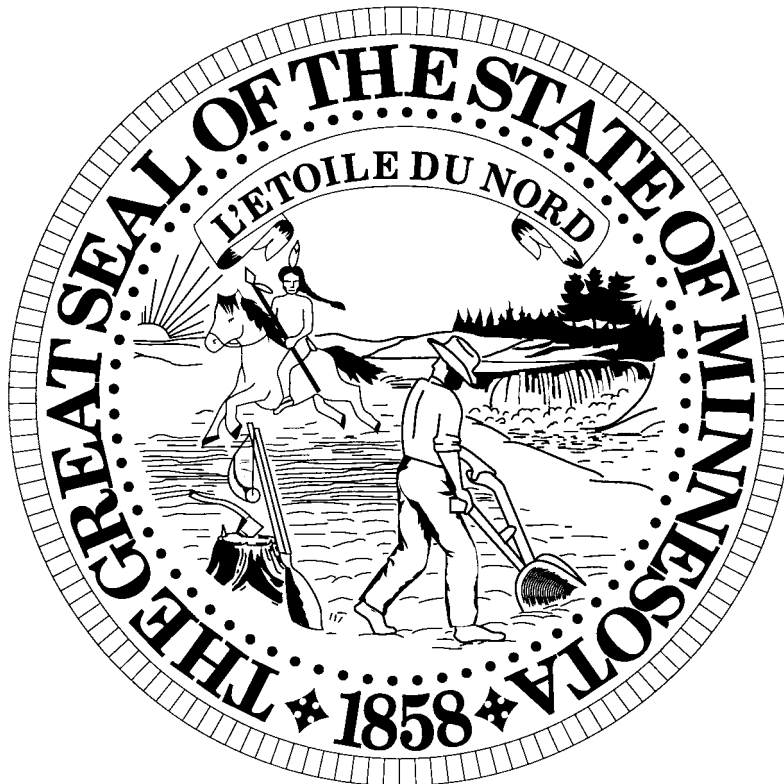


State of Minnesota

# State Register

Rules and Official Notices Edition



Published every Monday (Tuesday when Monday is a holiday) by the  
Department of Administration – Communications Media Division

**Monday 31 March 2003**  
**Volume 27, Number 40**  
**Pages 1509-1532**  
**Contains Cumulative Index to Vol. 27, #1-40:**  
***MINNESOTA RULES: AMENDMENTS AND ADDITIONS***

# State Register

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

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

- proposed, adopted, exempt, expedited emergency and withdrawn rules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

**PUBLISHING NOTICES IN THE *State Register*:** Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to (651) 297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$12.20 per tenth of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

**SUBSCRIPTION SERVICES:** Copies are available at Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. **NO REFUNDS.** Subscribers who do not receive a copy of an issue should notify the *State Register* Subscription Office immediately at (651) 297-8774. Copies of back issues may not be available more than two weeks after publication. Both editions are delivered postpaid to points in the United States, Periodicals Postage Paid for the *State Register* at St. Paul, MN, first class for the *Solicitation Announcements*. See the *State Register* and *Solicitation Announcements* at website: <http://www.comm.media.state.mn.us> Click on "Minnesota's Bookstore."

- *State Register* -- Rules and Official Notices Edition (published every Monday, or Tuesday if Monday is a holiday) One year, hard copy, paper subscription: \$160.00.
- **On-line subscription** – \$180, includes links, index, sidebar table of contents and *State Register* SENT TO YOU via Email.
- *Solicitation Announcements* -- State Register Supplement (published every Tuesday and Friday) One year subscription: \$135.00 via first class mail, \$150.00 via fax or through our website. Users agree not to redistribute without authorization.
- **13-week trial subscription** which includes both the *State Register* and *Solicitation Announcements* \$65.00
- **Single issues** are available for a limited time: *State Register* \$5.00, *Solicitation Announcements* \$1.00. Shipping is \$3.00 per order.

"Affidavit of Publication" costs \$10.00 and includes a notarized "Affidavit" and a copy of the issue.

### Printing Schedule and Submission Deadlines

Vol. 27 Issue Number	PUBLISH DATE	Deadline for: Emergency Rules, Executive and Commissioner s Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Both Adopted and Proposed RULES
#40	Monday 31 March	Noon Tuesday 25 March	Noon Wednesday 19 March
#41	Monday 7 April	Noon Tuesday 1 April	Noon Wednesday 26 March
#42	Monday 14 April	Noon Tuesday 8 April	Noon Wednesday 2 April
#43	Monday 21 April	Noon Tuesday 15 April	Noon Wednesday 9 April

Copyright © 2003 Communications Media Division, Department of Administration, State of Minnesota.  
Publication Number: 326630 (ISSN 0146-7751)

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

Tim Pawlenty, Governor (651) 296-3391	Mike Hatch, Attorney General (651) 297-4272	Mary Kiffmeyer, Secretary of State (651) 296-2079
Carol L. Molnau, Lt. Governor (651) 296-3391	Patricia Awada, State Auditor (651) 297-3670	
Department of Administration: Brian Lamb, Commissioner (651) 296-1424	Communications Media Division: Mary Mikes, Director (651) 297-3979	Robin PanLener, Editor (651) 297-7963 Jessie Rahmeyer, Subscriptions (651) 297-8774

### Legislative Information

Senate Public Information Office (651) 296-0504  
State Capitol, Room 231, St. Paul, MN 55155  
Website: [www.senate.leg.state.mn.us/departments/secretary/seninfo.htm](http://www.senate.leg.state.mn.us/departments/secretary/seninfo.htm)

House Information Office (651) 296-2146  
State Office Building, Room 175, 100 Constitution Ave., St. Paul, MN 55155  
Website: [www.house.leg.state.mn.us/hinfo/hinfo.htm](http://www.house.leg.state.mn.us/hinfo/hinfo.htm)

### Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498  
U.S. Government Printing Office – Fax: (202) 512-1262  
Website: [http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html)

### Minnesota State Court System

Court Information Office (651) 296-6043  
Minnesota Judicial Center, Room 135, 25 Constitution Ave., St. Paul, MN 55155  
Website: [www.courts.state.mn.us](http://www.courts.state.mn.us)

<b>Minnesota Rules: Amendments &amp; Additions</b>		<b>Employee Relations Department</b>	
Monday 31 March, Volume 27, Issues #1 - 40 .....	1512	Notice to provide in-person counseling and work-site based crisis response services .....	1527
<b>Exempt Rules</b>		<b>Minnesota Historical Society</b>	
<b>Human Services Department</b>		Request for bids for preservation of the Folsom House Historic Site, Taylors Falls, MN .....	1528
Adopted Exempt permanent rules relating to diagnosis related groups classifications .....	1515	<b>Human Services Department</b>	
<b>Withdrawn Rules</b>		Health Care Administration request for proposals for care coordination study .....	1528
<b>Health Department</b>		<b>Investment Board</b>	
Proposed rules governing administrative billing data .....	1515	Request for private money management firms .....	1529
<b>Executive Orders</b>		<b>Transportation Department</b>	
<b>Office of the Governor</b>		Notice of potential availability of contracting opportunities for a variety of highway related technical activities .....	1530
Emergency Executive Order # 03-02: Providing for assistance to the State of Minnesota .....	1516	Notice concerning Professional/Technical contract opportunities .....	1530
Emergency Executive Order # 03-03: Providing for assistance to the Minnesota Division of Emergency Management.....	1517	<b>Non-State Contracts &amp; Grants</b>	
<b>Official Notices</b>		<b>Metropolitan Council</b>	
<b>Higher Education Facilities Authority</b>		Request for proposals for security guard service for MCES .....	1530
Public hearing on revenue obligations for William Mitchell College of Law .....	1518	<b>Minnesota Partnership for Action Against Tobacco (MPAAT)</b>	
<b>Human Services Department</b>		MPAAT seeks board candidates .....	1531
Aging Initiative - Continuing Care for the Elderly: Public notice regarding an expected payment rate change for nursing facilities participating in the Medical Assistance Program.....	1518	<b>University of Minnesota</b>	
Health Care Administration - Medical Assistance Program: Request for comments on Minnesota asset transfer federal waiver amendment request .....	1519	Bid Information Service (BIS) available for all potential vendors ....	1531
<b>Labor and Industry Department</b>		Commodity, Service and Construction Contracts are published Tuesday and Friday in a bulletin, the <i>Solicitation Announcements</i> . Award results are available from the Materials Management Helpline (651) 296-2600. <i>Website:</i> <a href="http://www.mnd.admin.state.mn.us">www.mnd.admin.state.mn.us</a>	
Notice of correction to highway/heavy prevailing wage rates .....	1519	Individual copies and subscriptions or the <i>State Register</i> and <i>Solicitations Announcements</i> are available through Minnesota s Bookstore, (651) 297-3000, or (800) 657-3757.	
<b>Minnesota Racing Commission</b>			
Request for comments on planned amendment to rules governing Licensure; Class C licenses; Security officers; and Prohibited acts .....	1519		
<b>State Grants and Loans</b>			
<b>Colleges and Universities, Minnesota State (MnSCU)</b>			
Availability of funds request for proposals for implementing activities related to nontraditional training and employment .....	1520		
Availability of funds and request for proposals to provide services to individuals in state institutions.....	1521		
<b>State Contracts</b>			
<b>Administration Department</b>			
State Designer Selection Board: Request for proposals for designer selection for Minnesota State Colleges and Universities - Remodeling and additions at St. Paul College, St. Paul, Minnesota.....	1522		
<b>Colleges and Universities, Minnesota State (MnSCU)</b>			
Winona State University request for sealed bids for a rheometer system .....	1527		

