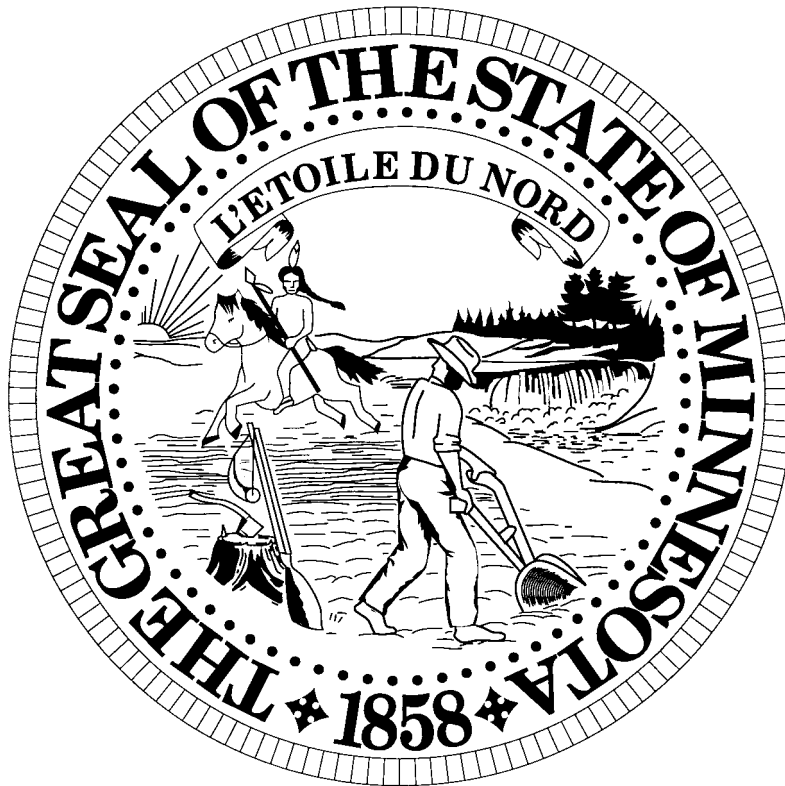


Minnesota

# 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 24 November 2003**  
**Volume 28, Number 21**  
**Pages 651 - 670**

# State Register

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- appointments
- proclamations and commendations
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## Printing Schedule and Submission Deadlines

Vol. 28 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
#21	Monday 24 November	Noon Tuesday 18 November	Noon Wednesday 12 November
#22	Monday 1 December	<b>NOON MONDAY 24 NOVEMBER</b>	Noon Wednesday 19 November
#23	Monday 8 December	Noon Tuesday 2 December	Noon Wednesday 26 November
#24	Monday 15 December	Noon Tuesday 9 December	Noon Wednesday 3 December

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Publication Number: 326630 (ISSN 0146-7751)

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# Minnesota Rules: Amendments and Additions

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

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

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

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

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

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# Proposed Rules

## Comments on Planned Rules or Amendments

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

## Rules to be Adopted After a Hearing

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

## Rules to be Adopted Without a Hearing

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

## Department of Commerce

### Proposed Permanent Rules Relating to the 2001 Commissioners Standard Ordinary Mortality Table

#### NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

#### Proposed Permanent Rules Recognizing New Mortality Table for Use in Determining Reserve Liabilities and Nonforfeiture Benefits for Life Insurance Policies (2001 CSO Mortality Table) *Minnesota Rules Chapter 2748*

**Introduction.** The Department of Commerce intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until noon on December 24, 2003.

**Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Donna M. Watz, Staff Attorney, at the Minnesota Department of Commerce, 85 - 7th Place East, Suite 500, St. Paul, MN 55101-2198 **Telephone:** (651) 296-6593 **FAX:** (651) 296-4328. TTY users may call the Department at (651) 297-3067.

**Subject of Rules and Statutory Authority.** The proposed rules are intended to update the mortality table and standards used to determine minimum reserve liabilities and nonforfeiture benefits for life insurance policies. The proposed rules would recognize, permit and prescribe the use of the 2001 Commissioner's Standard Ordinary (CSO) mortality table, as adopted by the National Association of Insurance Commissioners (NAIC) as a model regulation. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 61A.24, 61A.25 and 45.023. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until noon on Wednesday, December 24, 2003, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by noon on December 24, 2003. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Withdrawal of Requests.** If 25 or more persons submit a valid written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below

# Proposed Rules

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25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Alternative Format.** Upon request, this Notice 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.

