase order.**

Minnesota Department of Commerce Division of Energy Resources Notice of Contract Availability to Organize, Facilitate, Document and Report on Results of Stakeholder Process on Minnesota's Energy-savings Goal

The Minnesota Department of Commerce, Division of Energy Resources requests proposals from qualified contractors to organize, facilitate, document and report on the results of stakeholder process which will address a series of issues related to Minnesota's energy-savings goal.

A Request for Proposals (RFP) and required forms will be available for download on the Department's website:
(<http://mn.gov/commerce/>)

through Monday September 9, 2013. Potential responders may also request a hard copy of the RFP by mail from this office. Requests for hard copies must be received by the Department no later than 12:00 p.m. (Noon) Central Daylight Time (CDT) on Monday September 9, 2013.

The RFP and forms can be obtained from:

Preferred Method: <http://mn.gov/commerce/>
Hover over "Topics", then click on "Request for Proposals"

U.S. Postal Service: Grants & Contracts Team
Minnesota Department of Commerce
Division of Energy Resources
85 - 7th Place East, Suite 500
St. Paul, MN 55101-2198

Proposals submitted in response to this RFP must be received no later than 3:00 pm, CDT, Monday September 9, 2013. **Late proposals will NOT be considered.** Instructions for submitting proposals are detailed in the RFP.

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.

Explore Minnesota Tourism Notice of Availability – Contract for Advertising Services

Explore Minnesota Tourism (EMT), the state agency responsible for marketing and promoting Minnesota's travel opportunities to potential travel consumers, is requesting proposals from advertising agencies for the Explore Minnesota Tourism Advertising Services contract. The contract period is anticipated to be January 1, 2014 through March 31, 2015, with renewal options for additional periods for a maximum of five years total. The current estimated contract amount is \$7.5 million annually, subject to legislative approval.

The successful respondent will assist in the planning and implementation of advertising and promotional campaigns, offering the best combination of strategy, creativity, effectiveness and return on investment.

Advertising Services Include: Preparing seasonal, annual and multi-year advertising plans, creating and producing advertising, negotiating and placing various media advertising, conducting research and evaluation of marketing communications, and various other advertising related services as needed.

The anticipated contract start date is January 1, 2014.

The request for proposal consists of an initial submission of a written/technical proposal including an ad agency background section, a cost/fee structure proposal and several state required documents.

New with this RFP, all responses to this RFP (termed an "Event" within SWIFT) must be submitted through the State of Minnesota SWIFT Supplier Portal using the Supplier portal (<http://supplier.swift.state.mn.us/>). Training and documentation on how to submit your response is available through the Supplier portal link above. Note: all respondents must be registered in advance to submit proposals in SWIFT.

All responses to this RFP must be submitted and received in SWIFT no later than the Event End Date and time as set forth in the SWIFT Event Details applicable to this RFP.

This request for proposal does not obligate the state to award a contract or complete the project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest. All costs incurred in responding to this RFP will be borne by the responder.

Minnesota Department of Health (MDH) Health Economics Program Notice of Availability of Contract for Capital Reserves Limits Study

The Minnesota Department of Health is requesting proposals for the purpose of conducting a study of health maintenance organization (HMO) capital reserves in Minnesota, including (1) developing basic knowledge of the issue and history of capital reserve regulation, (2) conducting financial and actuarial analyses related to assessing the appropriateness of capital reserves held by HMOs, (3) conducting key informant interviews with stakeholders about methodologies for setting caps on HMO reserves and implementing those caps, and (4) developing a report with options for establishing a regulatory framework that details the advantages and disadvantages of alternative approaches to establishing caps on HMO capital reserves and spending down reserves to recommended levels.

The selected contractor will produce and deliver a report, including relevant background information, study methods, and findings to the state no later than January 6, 2014. Throughout the contract, the vendor will communicate with MDH on a regular basis, present draft findings and recommendation to the state for input from the state. The total amount of funding available for this study will not exceed \$180,000.

Work is proposed to start after September 13, 2013.