# Minnesota Rules: Amendments and Additions

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

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

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

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

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

## Volume 27, Issues # 1-40

### Accountancy Board

1100.0100; .0200; .0300; .0400; .0500; .0600; .0650; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1700; .1750; .1900; .2110; .2115; .2120; .2130; .2150; .2200; .2400; .2500; .2900; .3200; .3250; .3300; .3400; .3550; .3600; .3700; .4000; .4100; .4200; .4300; .4400; .4500; .4650; .4700; .4800; .4900; .4950; .5100; .5300; .5700; .5800; .5850; .6100; .6400; .6500; .6600; .6700; .6800; .6900; .7000; .7100; .7200; .7700; .7800; .8000; .9100; .9150; .9200; .9300; .9400; .9500; .9600; .9700; .9800; .9900 ( <b>proposed repealer</b> ) .....	603
1100.0100; .0200; .0300; .0400; .0500; .0600; .0650; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1700; .1750; .1900; .2110; .2115; .2120; .2130; .2150; .2200; .2400; .2500; .2900; .3200; .3250; .3300; .3400; .3550; .3600; .3700; .4000; .4100; .4200; .4300; .4400; .4500; .4650; .4700; .4800; .4900; .4950; .5100; .5300; .5700; .5800; .5850; .6100; .6400; .6500; .6600; .6700; .6800; .6900; .7000; .7100; .7200; .7700; .7800; .8000; .9100; .9150; .9200; .9300; .9400; .9500; .9600; .9700; .9800; .9900 ( <b>repealed</b> ) .....	1425
1105.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800; .2900; .3000; .3100; .3200; .3300; .3400; .3500; .3600; .3700; .3800; .3900; .4000; .4100; .4200; .4300; .4400; .4500; .4600; .4700; .4800; .4900; .5000; .5100; .5200; .5300; .5400; .5500; .5600; .5700; .5800; .5900; .6000; .6100; .6200; .6300; .6400; .6500; .6600; .6700; .6800; .6900; .7000; .7100; .7200; .7300; .7400; .7450; .7500; .7600; .7700; .7800; .7850; .7900 ( <b>adopted</b> ) .....	1425
<b>Administration Department</b>	
1230.0150; .0300; .0400; .0500; .0600; .0700; .0750; .0800; .0900 .1000; .1100; .1150; .1175; .1180; .1200; .1300; .1400; .1450; .1600; .1700; .1805; .1810; .1820; .1830; .1850; .1860; .1900; .1905; .1910; ( <b>proposed</b> ) .....	995

1230.0300 s. 2; .0500 s. 4, 5; .1700 s. 4 ( <b>proposed repealer</b> ) .....	995
<b>1300 (proposed)</b> .....	567
1300.0090; .0110; .0120; .0130; .0160; .0190; .0210; .0230 ( <b>adopted</b> ) .....	1471
<b>1301 (proposed)</b> .....	569
1301.1200 ( <b>proposed repealer</b> ) .....	946
1301.1201 ( <b>proposed</b> ) .....	946
1301.0300; .1000 ( <b>adopted</b> ) .....	1474
<b>1303 (proposed)</b> .....	571
<b>1303 (adopted)</b> .....	1478
<b>1305 (proposed)</b> .....	573
1305.0707; .0714; .0903 ( <b>adopted</b> ) .....	1474
<b>1306 (proposed)</b> .....	575
1306.0020; .0040; .0050 ( <b>adopted</b> ) .....	1480
<b>1309 (proposed)</b> .....	577
1309.0310; .0317; .0318; .0318; .0404; .0703 ( <b>adopted</b> ) .....	1475
<b>1311 (proposed)</b> .....	579
1311.0201; .0301; .0408; .0503; .0505; .0603; .0604 ( <b>adopted</b> ) .....	1479
<b>1315.0200 (adopted)</b> .....	347
<b>Agriculture Department</b>	
1505.0740 ( <b>adopted exempt</b> ) .....	1356
1505.0760; .0770; .0790; .0800; .1510.0110; .0130; .0140; .0150; .1555.0005; .0006; .0007; .0008; .0009; .0010; .0011; .0012; .1556.0200; .0205; .0207; .0209; .0211; .0213; .0215; .0217; .0221; .0223; .0225; .0227; and .1558.0040, s. 5, ( <b>proposed repealer</b> ) .....	1377
1520.0400; .0500; .1300; 1540.0010; .0020; 1545.0220; .0240; .0340; .0420; .0640; 1550.3210; .3250; 1555.6680 ( <b>adopted</b> ) .....	168
<b>1540.0010 s. 3 (repealed)</b> .....	168
1540.0590; .2030; .2470; .2870; .3030; .3530; .4455; .4460; .4480; .4490; 1545.0200; .0300; .0310; 1555.6660 ( <b>adopted</b> ) .....	260
1540.0580; .1390; .2460; .3140; .3410; .3510; .3580; .3590; .3650; .3690; .3710; .3750; .3770; .3790; .3940; .4130; .4160; .4180; .4230; .4260; .4280; .4310; .4380; .4440; 1545.0010; .0140; .0240; .0330; .0350; .0420; .0770; .1480; .1730; .1800; .1850; .2080; .2090; .2100; .2720; .2740; .2830; 1550.0050; .0070; .0210; .0270; .0300; .0310; .0340; .0390; .0610; .0620; .0860; .0990; .1640; .2110; 1555.6330; .6650; .6670; .6710 ( <b>repealed</b> ) .....	260
1570.0200; .0500; .0600; .0700; .0800 ( <b>proposed</b> ) .....	5
1570.0200; .0500; .0600; .0700; .0800 ( <b>adopted</b> ) .....	377

# Minnesota Rules: Amendments and Additions

<b>Animal Health Board</b>		<b>Employee Relations Dept</b>	
1700.0600; .1300 (proposed).....	1113	3905.0400 s. 2 (proposed repealer) .....	201
1700.1050 (proposed repealer).....	1113	<b>Environmental Quality Board</b>	
1705.0010; .0020; .0030; .0040; .0045; .0050 (proposed) .....	109	4400.0200; .0300; .0400; .0500; .0650; .0710; .1025; .1050; .1150;	
1705.0010; .0020; .0030; .0040; .0045; .0050 (adopted) .....	1173	.1250; .1350; .1450; .1550; .1600; .1700; .1800; .1900; .2000; .2010;	
1705.1151 (adopted exempt).....	1174	.2050; .2100; .2200; .2300; .2400; .2500; .2650; .2950; .2850; .3050;	
<b>Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design Board</b>		.3150; .3250; .3350; .3450; .3550; .3650; .3750; .3820; .3840; .3850;	
1800.0300; .0800; .0900; .3505; .3600; .3700; .3850 (adopted) .....	584	.3950; .4050; .5000; .6050; .7050; .8000 (proposed) .....	205
1800.3500 (repealed) .....	584	4400.0200; .0300; .0400; .0500; .0650; .0710; .1025; .1050; .1150;	
<b>Chiropractic Examiners Board</b>		.1250; .1350; .1450; .1550; .1600; .1700; .1800; .1900; .2000; .2010;	
2500.0100; .0710; .1100; .1110; .1200; .1410; .1420; .1550; .1710		.2050; .2100; .2200; .2300; .2400; .2500; .2650; .2850; .2950; .3050;	
.1720; .1800; .1900; .2020; .2040; .2100; .2110; .3000		.3150; .3250; .3350; .3450; .3550; .3650; .3750; .3820; .3840; .3850;	
(proposed) .....	319	.3950; .4050; .5000; .6050; .7050; .8000 (adopted) .....	1295
2500.0100; .0710; .1100; .1110; .1200; .1410; .1420; .1550; .1710;		4400.0200 s. 4, 5, 6, 7, 11, 13, 14, 18; .0600; .0700; .0710; .0720;	
.1720; .1800; .1900; .2020; .2040; .2100; .2110; .3000 (proposed) ..	1102	.0800; .0900; .1000; .1100; .1200; .1210; .1310; .1400; .1500; .2600;	
2500.1110 s. 5 (repealed).....	319	.2710; .2720; .2800; .2900; .3000; .3100; .3200; .3210; .3310; .3400;	
2500.1110 s. 5 (repealed).....	1102	.3500; .3600; .3710; .3800; .3900; .3910; .4000; .4100; .4200; .4300;	
2500.6000 (proposed) .....	1011	.4400; .4500; .4900 (proposed repealer) .....	205
2500.6050 (proposed) .....	1009	4400.0200 s. 4, 5, 6, 7, 11, 13, 14, 18; .0600; .0700; .0710; .0720;	
<b>Commerce Department</b>		.0800; .0900; .1000; .1100; .1200; .1210; .1310; .1400; .1500; .2600;	
2890.0005; .0015; .0020; .0030; .0040; .0050; .0060; .0065; .0070;		.2710; .2720; .2800; .2900; .3000; .3100; .3200; .3300; .3400; .3500; .3600;	
.0073; .0081; .0200; .1000; .1100; .1150; .1300; .1400; .1500; .1600;		.3700; .3800; .3900; .4000; .4100; .4200; .4300; .4400; .4500; .4600;	
.1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600;		.4700; .4800 (proposed).....	860
.2700; .2800; .2900; .3000; .3100; .3200; .3300; .3400; .3500; .3600;		2890.0010 s. 6, 7; .0072; .0073 s. 1, 2, 3, 5, 6, 8, 9, 10, 17, 18, 20,	
.3700; .3800; .3900; .4000; .4100; .4200; .4300; .4400; .4500; .4600;		23, 25, 27, 29, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 44, 45, 46,	
.4700; .4800 (proposed).....	860	47, 48, 49, 51, 52, 53, 55, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66,	
2890.0010 s. 6, 7; .0072; .0073 s. 1, 2, 3, 5, 6, 8, 9, 10, 17, 18, 20,		67, 68, 69; .0075 s. 2, 4, 5; .0076 s. 3, 4; .0077 s. 5; .0078 s. 1;	
23, 25, 27, 29, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 44, 45, 46,		.0080; .0081 s. 1, 7, 11, .0084 s. 1; .0089 (proposed repealer) .....	860
47, 48, 49, 51, 52, 53, 55, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66,		<b>Departments of Corrections and Human Services</b>	
67, 68, 69; .0075 s. 2, 4, 5; .0076 s. 3, 4; .0077 s. 5; .0078 s. 1;		2925.0100; .0200; .0500; .0600; .0800; .1000; .1200; .1400; .1500;	
.0080; .0081 s. 1, 7, 11, .0084 s. 1; .0089 (proposed repealer) .....	860	.1600; .1800 - .2950; .3100; .3300; .3500 - .4100; 2930.0010 - .9900;	
<b>Departments of Corrections and Human Services</b>		2935.0100 - .7100; 2950.0100 - .1900; .4450; 9545.0010 - .0260;	
2925.0100; .0200; .0500; .0600; .0800; .1000; .1200; .1400; .1500;		.0905 - .1480 (proposed repealer) .....	1037
.1600; .1800 - .2950; .3100; .3300; .3500 - .4100; 2930.0010 - .9900;		2960.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090;	
2935.0100 - .7100; 2950.0100 - .1900; .4450; 9545.0010 - .0260;		.0100; .0110; .0120; .0130; .0140; .0150; .0160; .0170; .0180; .0190;	
.0905 - .1480 (proposed repealer) .....	1037	.0200; .0210; .0220; .0230; .0240; .0250; .0260; .0270; .0280; .0290;	
2960.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090;		.0300; .0310; .0320; .0330; .0340; .0350; .0360; .0370; .0380; .0390;	
.0100; .0110; .0120; .0130; .0140; .0150; .0160; .0170; .0180; .0190;		.0400; .0410; .0420; .0430; .0440; .0450; .0460; .0470; .0480; .0490;	
.0200; .0210; .0220; .0230; .0240; .0250; .0260; .0270; .0280; .0290;		.0500; .0510; .0520; .0530; .0540; .0550; .0560; .0570; .0580; .0590;	
.0300; .0310; .0320; .0330; .0340; .0350; .0360; .0370; .0380; .0390;		.0600; .0610; .0620; .0630; .0640; .0650; .0660; .0670; .0680; .0690;	
.0400; .0410; .0420; .0430; .0440; .0450; .0460; .0470; .0480; .0490;		.0700; .0710; .3000; .3010; .3020; .3030; .3040; .3050; .3070; .3080;	
.0500; .0510; .0520; .0530; .0540; .0550; .0560; .0570; .0580; .0590;		.3090; .3100; .3200; .3210; .3220; .3230; .3300; .3310; .3320; .3330;	
.0600; .0610; .0620; .0630; .0640; .0650; .0660; .0670; .0680; .0690;		.3340; (.proposed) .....	1037
.0700; .0710; .3000; .3010; .3020; .3030; .3040; .3050; .3070; .3080;		<b>Dentistry Board</b>	
.3090; .3100; .3200; .3210; .3220; .3230; .3300; .3310; .3320; .3330;		3100.3600; .8500; .8700 (proposed) .....	485
.3340; (.proposed) .....	1037	<b>Board of School Administrators</b>	
<b>Dentistry Board</b>		3512.5300 (adopted expedited) .....	426
3100.3600; .8500; .8700 (proposed) .....	485	<b>Children, Families and Learning</b>	
<b>Board of School Administrators</b>		3500.0400 (withdrawn proposed) .....	224
3512.5300 (adopted expedited) .....	426	3525.0850; .0851; .0952; .0853; .0854; .2710; .2810 (proposed) .....	631
<b>Children, Families and Learning</b>		3525.0850 - .0854; .1100 s. 2F; .2710 s. 4f; . 2810 1a(11);	
3500.0400 (withdrawn proposed) .....	224	(proposed) .....	1035
3525.0850; .0851; .0952; .0853; .0854; .2710; .2810 (proposed) .....	631	3525.0850 - .0854; .1100 s. 2F; .2710 s.4f; .2810 1a(11);	
3525.0850 - .0854; .1100 s. 2F; .2710 s. 4f; . 2810 1a(11);		(correction) .....	1114
(proposed) .....	1035	3525.0200 s. 1d, 1e, 1g, 2a, 2c, 8e, 8f, 25a, 25b; .2900 s. 5	
3525.0850 - .0854; .1100 s. 2F; .2710 s.4f; .2810 1a(11);		(proposed repealer).....	631
(correction) .....	1114	3525.0200 s. 1d, 1e, 1g, 2a, 2c, 8e, 8f, 25a, 25b, .2900 s. 5	
3525.0200 s. 1d, 1e, 1g, 2a, 2c, 8e, 8f, 25a, 25b; .2900 s. 5		(proposed repealer).....	1035
(proposed repealer).....	1035	3525.0200 s. 1d, 1e, 1g, 2a, 2c, 8e, 8f, 25a, 25b, .2900 s.5	
3525.0200 s. 1d, 1e, 1g, 2a, 2c, 8e, 8f, 25a, 25b, .2900 s.5		(correction) .....	1114
(correction) .....	1114		