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

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

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 296-5148 or 1-800-657-3889.

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

Dated: November 7, 2003

Glenn Wilson, Commissioner  
Department of Commerce

## **2747.0065 2001 CSO MORTALITY TABLE.**

The 2001 CSO Mortality Table, as defined in part 2748.0010, subpart 2, shall be used for purposes of parts 2747.0010 to 2747.0060 pursuant to the requirements of parts 2748.0010 to 2748.0050.

## **2748.0010 DEFINITIONS.**

Subpart 1. Scope. For the purposes of parts 2748.0010 to 2748.0050, the terms defined in subparts 2 to 6 have the meanings given them.

Subp. 2. 2001 CSO Mortality Table. "2001 CSO Mortality Table" means that mortality table, consisting of separate rates of mortality for male and female lives, developed by the American Academy of Actuaries CSO Task Force from the Valuation Basic Mortality Table developed by the Society of Actuaries Individual Life Insurance Valuation Mortality Task Force, and adopted by the National Association of Insurance Commissioners in December 2002. The 2001 CSO Mortality Table is included in the *Proceedings of the NAIC (2nd Quarter 2002)*. Unless the context indicates otherwise, the "2001 CSO Mortality Table" includes both the ultimate form of that table and the select and ultimate form of that table and includes both the smoker and nonsmoker mortality tables and the composite mortality tables. It also includes both the age-nearest-birthday and age-last birthday bases of the mortality tables.

Subp. 3. 2001 CSO Mortality Table (F). "2001 CSO Mortality Table (F)" means that mortality table consisting of the rates of mortality for female lives from the 2001 CSO Mortality Table.

Subp. 4. 2001 CSO Mortality Table (M). "2001 CSO Mortality Table (M)" means that mortality table consisting of the rates of mortality for male lives from the 2001 CSO Mortality Table.

Subp. 5. Composite mortality tables. "Composite mortality tables" means mortality tables with rates of mortality that do not distinguish between smokers and nonsmokers.

Subp. 6. Smoker and nonsmoker mortality tables. "Smoker and nonsmoker mortality tables" means mortality tables with separate rates of mortality for smokers and nonsmokers.

## **2748.0020 2001 CSO MORTALITY TABLE.**

Subpart 1. Permissive use. At the election of the company for any one or more specified plans of insurance and subject to the conditions stated in parts 2748.0010 to 2748.0050, the 2001 CSO Mortality Table may be used as the minimum standard for policies issued on or after January 1, 2004, and before the date specified in subpart 2 to which part 2747.0030, subparts 1 and 2 and *Minnesota Statutes*, sections 61A.24, subdivision 12, paragraph (h), clause (6), and 61A.25, subdivision 3, paragraph (a), clause (3), are applicable. If the company elects to use the 2001 CSO Mortality Table, it shall do so for both valuation and nonforfeiture purposes.

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# Proposed Rules

**Subp. 2. Required use.** Subject to the conditions stated in parts 2748.0010 to 2748.0050, the 2001 CSO Mortality Table must be used in determining minimum standards for policies issued on and after January 1, 2009, to which part 2747.0030, subparts 1 and 2, and *Minnesota Statutes*, sections 61A.24, subdivision 12, paragraph (h), clause (6), and 61A.25, subdivision 3, paragraph (a), clause (3), are applicable.

**Subp. 3. Incorporation by reference.** The 2001 CSO Mortality Table adopted by the National Association of Insurance Commissioners, December 2002, is incorporated by reference. It is not subject to frequent change and is available at the State Law Library.

## **2748.0030 CONDITIONS.**

**Subpart 1. Plans with separate smoker/nonsmoker rates.** For each plan of insurance with separate rates for smokers and nonsmokers an insurer may use:

A. composite mortality tables to determine minimum reserve liabilities and minimum cash surrender values and amounts of paid-up nonforfeiture benefits;

B. smoker and nonsmoker mortality tables to determine the valuation net premiums and additional minimum reserves, if any, required by *Minnesota Statutes*, section 61A.25, subdivision 7, and use composite mortality tables to determine the basic minimum reserves, minimum cash surrender values, and amounts of paid-up nonforfeiture benefits; or

C. smoker and nonsmoker mortality to determine minimum reserve liabilities and minimum cash surrender values and amounts of paid-up nonforfeiture benefits.

**Subp. 2. Plans without separate smoker/nonsmoker rates.** For plans of insurance without separate rates for smokers and nonsmokers the composite mortality tables must be used.