A Request for Proposals will be available by mail from this office through August 16, 2013. **A written request (by direct mail or fax)**

State Contracts

is required to receive the Request for Proposal. After August 16, 2013, the Request for Proposal must be picked up in person or may be requested electronically.

The Request for Proposal can be obtained from:

Sue Manning
Health Economics Program
Minnesota Department of Health
Golden Rule Building, Suite 220
85 East 7th Place
St. Paul, MN 55101
E-mail: *Sue.manning@state.mn.us*
Fax: (651) 201-3561

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00p.m., Central Time, August 29, 2014. **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.

Minnesota Legislative Branch Minnesota Office of the Legislative Auditor Notice of Request for Proposals for Audit and Actuarial Services

The Minnesota Office of the Legislative Auditor (OLA) is requesting proposals for the purpose of establishing two master contracts with qualified firms or individuals to provide audit and actuarial services. Contractors will work under the direction of OLA to audit and analyze information provided by managed care and county-based purchasing organizations for Minnesota's public health care programs. The audit and actuarial work will be conducted primarily to determine the completeness and accuracy of managed care and county-based purchasing organizations' financial and other data submitted to the State, and assess compliance with state and federal laws, including federal Medicaid rate certification processes.

Access the full Request for Proposals at the Office of the Legislative Auditor's Web site: *www.auditor.leg.state.mn.us*.

Proposals must be submitted no later than **4:30 PM**, central time, on **Friday, August 23, 2013**. **Late proposals and proposals submitted by fax or e-mail will not be considered.** Work is expected to start after September 13, 2013.

This request does not obligate the Office of the Legislative Auditor to enter into a contract with responders to this proposal or to complete the work contemplated. OLA reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

For more information, contact:

Valerie Bombach
Minnesota Office of the Legislative Auditor
658 Cedar St., Room 140
St. Paul, MN 55155
E-mail address: *valerie.bombach@state.mn.us*

Minnesota Legislative Branch Legislative Coordinating Commission Contract Available for Providing Telecast Services for the Minnesota Legislature

The Legislative Coordinating Commission is requesting proposals from qualified individuals and organizations interested in providing telecast services of the 2014-2015 legislative sessions for the Minnesota Legislature. For a copy of the full text of the RFP, please go to <http://www.lcc.leg.mn/lcc/RFPs.htm> or contact:

Diane Henry-Wangenstein
Legislative Coordinating Commission
Room 72 State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155-1298
Phone: (651) 296-1121 (voice)
E-mail: diane.henry@lcc.leg.mn

All proposals must satisfy the criteria as outlined in the full text of the RFP. Proposals must be received by Monday, October 7, 2013 at 4:00 p.m. Late applications may not be accepted. All expenses incurred in responding to this notice must be borne by the responder.

Minnesota Department of Transportation (Mn/DOT) Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (“Consultant Pre-Qualification Program”)

This document is available in alternative formats for persons with disabilities by calling Kelly Arneson at (651) 366-4774; for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop 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 awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects.

Nothing in this solicitation requires Mn/DOT to 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 expenses are 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 applications forms are available on Mn/DOT’s Consultant Services web site at: <http://www.dot.state.mn.us/consult>.

Send completed application material to:

Kelly Arneson
Consultant Services
Office of Technical Support
Minnesota Department of Transportation
395 John Ireland Blvd. Mail Stop 680
St. Paul, MN 55155

State Contracts

Minnesota Department of Transportation (Mn/DOT)

Engineering Services Division

Notice Concerning Professional/Technical Contract Opportunities and Taxpayers' Transportation Accountability Act Notices

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. Mn/DOT is also posting notices as required by the Taxpayers' Transportation Accountability Act on the above referenced website.

Non-State Public Bids, 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.

Besides the following listing, readers are advised to check: <http://www.mmd.admin.state.mn.us/solicitations.htm> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>.