# Minnesota Rules: Amendments and Additions

6110.1300 (proposed repealer).....	799	7503.0100; .0200; .0300; .0500; .0600; .0700; .0800; .0900; .1000; .1200; .1250; .1300; .1500; .1600; .1700; .1800; .2000; .2400; .2500; .2800; .2900; .3000 (adopted) .....	707
6115.0150; .0160; .0170; .0190; .0191; .0200; .0201; .0210; .0211; .0215; .0216; .0217; .0220; .0221; .0230; .0231; .0240; .0250; .0255; .0260; .0270; .0271; .0280 (adopted).....	529	7503.0100 s. 7; .1000 s. 2, 3, 4, 5, 6; .1100; .1300 s. 3; .1700 s. 4a; .1750; .1900; .2000 s. 4; .2300; .2400 s. 1; .2700 (repealed) .....	707
6115.0170 s. 26, 36; .0191 s. 2; .0211 s. 2 (repealed) .....	529	7510.3510; .3520; .3530; .3534; .3535; .3536; .3538; .3542; .3560; .3580; .3585; .3610; .3611; .3625; .3640; .3650; .3670; .3674; .3675; .3710 (proposed).....	491
6133.0030; .0080 (adopted exempt) .....	379	7510.3520 s. 4, 5, 6; .3540; .3550; .3560, s. 1, 6, 7, 11, 16; .3570; .3580 s. 5, 6, 7, 8; .3590; .3600; .3610 s. 1, 2, 3, 6; .3620; .3630; .3640 s. 2, 3; .3650 s. 1; .3660; .3680; .3690; .3700; .3710 s. 2, 3, 4, 5, 6, 7, 8, 9, 10 (proposed repealer).....	491
6230.0200; 6232.4700; 6236.0600; .0810 (adopted expedited emergency).....	1378	7510.3510; .3520; .3530; .3534; .3535; .3536; .3538; .3542; .3560; .3580; .3585; .3610; .3611; .3625; .3640; .3650; .3670; .3674; .3675; .3710 (errata) .....	639
6230.0200 s. 5; 6232.4700 s. 69, 73, 83; 6236.0810 (repealed expedited emergency) .....	1378	7510.3520 s. 4, 5, 6; .3540; .3550; .3560, s. 1, 6, 7, 11, 16; .3570; .3580 s. 5, 6, 7, 8; .3590; .3600; .3610 s. 1, 2, 3, 6; .3620; .3630; .3640 s. 2, 3; .3650 s. 1; .3660; .3680; .3690; .3700; .3710 s. 2, 3, 4, 5, 6, 7, 8, 9, 10 (proposed repealer).....	491
6230.0400; .0600; .1100; 6232.0900; 6234.1700; .1800; 6240.0610; .1000; .1500; .1600; .1700; .1750 (adopted expedited emergency) .....	290	7510.3510; .3520; .3530; .3534; .3535; .3536; .3538; .3542; .3560; .3580; .3585; .3610; .3611; .3625; .3640; .3650; .3670; .3674; .3675; .3710 (errata) .....	639
6230.0400 s. 2; 6234.1700 s. 2; 6234.1800 s. 3; 6232.1100 s. 5 (repealed) .....	290	7510.3520 s. 4, 5, 6; .3540; .3550; .3560, s. 1, 6, 7, 11, 16; .3570; .3580 s. 5, 6, 7, 8; .3590; .3600; .3610 s. 1, 2, 3, 6; .3620; .3630; .3640 s. 2, 3; .3650 s. 1; .3660; .3680; .3690; .3700; .3710 s. 2, 3, 4, 5, 6, 7, 8, 9, 10 (errata repealed) .....	639
6232.0200; .0300; .0800; .1200; .1250; .1600; .1800; .1950; .2050; .2100; .2450; .2500; .2550; .4700 (expedited emergency adopted) .....	348	7510.3560; .3580; .3675 (adopted) .....	1480
6232.1960 (adopted expedited emergency).....	381	7515.0100; .0200; .0210; .0220; .0300; .0310; .0320; .0410; .0420; .0430; .0440; .0450; .0460; .0470; .5000; .0520; .0550; .0560; .0570; .0580; .0590; .0600; .0620; .0630; .0640; .0650; .0720; .0760; .0780; .0800; .0810; .0820; .0840; .0850; .0900; .0920; .0940; .0950; .0960; .1030; .1040; .1050; .1060; .1070; .1090; .1100; .1120; .1200; .1210; .1220; .1300; .1310; .1330; .1340; .1360; .1400; .1410; .1450 (proposed) .....	8
6232.4700 s. 33, 34, 40, 41, 77a, 80 (expedited emergency repealed).....	348	7515.0100 s. 3, 6, 8, 9, 12, 15; .0210 s.1a; .0310 s. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 19; .0320 s. 3; .0430 s. 4; .0710 s. 3; .0760 s. 6; .0900 s. 2; .0930; .1020; .1210 s. 1; .1300 s.1, 2; .1310 s. 2,5; .1320; .1350; .1420 (proposed repealer).....	8
6236.0300; .0700; .0810 (adopted expedited emergency) .....	111	<b>Public Utilities Commission</b>	
6236.0300 s. 6; .0810 (repealed expedited emergency) .....	111	7826.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000 (proposed) .....	458
6240.0200; .0650; .0950; .1100; .1150; .1900 (adopted expedited emergency).....	381	7826.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000 (adopted).....	1174
6262.0200; 6266.0700 (proposed).....	87	7848.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .9900 (proposed) .....	1143
6262.0200; 6266.0700 (adopted).....	1017	<b>Revenue Department</b>	
6262.0500 s. 2a, item E; 6264.0300 s. 14, 15, 34, 44, 46 (repealed exempt) .....	1313	8001.0300; 8002.0300; 8050.0100; 8093.0200; .0400; .0500; .0600 (proposed) .....	1160
6264.0050 (adopted exempt) .....	816	8002.0200 s. 2, 5; 8038.0100 s. 1, 2, 3, 5, 7, 9, 10; .2000; 8093.0100; .0300; .0400 s. 1, 2, 5, 6; .0500 s. 1, 2, 3; .4000 (proposed repealer).....	1160
6264.0050 (adopted exempt) .....	1220	8110.0100; .0200; .0250; .0300; .0500 (proposed).....	1156
6264.0300; .0400 (adopted exempt) .....	1313	8120.0600; .1000; .1200; .1500; .1800; .1900; .3100; .4100; .5200; (proposed) .....	163
<b>Pharmacy Board</b>		8120.0600; .1000; .1200; .1500; .1800; .1900; .3100; .4100; .5200; (adopted) .....	585
6800.0700; .0910; .1300; .2150; .3110; .3350; .4210; .4220; .4230; .4234; .5100; .5500; .5400; .7520 (adopted).....	260	8120.1000 s. 5; .1100; .2400; .2600; .4200; .4700; .4800; .5200 s. 3 (proposed repealer).....	163
6800.3110 s. 2a (repealed).....	260	8120.1000 s. 5; .1100; .2400; .2600; .4200; .4700; .4800; .5200 s. 3 (repealed) .....	585
<b>Pollution Control Agency</b>		<b>Water and Soil Resources Board</b>	
4760.0015 s. 6; 4760.0035 (proposed repealer).....	804	8420.0105; .0110; .0112; .0122; .0210; .0220; .0225; .0230; .0240; .0260; .0290; .0400; .0505; .0510; .0520; .0530; .0540; .0541; .0544; .0548; .0549; .0550; .0720; .0740; .0760 (adopted) .....	133
7000.0050; .0075; .0100; .0200; .0300; .0400; .0500; .0550; .0650; .0750; .0755; .0800; .0850; .1200; .1300; .1750; .1800; .1900; .2000; .2100; .5000; .7000; .9000; .9100 (proposed).....	1457	<b>Human Services Department</b>	
7000.1300 s.5 (proposed repealer) .....	1471	9500.1100 (adopted exempt).....	950
7005.0100; 7007.0150; .0300; .0500; .1115; .1120; .1125; .1130; .1300; 7008.0050; .0100; .0200; .0300; .2000; .2100; .2200; .2250; .4000; .4100; 7011.0850; .0865; .0870 (proposed) .....	489	9500.1100 (adopted exempt).....	1515
7011.0850 s. 2, 3, 4, 5, and 7011.0860 (proposed repealer) .....	489	9505.0323 (proposed) .....	1353
7039.0130 (adopted) .....	261	9505.0323 s. 14 (proposed repealer) .....	1353
7045.0990 (proposed) .....	804		
7050.0150; .0210; .0222; .0470 (adopted) .....	1217		
7080.0020; .0060; .0130; .0150; .0170; .0305; .0310 (adopted) .....	377		
<b>Mediation Services Bureau</b>			
7315.0400; .0500; .0650; .0750; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2100; .2200 (adopted) .....	637		
7315.0400; .0500; .0650; .0750; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800; .2900 (withdrawn) .....	638		
<b>Public Safety Department</b>			
7409.2100; .3600 (adopted).....	465		
7410.0400; .0410; .1810 (adopted exempt) .....	49		
7410.1800 (repealed exempt) .....	49		
7410.4300; .4720; .5140; .5200 (adopted) .....	465		
7410.6000; .6100; .6120; .6140; .6160; .6180; .6200; .6220; .6240; .6260; .6280; .6290; .6300; .6320; .6340; .6360; .6380; .6400; .6420; .6440; .6460; .6480; .6500; .6510; .6520; .6540 (proposed) .....	806		

## Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* § 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

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

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

These exempt rules are also reviewed for form by the Revisor or Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years from the date of publication of the rule in the *State Register*. Rules adopted, amended or repealed under clause (3) or (4) are effective upon publication in the *State Register*.

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

## Department of Human Services

### Adopted Exempt Permanent Rules Relating to Diagnosis Related Groups Classifications

The rules proposed and published at *State Register*, Volume 27, Number 26, pages 950-979, December 23, 2002 (27 SR 950), are adopted as proposed.

## Withdrawn Rules

An agency may choose to withdraw rules it has proposed, thus cancelling any time-sensitive schedule for public comment, hearing, or further movement towards the rules adoption. These rules will be listed as withdrawn by their individual rules numbers in the *State Register's* index to rulemaking activity. **Minnesota Rules: Amendments and Additions.** An agency that chooses to withdraw proposed rules, may reintroduce those same rules at a later date.

## Minnesota Department of Health

### NOTICE OF WITHDRAWAL OF PROPOSED RULES - Proposed Rules Governing Administrative Billing Data, *Minnesota Rules*, chapter 4653

**Withdrawal of proposed rules.** On August 19, 2002, in the *State Register*, on pages 243 to 259, the Department of Health published a Notice of Intent to Adopt Rules relating to Administrative Billing Data. These proposed rules are hereby withdrawn.

**Agency Contact Person.** If you have any questions about the withdrawal of the proposed rules, please contact: Tracy L. Johnson at the Minnesota Department of Health, 121 East 7<sup>th</sup> Place, Suite 400, St. Paul, Minnesota 55101, **phone:** (651) 282-5650, **fax:** (651) 282-5628, and **email:** [tracy.l.johnson@health.state.mn.us](mailto:tracy.l.johnson@health.state.mn.us). **TTY** users may call the Department of Health at 711. Questions or comments concerning the rule adoption process should be directed to the agency contact person.

Date: March 31, 2003

Dianne Mandernach  
Commissioner of Health

# Executive Orders

The governor has the authority to issue written statements of 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

### Emergency Executive Order #03-02: Providing for Assistance to the State of Minnesota

**I, TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA**, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

**WHEREAS**, the United States Secretary of the Department of Homeland Security has recommended that each state use the National Guard to ensure protection of certain parts of the State's critical infrastructure; and

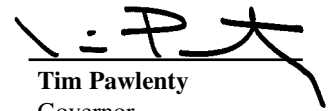
**WHEREAS**, the Governor and Minnesota Office of Homeland Security are responding to the information and recommendations received from the United States Secretary of the Department of Homeland Security for protection of the State's critical infrastructure.

**NOW, THEREFORE**, I hereby order that:

1. The Adjutant General of Minnesota order to state active duty on or about March 18, 2003, in the service of the State, such personnel and equipment of the military forces of the State as necessary to provide 24-hour deterrence and security at critical infrastructures in Minnesota.
2. The Adjutant General is authorized to purchase, lease or contract goods or services necessary to accomplish the mission.
3. The cost of subsistence, transportation, fuel, pay and allowances of said individuals shall be defrayed from the general fund of the State, as provided for in *Minnesota Statutes 2002*, Sections 192.49, subd. 1, 192.52 and 192.54.

Pursuant to *Minnesota Statutes 2002*, Section 4.035, Subd. 2, this Order is effective immediately and shall remain in effect until such date as elements of the military forces of the State are no longer required.

**IN TESTIMONY WHEREOF**, I have set my hand this 18<sup>th</sup> day of March, 2003

  
**Tim Pawlenty**  
Governor

Filed According to Law:

  
**Mary Kiffmeyer**  
Secretary of State

Dated: 18 March 2003



**Office of the Governor****Emergency Executive Order #03-03: Providing for Assistance to the Minnesota Division of Emergency Management**

**I, TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA**, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

**WHEREAS**, the United States has launched its attack on the Iraq government; and

**WHEREAS**, the Minnesota Department of Public Safety's Division of Emergency Management has requested immediate 24-hour operational support in the State Emergency Operations Center in order to respond to the possible consequences; and

**WHEREAS**, in order to ensure sustained operational readiness in the State Emergency Operations Center, the need exists for selected personnel to be activated; and

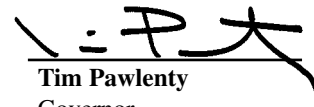
**WHEREAS**, the Minnesota Department of Public Safety's Division of Emergency Management has requested the National Guard's assistance in staffing the State Emergency Operations Center;

**NOW, THEREFORE**, I hereby order that:

1. The Adjutant General of Minnesota order to state active duty on or about March 20, 2003, in the service of the State, such personnel and equipment of the military forces of the State as necessary to provide adequate contingency operations personnel at the State Emergency Operations Center, and other locations, as may become necessary.
2. The Adjutant General is authorized to purchase, lease or contract goods or services necessary to accomplish the mission.
3. The cost of subsistence, transportation, fuel, pay and allowances of said individuals shall be defrayed from the general fund of the State, as provided for in *Minnesota Statutes 2002*, Sections 192.49, subd. 1, 192.52 and 192.54.

Pursuant to *Minnesota Statutes 2002*, Section 4.035, Subd. 2, this Order is effective immediately and shall remain in effect until such date as elements of the military forces of the State are no longer required.

**IN TESTIMONY WHEREOF**, I have set my hand this 20<sup>th</sup> day of March, 2003



**Tim Pawlenty**  
Governor

Filed According to Law:



**Mary Kiffmeyer**  
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 Higher Education Facilities Authority

#### Notice of Public Hearing on Revenue Obligations for William Mitchell College of Law

**NOTICE IS HEREBY GIVEN** that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the Authority ) with respect to a proposal to issue revenue obligations on behalf of the William Mitchell College of Law (the College ), as owner and operator of the William Mitchell College of Law, in Ballroom A of the Doubletree Hotel, 7901 24<sup>th</sup> Avenue South, Bloomington, Minnesota on Wednesday, April 16, 2003 at 1:00 p.m. Under the proposal, the Authority would issue its revenue obligations in an aggregate principal amount of up to approximately \$17,000,000 to finance (a) construction, renovation and expansion of a student center, (b) construction, renovation and expansion of classroom space with enhanced technology, and (c) expansion, and upgrade of facility infrastructure (and, with related furnishings, equipment and site improvements, collectively the Project ) and to refinance the Authority's Variable Rate Demand Revenue Bonds, Series Three-O (William Mitchell College of Law) (the Series Three-O Bonds ). The Project consists of approximately 27,000 additional square feet and approximately 22,000 square feet of remodeled space. The proceeds of Series Three-O Bonds were used to refinance certain debt of the College originally incurred to acquire and construct a library building. The Project and the library building are all to be owned and operated by the College and located at 875 Summit Avenue, St. Paul, Minnesota.