PrimeWest Health

Notice of Request for Proposal (RFP) for Healthcare Effectiveness Data and Information Set (HEDIS)[®] Chart Abstraction

NOTICE IS HEREBY GIVEN that PrimeWest Health is issuing a Request for Proposal (RFP) for chart abstraction services for the Healthcare Effectiveness Data and Information Set (HEDIS)[®] 2014 season. The vendor selected will be expected to provide quality chart abstraction services using approved chart abstraction tools. To receive a copy of the full RFP, please contact Bethany Krafthefer at **1-320-335-5392, 1-888-558-4420 ext. 5392** (toll free), or **e-mail:** bethany.krafthefer@primewest.org.

Proposals are due by 5 p.m., central standard time, Monday, September 9, 2013, and are to be addressed to Bethany Krafthefer, PrimeWest Health, 2209 Jefferson St, Ste 101, Alexandria, MN 56308. Any questions should be in the form of a Request for Information

Non-State Public Bids, Contracts & Grants

(RFI) directed to Bethany Krafthefer at bethany.krafthefer@primewest.org.

Late responses will not be considered.

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Minnesota Session Laws

Set is two volumes (3,193 pages) and includes laws passed during the 2013 regular session as well as the 2012 first special session. A set (state copy) is now on display in the store.

NO QUANTITY DISCOUNTS. *Stock No. 989. Cost: \$52 + tax, includes shipping.*

Health Care Facilities Directory 2013

This new directory updates the 2012 edition. Features comprehensive listing of hospitals, nursing homes, supervised living facilities, outpatient clinics, home health agencies, hospices, etc. within the state of Minnesota. Lists are organized both by county and alphabetically. **Stock Number: 72. Price: \$28.95. Binding:** Plastic Spiral Binding. 554-pages.

Learning Objectives for Professional Peace Officer Education

Features techniques of criminal investigation and testifying to include traffic, law enforcement, use of firearms, interrogation tactics, and more. Produced by the P.O.S.T Board. **Stock Number: 414. Price: \$18.95. Pages: 109. Binding:** Looseleaf-no binder. Fits in this [binder](#) (Stock No. 398).

THE FOLLOWING STOCK IS ALSO "ALL NEW"

HEALTH & HUMAN SERVICES

Developmentally Disabled Laws & Rules, Stock No. 750, \$19.95

Nursing & Boarding Care Laws, Stock No. 108, \$19.95

Home Care Licensure Laws, Stock No. 97, \$16.95

LAW ENFORCEMENT

Criminal Code & Selected Statutes 2012, Stock No. 111, \$35.95

Motor Vehicle Traffic Laws 2012, Stock No. 116, \$31.95

3-Ring White Binder - 6"x9"x2", Stock No. 388, \$9.95 (one binder for each Criminal Code and one for Motor Vehicle Traffic Laws)



Several convenient ways to order:

- ♦ **Retail store** Open 8 a.m. - 5 p.m. Monday - Friday, 660 Olive Street, St. Paul
- ♦ **Phone** (credit cards): 8 a.m. - 5 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)
- ♦ **On-line orders:** www.minnesotasbookstore.com
- ♦ **Minnesota Relay Service:** 8 a.m. - 5 p.m. Monday - Friday, 1.800.627.3529 (nationwide toll-free)
- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
- ♦ **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

PREPAYMENT REQUIRED. Prices and availability subject to change.

Fax and phone orders: Credit card purchases **ONLY** (American Express/Discover/MasterCard/VISA). Please allow 1-2 weeks for delivery. **Mail orders:** Complete order blank and send to address above. Enclose check or include credit card information. Please allow 4-6 weeks for delivery. Please make checks payable to "Minnesota's Bookstore." A \$20.00 fee will be charged for returned checks.

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\$15.01-\$25.00	\$ 6.00
\$25.01-\$50.00	\$ 9.00
\$50.01-\$100.00	\$ 14.00
\$100.01-\$1,000	\$ 17.00*
*\$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.	
More than \$1,000	Call

Product Subtotal _____

Shipping _____

Subtotal _____

Sales tax _____

(6.875% sales tax if shipped to MN address, 7.625% if shipped to St. Paul address. 7.125% MN transit tax or other local sales tax if applicable)

TOTAL _____

If tax exempt, please provide ES number or completed exemption form.
ES# _____