At said time and place the Authority shall give all parties who appear or who have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the Project and refinance the Series Three-O Bonds.

Dated: March 31, 2003

By Order of the  
Minnesota Higher Education Facilities Authority  
Marianne Remedios  
Executive Director

### Department of Human Services

#### Aging Initiative – Continuing Care for the Elderly

#### Public Notice Regarding an Expected Payment Rate Change for Nursing Facilities Participating in the Medical Assistance Program

**NOTICE IS HEREBY GIVEN** to recipients, providers of services under the Medical Assistance Program, and to the public, of an expected payment rate change for nursing facilities participating in the Medical Assistance Program.

This notice is published pursuant to 42 *United States Code* §1396a(a)(13)(A) (§1902(a)(13)(A) of the Social Security Act), which requires the Department to publish final facility payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates.

The Department is notifying interested parties that the legislature is expected to enact the following change to facility payment rates:

**An increase in intergovernmental transfer revenues by increasing the disproportionate share nursing facility payment.** Beginning May 31, 2003, the budget proposes to increase each county-owned and operated nursing home's annual payment to the state by \$2,230.00 for each licensed bed owned and operated by the county on that date. The commissioner shall pay an adjustment to each county nursing home in an amount equal to \$6.11 per calendar day multiplied by the number of beds licensed in the facility on that date. The changes will result in net savings to the General Fund.

The net savings to the General Fund of this anticipated legislation will be \$1,529,000 in State Fiscal Year 2003 and \$1,529,000 in State Fiscal Year 2004.

Information on the expected legislation is available from Sue Banken, Minnesota Department of Human Services, Aging Initiative, 444 Lafayette Road North, St. Paul, Minnesota, 55155-3844; **phone** (651) 296-5724 or **email:** [sue.banken@state.mn.us](mailto:sue.banken@state.mn.us).

## Department of Human Services

### Health Care Administration Medical Assistance Program

#### Request for Comments on Minnesota Asset Transfer Federal Waiver Amendment Request

The Minnesota Department of Human Services (DHS) is announcing a 30-day comment period on a Waiver Request submitted to the federal Centers for Medicare & Medicaid Services (CMS) to implement more restrictive asset transfer policies.

The Waiver Request describes current asset transfer requirements and how those requirements will be changed under the proposal. Minnesota proposes to further limit people's access to Medical Assistance services after they have improperly transferred assets for less than fair market value. This practice, often referred to as Medicaid estate planning, has become increasingly common in Minnesota, as in the rest of the country. Implementation of this demonstration will save Medicaid dollars for the State and federal governments, as well as closing loopholes that have allowed some to unfairly take advantage of the public health care system. This is especially important during this period of State budgetary crisis, and will assist the State in continuing to make Medical Assistance services available to the most needy recipients.

Copies of the Waiver Request are available to any interested parties. Comments must be received by 4:00 p.m. on Thursday, April 24, 2003.

Additional opportunity for public comment will be available when the Legislature takes up legislation to authorize these changes. Currently, authorizing language is included in Senate File 912 and in the Governor's 2003 Budget Deficit Bill (Senate File 79 and House File 0074).

To request a copy of the Waiver Request, please contact Barb Philipp at (651) 297-8840. Please direct comments or questions about the waiver amendment request to:

Kathleen Vanderwall  
Department of Human Services  
444 Lafayette Road  
St. Paul, Minnesota 55155-3852  
**Telephone:** (651) 282-3720  
**FAX:** (651) 215-9453  
**E-mail:** [kathleen.vanderwall@state.mn.us](mailto:kathleen.vanderwall@state.mn.us)

## Department of Labor and Industry

### Labor Standards Unit

#### Notice of Correction to Highway/Heavy Prevailing Wage Rates

**Corrections** have been made to the Highway/Heavy Prevailing Wage Rates certified 10/14/02 for:

**Labor Code 109**, Underground & Open Ditch Labor (8'), in Regions 01, 03, 05, 06, 07, and 09.

Copies of the certified wage rates for these Counties may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 284-5091, or accessing our **web site** at [www.doli.state.mn.us](http://www.doli.state.mn.us). Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

Robin N. Kelleher  
Acting Commissioner

## Minnesota Racing Commission

### REQUEST FOR COMMENTS on Planned Amendment to Rules Governing Licensure, *Minnesota Rules, 7870; Class C Licenses, Minnesota Rules, 7877; Security Officers, Minnesota Rules, 7878; and Prohibited Acts, Minnesota Rules, 7897.*

**Subject of Rules.** The Minnesota Racing Commission requests comments on its planned amendment to rules governing class A & B license application fees, class C license fees, and fees upon appeal of stewards' rulings.

**Persons Affected.** The amendment to the rules would likely affect licensed racetracks, veterinarians, vendors, horse owners, trainers, jockeys, and other individuals competing and performing work at a licensed racetrack.

# Official Notices

**Statutory Authority.** The commission's statutory authority to amend these rules is set out in *Minnesota Statutes*, sections 240.10, License Fees; and 240.23, Rule Making Authority.

**Public Comment.** Interested persons or groups may submit comments or information on these planned rules in writing or orally until further notice is published in the *State Register* that the commission intends to adopt or to withdraw the rules. The commission has appointed an advisory committee to comment on the planned rules.

**Rules Drafts.** The commission has not yet prepared a draft of the planned rules amendments.

**Agency Contact Person.** Written or oral comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these planned rules should be directed to:

Richard G. Krueger, Executive Director  
Minnesota Racing Commission  
P.O. Box 630  
Shakopee, MN 55379  
(952) 496-7950, FAX (952) 496-7954  
*richard.krueger@state.mn.us*

TTY users may call the commission 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.

Dated: March 21, 2003

Richard G. Krueger  
Executive Director  
Minnesota Racing Commission

## 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 State Colleges and Universities

### Educational Grants Unit

### Notice of Availability of Funds Request for Proposals for Implementing Activities Related to Nontraditional Training and Employment

Federal funds are available to be used for implementing activities related to nontraditional training and employment as established under the Carl D. Perkins Vocational and Technology Education Act of 1998.

The goal of this competitive grant is to invite current Perkins grant participants and community organization partners to engage in collaborative projects, which will encourage and recruit more students to enter nontraditional careers. This year's grant round will give special consideration to new and innovative projects, which can be replicated statewide.

This year's award will be available beginning July 2003 through the academic year ending June 30, 2004.

Funds in the amount of **\$140,000** have been set-aside to further this initiative. MnSCU anticipates awarding twelve grant awards to eligible applicants. Parties eligible for this grant include Perkins eligible secondary and post-secondary institutions in addition to community-based organizations that deliver services and activities to adults or youth, in nontraditional training and employment.

In order to provide immediate feedback for projects proposed, those interested should *submit a letter of intent to apply describing the proposed project, and signed by an authorized administrator or campus president, by April 24, 2003. Any contract executed under this RFP will be dependent upon the amount of funds approved for release through the Carl D. Perkins Federal Grant.*

---

---

## State Grants & Loans

**Applications are due at the MnSCU office by 4:00 p.m. on May 28, 2003**, with an anticipated disbursement date as early as July 2003. FAXED OR E-MAILED APPLICATIONS WILL BE NOT ACCEPTED. To receive a copy of the Request for Proposal application, please contact:

Eva Scates-Winston  
MnSCU  
500 World Trade Center  
30 East Seventh Street  
St. Paul, MN 55101  
(651) 297-3792  
**FAX (651) 296-3214**

The Request for Proposal will be accessible on the MnSCU web site by April 4, 2003 at [www.grantsplus.mnscu.edu](http://www.grantsplus.mnscu.edu), by selecting on Grant Opportunities

### Minnesota State Colleges and Universities

#### Educational Grants Unit

#### Notice of Availability of Funds and Request for Proposals to Provide Services to Individuals in State Institutions

Minnesota State Colleges and Universities announces the issuance of a Request for Proposals for Federal Perkins III funding. MnSCU is requesting proposals to provide services to individuals in State institutions such as State correctional institutions and institutions that serve individuals with disabilities related to Minnesota Department of Corrections. This initiative has two primary goals: (1) To provide assistance to institutions, which will assist persons through vocational education services that provide job skills and or job skill upgrades and increase career opportunities; and (2) To assist in the development of demonstration vocational education services and activities, which could be replicated elsewhere in the State.

Funds in the amount of **\$60,000** have been set-aside to further this initiative. MnSCU anticipates awarding a maximum of two or three grants to eligible applicants. Parties eligible for this grant include Perkins eligible secondary and post-secondary institutions, and state correctional institutions, in addition to community-based organizations that deliver services to adults or youth, who are in or transitioning from correctional facilities. **Any contract executed under this RFP will be dependent upon the amount of funds approved for release through the Carl D. Perkins Federal Grant.**

**Applications are due at the MnSCU office by 4:00 p.m. on May 28, 2003**, with an anticipated disbursement date as early as July 2003. FAXED OR E-MAILED APPLICATIONS WILL BE NOT ACCEPTED. To receive a copy of the Request for Proposal application, please contact:

Eva Scates-Winston  
Minnesota State Colleges and Universities  
500 World Trade Center  
30 East Seventh Street  
Saint Paul, Minnesota 55101  
**Phone:** 651-297-3792  
**FAX (651) 296-3214**

The Request for Proposal will be accessible on the MnSCU web site, by April 4, 2003, at [www.grantsplus.mnscu.edu](http://www.grantsplus.mnscu.edu), by selecting on "Grant Opportunities".

# State Contracts

**Informal Solicitations:** Effective March 1, 2002, informal solicitations for all contracting opportunities for professional/technical (consultant) contracts with values estimated to be over \$5,000 and under \$50,000 must be posted on the Department of Administration, Materials Management Division web page ([www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us)) and access P/T Contracts.

**Formal Requests for Proposals:** Department of Administration procedures require that formal notice of any professional/technical (consultant service) contract which has an estimated value over \$50,000 must be printed in the *State Register*. Certain quasi-state agencies and Minnesota State Colleges and Universities institutions are by law exempt from these requirements.

## Department of Administration

### State Designer Selection Board

#### Request for Proposals for Designer Selection for Minnesota State Colleges and Universities - Remodeling and Additions at St. Paul College, St. Paul, Minnesota (Project 03-13)

##### To Minnesota Registered Design Professionals:

The State of Minnesota (State) through its State Designer Selection Board has been requested to select a design team for the above project. Proposals from interested firms must be received by, 1:00 p.m. Monday, April 14, 2003 to:

Terry Lewko, Executive Secretary  
State Designer Selection Board  
Department of Administration  
c/o Materials Management Division  
50 Sherburne Avenue, Room 112  
St. Paul, Minnesota 55155  
(651) 297-1545

##### **PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.**

Questions concerning procedures, or schedule are to be referred to the Executive Secretary at (651) 297-1545.

Questions relating to the project are to be referred to the project contact(s) in Item 1.j.

#### 1. PROJECT 03-13

**a. PROJECT DESCRIPTION:** Minnesota State Colleges and Universities (MnSCU) intends to retain a consultant design team to provide architectural and engineering consulting services for the design and construction of the Remodeling and Additions of existing spaces at St. Paul College.

**PROJECT SCOPE:** The scope of this Project based upon the approved Predesign includes remodeling of approximately 103,100 gross square feet (gsf) and expansion to the existing building with additions of approximately 13,180 gsf.

The remodeling will include approximately 94,900 gsf of technical/building trade areas improvements to meet all HVAC, indoor air quality, life safety codes and accommodations for changing academic programs and technology. This encompasses approximately half of the ground floor of the original building and contains spaces for labs, classrooms, offices and associated building and technology trades.

The new construction will include approximately 840 gsf for a new entrance and corridors on the north side of the ground floor and a new link of approximately 7,340 gsf between the East and West towers on the first, second, third and fourth floors of the original building and the nearby five story tower to house faculty offices, conference rooms, and student study areas. Also construct a new mechanical/electrical penthouse of approximately 5,000 gsf to house new mechanical air handling systems and electrical equipment and to rectify heat gain problems associated with the existing roof mounted electrical transformer penthouse.

Renew approximately 4,400 gsf of the existing third floor skyway, and the first, second, third and fourth floor areas adjacent to the proposed link between the East and West towers. Renew approximately 3,800 gsf of existing high-bay lab space.

Provide asset preservation/deferred maintenance improvements in *all areas to be remodeled or renewed* to include, but not limited to: replace damaged doors and locksets, replace ceiling grid and tile systems, repaint areas, replace selected water supply piping and plumbing fixtures, add/revise fire protection sprinkler systems, improve air quality, provide new point-of-source and general exhaust hoods and associated ventilation systems, balance all air systems, provide DDC temperature controls, and upgrade electrical power distribution/devices and lighting systems.

**b. REQUIRED CONSULTANT SERVICES:** The selected design team shall:

1. Provide a comprehensive scope of services including Schematic Design (SD), with Design Development (DD), Construction Documents (CD), Bidding and Construction Administration (CA) to follow when additional funding is available.

2. Prepare all design documents using computer aided design and drafting technology in an electronic data exchange file format acceptable to Minnesota State Colleges and Universities.
3. Demonstrate experience in the design and construction of institutional collegiate student services spaces, college classrooms, vocational trades shop facilities, state-of-the-art telecommunications systems, and similar spaces that are part of the program requirements.
4. Integrate the new and remodeled spaces of the Project with the existing facilities.
5. Complete all design, drawings and specifications in accordance with, as minimums:
  - a. Current Minnesota State Colleges and Universities Design Standards
  - b. All applicable building, life safety and energy codes
  - c. ADA regulations, and
  - d. Academic program requirements.
6. Design building spaces for:
  - a. Energy efficiency
  - b. Efficient space utilization
  - c. Flexibility
  - d. High indoor air quality and ventilation including point-of-source exhaust systems
  - e. State of the art mechanical systems and direct digital controls
  - f. Complete fire suppression systems, and
  - g. A contemporary telecommunications environment.
7. Provide full architectural/engineering services for the project including architectural, structural, mechanical, fire protection, electrical, telecommunications and audio/visual systems, interior design, furniture, fixtures and equipment (FF&E), scheduling, independent cost estimating, and construction administration services, all in accordance with the Minnesota State Colleges and Universities standard A/E contract. The information contained in the Predesign Report will be used as a starting point for the selected design team. Minnesota State Colleges and Universities may retain other specialty consultants to assist in the project.

**NOTE:** A roof design consultant designated by Minnesota State Colleges and Universities will be assigned to and become an integral part of the consultant's design team. The consultant's fee shall include the fee and reimbursables of the roof design consultant.

**c. SERVICES PROVIDED BY OTHERS:** The Owner will contract directly for, or arrange to provide:

1. Site property surveys
2. Geotechnical investigations and recommendations, and
3. Asbestos and hazardous materials surveys, design and abatement at the existing building if required.

**d. SPECIAL CONSIDERATIONS:** Design Team Requirement: The design team shall have applicable prior experience in the design and construction of similar projects, in a college setting. The firm shall provide examples of current and recent higher education academic, vocational/building trades shop and teaching facilities, and smart classrooms design experience. The design team shall have proven experience in working with and directing the efforts of a college building advisory committee. The design team shall demonstrate their use of life cycle costing during the design process. Life cycle items to be addressed include, but are not limited to: energy efficiency, indoor air quality and ventilation, sustainability, and the maintainability of design, materials, and equipment.

A history of constructable design, meeting schedule deadlines, accurate cost estimating and designing within a project budget are critical criteria for selection of a designer. Quality control and complete, accurate and fully coordinated contract documents are an important element of the selected design team's services. A change order history of recent past projects and how the team proposes to address this issue should be provided as part of their submittal.

The design team shall provide examples of recently completed projects, including innovative solutions, for review by the selection committee. The design team shall provide a list of clients and involved contractors for similar projects done within the last five years including the names, addresses and phone numbers of contact persons.

The design team shall also:

1. Demonstrate prior experience with major remodeling projects involving vocational shops.
2. Include the *field* verification of existing conditions, structures and building systems in their scope of basic services.
3. Evaluate existing building structural, mechanical and electrical systems to determine capabilities and capacities to support the proposed new and remodeled work.
4. Review and confirm the functional space program requirements of all affected areas.
5. Provide an inventory of all existing FF&E, especially affected building trades shops' machinery and equipment and plan, layout, design and procure all necessary new FF&E.

# State Contracts

---

---

6. Assist in the preparation of project information to support the College's capital budget request submittal to the Minnesota State Colleges and Universities Board of Trustees and the 2004 Minnesota Legislature for design and construction funding.

**e. PROJECT BUDGET/FEES:** The estimated total project cost is currently \$9,941,000, escalated to the mid-point of construction. This cost includes: all professional fees and reimbursable expenses, site investigations and surveys, hazardous materials removals design and abatement, building and site construction, project management, construction inspection and testing, furniture, fixtures and equipment, contingencies, art and inflation factors. The maximum design team fees are anticipated to be 8.5% of the budgeted construction cost plus reimbursable expenses. Final total fees will be negotiated with the selected design team.

The College intends to fund the design work through the Schematic Design Phase initially using local funds. The funds to complete the Design Development, Construction Documents, Bidding and Construction Phases are anticipated from the 2004 Legislative session.

**f. PROJECT SCHEDULE:** The following preliminary schedule is suggested:

<i>Schematic Design Phase:</i>	<b>Begin June 2003, complete September 2003.</b>
<i>Design Development Phase:</i>	<b>Begin July 2004, complete October 2004.</b>
<i>Construction Documents Phase:</i>	<b>Begin November 2004, complete March 2005.</b>
<i>Receive Bids:</i>	<b>April 2005.</b>
<i>Complete all Construction:</i>	<b>June 2006.</b>

**g. PROJECT PRE-DESIGN INFORMATION:** A Predesign Report was prepared by Bentz/Thompson/Rietow, Inc. in November 2002. A copy of this document is available for review at the Department of Administration in the Division of State Building Construction office. For review, contact Terry Lewko at (651) 297-1545.

Copies of the Predesign Report document (on CD-R format) will be made available only to firms that are short-listed.

**h. PROJECT INFORMATIONAL MEETING (S)/SITE VISIT (S):** An informational meeting is scheduled for Tuesday, April 8, 2003, at 1:00 pm at the College, located at 235 Marshall Avenue, St. Paul, MN 55102. All firms interested in this meeting should contact Tom Doody, Physical Plant Director at (651) 846-1428 or **email** at [thomas.doody@sptc.mnscu.edu](mailto:thomas.doody@sptc.mnscu.edu), to sign up for the meeting.

**i. STATE DESIGNER SELECTION BOARD SCHEDULE:**

<i>Project Information Meeting and/or Site Visit:</i>	<b>Tuesday, April 8, 2003, 1:00 p.m.</b>
<i>Project Proposals Due:</i>	<b>Monday, April 14, 2003, by 1:00 p.m.</b>
<i>Project Shortlist:</i>	<b>Tuesday, April 29, 2003</b>
<i>Project Information Meeting for Shortlisted firms:</i>	<b>None</b>
<i>Project Interviews and Award:</i>	<b>Tuesday, May 13, 2003</b>

**j. PROJECT CONTACT (S)**

Questions concerning the project should be referred to the Project Manager:

Tom Doody  
Physical Plant Director  
St. Paul College  
(651) 846-1428 or,  
**email** at [thomas.doody@sptc.mnscu.edu](mailto:thomas.doody@sptc.mnscu.edu)

**NOTE TO RESPONDERS: CHANGES MAY HAVE BEEN MADE IN THE FOLLOWING AS OF 11 JUNE 2002.**

## 2. PROPOSAL REQUIREMENTS

- 12 copies
- 8 1/2 X 11, soft bound, portrait format
- Maximum 20 faces (excluding front and back covers, blank dividers, affidavit of non-collusion, and affirmative action data page)
- All pages numbered

## 3. PROPOSAL CONTENTS

### a. COVER

Project name and number  
Prime firm name, address, telephone number, fax number  
Contact person, telephone number, fax number, and email address

### b. COVER LETTER

Single face letter with original signature (on at least one copy) of principal of prime firm, including:

Brief overview of proposal  
Statement that proposal contents are accurate to the best knowledge of signatory



## c. INFORMATION ON FIRM (S)

For prime firm and each consultant firm provide brief description including:

- Name and location
- Year established
- Legal status
- Ownership
- Staffing by discipline
- For firms with multiple offices briefly summarize for each office

## d. PROJECT TEAM

Brief statement of team's past or present working relationships

For each team member provide:

- Name and position in firm, include name of firm
- Home base (if in multi-office firm)
- Responsibility on this project
- Years of experience
- Relevant recent experience (if in another firm, so note)
- Registration (including specialty if engineer)

## e. TEAM ORGANIZATION

If planning or design consultants are a part of the team explain how they will be utilized (e.g. major role during design, absent during construction, etc). Matrix or chart *may* be used.

## f. PROJECT EXPERIENCE

For architectural, planning, and/or landscape architecture firms, provide examples of relevant projects recently completed or in progress including:

- Photographs, sketches and/or plans
- Name and location
- Brief description (e.g. size, cost, relevance)
- Firm of record
- Involvement of proposed project team members (*may* be separate matrix; if in another firm so note)
- Completion date or current status

For engineering or technical firms provide examples of relevant projects recently completed or in progress including the above except that photographs, sketches and/or plans are to be for only that portion of the work for which firm was responsible.

## g. APPROACH/METHODOLOGY

Describe your understanding of the project, significant issues to be addressed and your *specific* approach to the planning, design and construction process for *this* project.

## h. UNIQUE QUALIFICATIONS

Briefly summarize your team's unique qualifications for this project.

## i. OTHER REQUIREMENTS

A statement of commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in the proposal along with adequate staff to meet requirements of the work.

A statement indicating that consultants listed have been contacted and have agreed to be a part of the team.

A complete Affidavit of Non-collusion. (Not counted as part of the 20 faces)

If appropriate, provide a list of all entities that create a conflict of interest (see 5.b.)

A completed Affirmative Action Data Page regarding compliance with Minnesota Human Rights Requirements. A copy of the form is available on **Web Site** <http://www.dsb.admin.state.mn.us>, click on forms. (Not counted as part of the 20 faces)

A list of all State and Minnesota State Colleges and Universities current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

Projects and studies shall mean those projects and studies (1) funded by the state legislature, by state/user agencies or Minnesota State Colleges and Universities operating funds, or by funding raised from the private sector or individuals by state/user agencies or the Minnesota State Colleges and Universities; (2) awarded as a result of the State Designer Selection Board process or awarded directly by state/user agencies or the Minnesota State Colleges and Universities without employing the State Designer Selection Board process; or (3) related to design-bid-build or design/build project delivery systems.

# State Contracts

The prime firm(s) shall list and total all gross fees associated with the above projects and studies, whether the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid, or are anticipated to be paid, to engineering or other specialty consultants employed, or anticipated to be employed, on the projects and studies listed pursuant to the above. The prime firm(s) shall subtract consultant fees from gross fees to determine total net fees using the format below.

PROJECT	(A) GROSS FEES	(B) SUBDESIGNERS PORTION	(C) NET TOTAL PROJECT FEE
TOTAL			

(The total shown in column (A) shall equal the sum of those shown in columns (B) and (C).)

#### 4. SELECTION CRITERIA

Criteria for selection shall be as stated in the project description. Technical and aesthetic experience and capabilities are paramount. In addition, the Board seeks equitable distribution of fees among qualified firms and gives consideration to geographical location of firms with respect to project site.

#### 5. CONTRACT REQUIREMENTS

##### a. AFFIDAVIT OF NONCOLLUSION

Each responder must attach a completed Affidavit of Noncollusion. A copy of the form is available on **Web Site** <http://www.dsb.admin.state.mn.us>, click on forms.

##### b. CONFLICTS OF INTEREST

Responder must provide a list of all entities with which it has relationships that create, or appear to create, a conflict of interest with the work that is contemplated in this request for proposals. The list should indicate the name of the entity, the relationship, and a discussion of the conflict.

##### c. DISPOSITION OF RESPONSES

All materials submitted in response to this RFP will become property of the State and will become public record in accordance with *Minnesota Statutes* 13.591 after the evaluation process is completed. If the responder submits information in response to this RFP that it believes to be trade secret materials, as defined by the Minnesota Government Data Practices Act, *Minnesota Statutes* § 13.37, the responder must:

- clearly mark all trade secret materials in its response at the time the response is submitted,
- include a statement with its response justifying the trade secret designation for each item, and
- defend any action seeking release of the materials it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments or damages awarded against the State in favor of the party requesting the materials, and any and all costs connected with that defense. This indemnification survives the State's award of a contract. In submitting a response to this RFP, the responder agrees that this indemnification survives as long as the trade secret materials are in possession of the State.

The State will not consider the prices submitted by the responder to be proprietary or trade secret materials. Responses to this RFP will not be open for public review until the State decides to pursue a contract and that contract is awarded.

##### d. CONTINGENCY FEES PROHIBITED

Pursuant to *Minnesota Statutes* Section 10A.06, no person may act as or employ a lobbyist for compensation that is dependent upon the result or outcome of any legislation or administrative action.

##### e. ORGANIZATIONAL CONFLICTS OF INTEREST

The responder warrants that, to the best of its knowledge and belief, and except as otherwise disclosed, there are no relevant facts or circumstances that could give rise to organizational conflicts of interest. An organizational conflict of interest exists when, because of existing or planned activities or because of relationships with other persons, the responder is unable or potentially unable to render impartial assistance or advice to the State, or the responder's objectivity in performing the contract work is or might be otherwise impaired, or the responder has an unfair competitive advantage. The responder agrees that, if after award, an organizational conflict of interest is discovered, an immediate and full disclosure in writing must be made to the Assistant Director of the Department of Administration's Materials Management Division, 112 Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155, which must include a description of the action which the contractor has taken or pro-

poses to take to avoid or mitigate such conflicts. If an organization conflict of interest is determined to exist, the State may, at its discretion, cancel the contract. In the event the responder was aware of an organizational conflict of interest prior to the award of the contract and did not disclose the conflict to the contracting officer, the State may terminate the contract for default. The provisions of this clause must be included in all subcontracts for work to be performed similar to the service provided by the prime contractor (consultant), and the terms "contract," "contractor (consultant)," and "contracting officer" modified appropriately to preserve the State's rights.

### **f. STATE EMPLOYEES**

In compliance with *Minnesota Statutes* § 16C.07, the availability of this work is being offered to State employees. The State will evaluate the responses of any State employee, along with other responses to this Request for Proposals.

### **g. HUMAN RIGHTS REQUIREMENTS**

For all contracts estimated to be in excess of \$100,000, responders are required to complete the attached Affirmative Action Data page and return it with the response. As required by *Minnesota Rules* 5000.3600, "It is hereby agreed between the parties that *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are incorporated into any contract between these parties based upon this specification or any modification of it". A copy of *Minnesota Statutes* § 363.073 and *Minnesota Rules* 5000.3400 - 5000.3600 are available on **Web Site** <http://www.dsb.admin.state.mn.us>.

h. Any changes in team members for the project requires approval by the State.

i. All costs incurred in responding to this RFP will be borne by the responder. This RFP 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.

## **College and Universities, Minnesota State (MnSCU)**

### **Winona State University**

#### **Request for Sealed Bids for a Rheometer System**

**NOTICE IS HEREBY GIVEN** that Winona State University will receive sealed bids for a rheometer system.

Bid specifications will be available March 31, 2003 from the Winona State University Purchasing Department, PO Box 5838, 205 Somsen Hall, Winona, MN 55987 or by calling (507) 457-5067 or (507) 457-5419.

Sealed bids must be received by Sandra Schmitt at PO Box 5838, or at 175 W. Mark St., Somsen 205G, Business Office, Winona State University, Winona, MN 55987 by 2:00 PM April 14, 2003.

Winona State University reserves the right to reject any or all bids and to waive any irregularities or informalities in bids received.

## **Department of Employee Relations**

### **Notice to Provide In-Person Counseling and Work-Site Based Crisis Response Services**

**NOTICE IS HEREBY GIVEN** that the State of Minnesota Department of Employee Relations (DOER) intends to contract with one or more employee assistance provider organizations to provide in-person counseling and work-site based crisis response services to approximately 30,000 employees working and residing in Greater Minnesota. The targeted service area includes all Minnesota counties located outside of the 7-county metropolitan area. (For purposes of this RFP, the 7-county metropolitan area includes the following counties: Hennepin, Ramsey, Washington, Scott, Anoka and Carver counties.)

The contractor shall provide assessment and referral and short term counseling (1 to 3 sessions) to state employees and their family members working and residing in Greater Minnesota. The contractor shall also, upon direction from the State EAP, provide worksite based crisis response services and participate in behavioral health care screening/risk management initiatives.

Contractors must be in compliance with the American with Disabilities Act.

The contract term begins on July 1, 2003 and ends no later than June 30, 2005.

For further information, contact Kimberly Peck, Director, MN State Employee Assistance Program at (651) 296-0765/1-800-657-3719 or [kim.peck@state.mn.us](mailto:kim.peck@state.mn.us). Proposals are due no later than 3:00 PM on April 30, 2003. Late proposals will not be considered.

# State Contracts

---

---

## Minnesota Historical Society

### Request for Bids for Preservation of the Folsom House Historic Site, Taylors Falls, Minnesota

Dated: March 31, 2003

The Minnesota Historical Society is seeking bids from qualified firms to provide all labor, materials, equipment, and supplies to complete Phase I of the Preservation of the Folsom House Historic Site. The Work consists of exterior carpentry repair, roofing and flashing, masonry restoration, painting and limited site work. All work will be in accordance with the Drawings, Technical Specifications, Instructions to Bidders, Supplementary Conditions, General Conditions, the Contract, and the Request for Bids.

#### Submission for Bids

All bids must be received by Chris M. Bonnell, Contracting Officer for the Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102 or an authorized agent no later than **2:00 P.M. Central Time, April 29, 2003**. A bid opening will be conducted at that time. Bids must be submitted in a sealed envelope with the project name clearly written on the envelope. A Bid Bond must be included in the amount of 5% of the total base bid if the total base bid is over \$50,000. Late bids will not be considered.

Authorized agents for receipt of bids are the following: Mary Green-Toussaint, Contract/Procurement Assistant, or any Work Service Center staff member located in the Finance and Administration Division on the 4<sup>th</sup> floor of the History Center.

Submit one copy of the bid using the form provided, sealed in an envelope or package with the bidder's name, address, and the name of the project for which the bid is being submitted clearly written on the outside. Bids must be signed in ink by the bidder or an authorized agent of the bidder firm. The Society reserves the right to request supplement information from bidders.

**There will be a MANDATORY pre-bid meeting for all interested parties on April 15, 2003, at 10:00 am at the Folsom House Historical Site, 272 W. Government Street, Taylors Falls, Minnesota.**

#### Society Contracts

Questions regarding this request for bids should be directed to Chris M. Bonnell, Contracting Officer, at (651) 297-5863 ([chris.bonnell@mnhs.org](mailto:chris.bonnell@mnhs.org)). For questions specific to project scope or to receive drawings, please contact Bob Claybaugh, Claybaugh Preservation Architecture, at (507) 465-7900 ([ric@scc.net](mailto:ric@scc.net)).

#### Conditions of Receipt of Bids

This Request for Bids does not obligate the Society to award any specific project. The Society reserves the right to cancel this solicitation or to change its scope if it is considered in the best interest of the Society.

The Society reserves the right to waive irregularities in proposal content or to request supplemental information from bidders. This provision will be liberally interpreted to permit consideration of all proposals received by the stated deadline for submission.

This entire presentation, including the Technical Specifications, Instructions to Bidders, Supplementary Conditions, General Conditions, and the Request for Bids does not constitute a legal offer. A legal bidding contract will not be formed until all parties involved have fully executed a written contract which incorporates all mutually agreed instructions, specifications, conditions, and bids.

## Minnesota Department of Human Services

### Health Care Administration

#### Notice of Request for Proposals for Care Coordination Study

The Department of Human Services is seeking proposals from researchers with the experience and ability to conduct a one-year study on the impact of the care coordination function in the Minnesota Senior Health Options program.

Researchers must be knowledgeable about Medicaid, Medicare, and the complexities of Minnesota's managed health care environment. They must be experienced in research design and statistical analysis, and studying health care issues, particularly in the public sector managed health care field, and, preferably, in evaluating case management or care coordination models.

The Minnesota Senior Health Options (MSHO) project is a Medicaid-Medicare demonstration program providing comprehensive health care services (both acute care and long-term care services) for Minnesota's 65-and-older Medicaid population, with or without Medicare. The program operates in the seven-county Minneapolis-St. Paul metropolitan area and in three rural counties. Enrollment in MSHO is voluntary. The program operates in partnership with the federal Centers for Medicare & Medicaid Services and three Minnesota health plans: Medica, Metropolitan Health Plan, and UCare Minnesota. The program has received support from the Robert Wood Johnson Foundation through grants administered by the Medicaid/Medicare Integration Project (MMIP).

Care coordinators, who are contact persons assigned to each enrollee, are the linchpin of the MSHO program. They conduct indi-

vidual assessments of each enrollee upon enrollment, work with enrollees and physicians to develop a plan of care, help enrollees navigate the health care system, and perform various other activities to aid enrollees in maintaining and improving their health.

However, there is no organized and systematic documentation of the impact of care coordination in MSHO. Therefore, the State, CMS and MMIP are collaborating on a project to formally document the role and impact of care coordination on the health and quality of life of MSHO enrollees and families.

A team of individuals, including representatives of DHS, the MSHO health plans, CMS, and MMIP, will review the proposals. The commissioner reserves the right to reject any proposal.

Copies of the MSHO Request for Proposals which contains detailed specifications will be available on Monday, March 31, 2003, and may be obtained by contacting: Alice Pedersen at (651) 297-7951.

**Proposals must be received in person by 4 p.m. on Monday, May 5, 2003 and may be mailed or hand delivered to:**

Asha Sharma  
Minnesota Senior Health Options  
Minnesota Department of Human Services  
444 Lafayette Road  
St Paul, Minnesota 55155-3854  
**Phone:** (651) 296-1650  
**email:** [asha.sharma@state.mn.us](mailto:asha.sharma@state.mn.us)

**No responses via fax or email will be accepted.**

Ms. Sharma is the only DHS staff person authorized to answer questions regarding the RFP. Questions may be sent to her in writing by email or regular mail or **fax** at (651) 297-3230. **All questions must be received by 1 p.m., Thursday April 24, 2003.** All questions and answers will be distributed to all persons who receive a copy of the RFP.

## State Board of Investment

### Request for Private Money Management Firms

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  
**Tel.:** (651) 296-3328  
**Fax:** (651) 296-9572  
**email:** [mimn.sbi@state.mn.us](mailto:mimn.sbi@state.mn.us)

Please refer to this notice in your written notice.

## Department of Transportation

### Engineering Services Division

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

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

Mn/DOT, working in conjunction with the Consultant Reform Committee, the Minnesota Consulting Engineers Council, and the Department of Administration, has developed the Consultant Pre-Qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT anticipates that most consultant contracts for highway related technical activities will be awarded using

# State Contracts

---

---

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 application from consultants in the following service areas: preliminary design, highway design, bridge inspection and environmental studies. Technical and administrative qualification requirements are located on the web site indicated below. In the future, Mn/DOT will be requesting applications for additional highway related consulting services as those services become available. Following advertisement of a particular category of services, applications will be accepted on a continual basis.

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

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

Send completed application material to:

Robin Valento  
Pre-Qualification Administrator  
Minnesota Department of Transportation  
Consultant Services  
395 John Ireland Boulevard, Seventh Floor, Mail Stop 680  
St. Paul, MN 55155

**NOTE: Due Date: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.**

## Department of Transportation Engineering Services Division

### Notice Concerning Professional/Technical Contract Opportunities

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

New public notices may be added to the website on a daily basis and be available for the time period 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 project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

## Metropolitan Council

### Notice of Request for Proposals (RFP) for Security Guard Service for MCES

#### Reference Number 03P029

The Metropolitan Council is soliciting Request for Proposals for Regular and Armed Security Guard Service for the Council's Environmental Services Division (MCES).

<i>Issue Request for Proposals</i>	<b>March 31, 2003</b>
<i>Proposals Due</i>	<b>April 22, 2003</b>
<i>Award Contract</i>	<b>May 2003</b>

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

Sunny Jo Emerson  
Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
230 East Fifth Street

---

---

## Non-State Contracts & Grants

St. Paul, MN 55101

**Phone:** (651) 602-1499

**Fax:** (651) 602-1083

**E-mail:** [sunnyjo.emerson@metc.state.mn.us](mailto:sunnyjo.emerson@metc.state.mn.us)

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

### Minnesota Partnership for Action Against Tobacco (MPAAT)

#### MPAAT Seeks Board Candidates

The Minnesota Partnership for Action Against Tobacco (MPAAT) is seeking candidates for its Board of Directors. The MPAAT Board oversees operations of the independent, non-profit organization. MPAAT's mission is to improve the health of Minnesota by reducing tobacco use. MPAAT's strategies include grants, individual cessation services, research and community outreach.

Board terms are three years. Board members serve without compensation. **Please submit applications to MPAAT by April 17.**

***Qualified candidates must have:***

Expertise in areas related to Board governance.

No affiliation with MPAAT grantees or contractors.

No affiliation with the tobacco industry or related trade associations within the last 10 years.

**For an application, call (651) 224-000 or visit [www.mpaat.org](http://www.mpaat.org).**

### University of Minnesota

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

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

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. to 4:30 p.m. in Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.



# Admin MINNESOTA

Department of Administration

Periodicals  
U.S. Postage  
Paid  
Permit No.  
326630  
St. Paul, MN

117 University Avenue • St. Paul, Minnesota 55155  
Metro Area 651-297-3000  
Toll Free 1-800-657-3757  
FAX 651-297-8260  
Metro Area 651-282-5077 Greater MN 1-800-657-3706

Please notify us of any address changes so that we can continue to give you our best service. Include your old mailing label to speed your service.



Printed on recycled paper  
20% post-consumer waste

**TO ORDER:**

Complete attached order blank. Please include sales tax. Include either your VISA/MasterCard, American Express or Discover credit card number with the expiration date, or a check/money order made out to the State of Minnesota. Orders by phone are accepted when purchasing with your credit card. Please include a phone number where you can be reached during the day in case we have questions about your order.

**PREPAYMENT REQUIRED.**

Merchandise may be returned if it is in resalable condition.

**NOTE:**  
*State Register* and other subscriptions do not require sales tax or postage and handling fees.

**For Your Convenience, photocopy this order blank**

Code No.	Quantity	Description	Item Price	Total
Name or Company			<b>Subtotal</b>	
Attention			6½ % tax MN residents 7% St. Paul residents	
Address				
City		State	Zip	Add Shipping Charges from chart at left.
American Express/VISA/MasterCard/Discover No.			<b>TOTAL</b>	
Signature		Expiration Date	Telephone (During Day)	

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



**Prices subject to change without notice.**  
Please allow about 6 weeks for delivery.  
In a hurry? Stop by our Bookstore.  
Bookstore hours: 8:00-5:00 Monday-Friday

**If tax exempt, please provide ES number or send completed exemption form.**  
Source Code SR003