**Subp. 3. Use of table for determining minimum reserve liabilities and minimum cash surrender values.** For the purpose of determining minimum reserve liabilities and minimum cash surrender values and amounts of paid-up nonforfeiture benefits, the 2001 CSO Mortality Table may, at the option of the company for each plan of insurance, be used in its ultimate or select and ultimate form, subject to the restrictions of parts 2747.0030, 2747.0040, 2747.0050, and 2748.0040 relative to use of the select and ultimate form.

**Subp. 4. Table as minimum reserve standard; actuarial opinion.** When the 2001 CSO Mortality Table is the minimum reserve standard for any plan for a company, the actuarial opinion in the annual statement filed with the commissioner must be based on an asset adequacy analysis as specified in parts 2711.0080 to 2711.0100. The commissioner may exempt a company from this requirement if it only does business in this state and in no other state.

## **2748.0040 APPLICABILITY OF THE 2001 CSO MORTALITY TABLE TO PARTS 2747.0010 TO 2747.0060.**

**Subpart 1. Application to specific rule parts.** The 2001 CSO Mortality Table may be used in applying parts 2747.0010 to 2747.0060 in the following manner, subject to the transition dates for use of the 2001 CSO Mortality Table in part 2748.0020:

A. Part 2747.0010, subpart 2, item B, subitem (2): The net level reserve premium is based on the ultimate mortality rates in the 2001 CSO Mortality Table.

B. Part 2747.0020, subpart 3: All calculations are made using the 2001 CSO Mortality Rate, and, if elected, the optional minimum mortality standard for deficiency reserves stipulated in item D. The value of “ $q_{\text{select}+t}$ ” is the valuation mortality rate for deficiency reserves in policy year  $k+t$ , but using the unmodified select mortality rates if modified select mortality rates are used in the computation of deficiency reserves.

C. Part 2747.0030, subpart 1: The 2001 CSO Mortality Table is the minimum standard for basic reserves.

D. Part 2747.0030, subpart 2: The 2001 CSO Mortality Table is the minimum standard for deficiency reserves. If select mortality rates are used, they may be multiplied by X percent for durations in the first segment, subject to the conditions specified in part 2747.0030, subpart 2, and item C, subitems (1) to (9). In demonstrating compliance with those conditions, the demonstrations may not combine the results of tests that utilize the 1980 CSO Mortality Table with those tests that utilize the 2001 CSO Mortality Table, unless the combination is explicitly required by regulation or necessary to be in compliance with relevant Actuarial Standards of Practice.

E. Part 2747.0040, subpart 3: The valuation mortality table used in determining the tabular cost of insurance shall be the ultimate mortality rates in the 2001 CSO Mortality Table.

F. Part 2747.0040, subpart 5, item D: The calculations specified in part 2747.0040, subpart 5, shall use the ultimate mortality rates in the 2001 CSO Mortality Table.

G. Part 2747.0040, subpart 6, item D: The calculations specified in part 2747.0040, subpart 6, shall use the ultimate mortality rates in the 2001 CSO Mortality Table.

H. Part 2747.0040, subpart 7, item B: The calculations specified in part 2747.0040, subpart 7, shall use the ultimate mortality rates in the 2001 CSO Mortality Table.

# Proposed Rules

I. Part 2747.0050, subpart 1, item A, subitem (2): The one-year valuation premium shall be calculated using the ultimate mortality rates in the 2001 CSO Mortality Table.

Subp. 2. **Exemptions retained.** Nothing in this part shall be construed to expand the applicability of parts 2747.0010 to 2747.0060 to include life insurance policies exempted under part 2747.0010, subpart 2.

## **2748.0050 GENDER-BLENDED TABLES.**

Subpart 1. **Use authorized.** For any ordinary life insurance policy delivered or issued for delivery in this state on and after January 1, 2004, that utilizes the same premium rates and charges for male and female lives or is issued in circumstances where applicable law does not permit distinctions on the basis of gender, a mortality table that is a blend of the 2001 CSO Mortality Table (M) and the 2001 CSO Mortality Table (F) may, at the option of the company for each plan of insurance, be substituted for the 2001 CSO Mortality Table for use in determining minimum cash surrender values and amounts of paid-up nonforfeiture benefits. No change in minimum valuation standards is implied by this subpart.

Subp. 2. **Choices.** The company may choose from among the blended tables developed by the American Academy of Actuaries CSO Task Force and adopted by the National Association of Insurance Commissioners in December 2002.

Subp. 3. **As violation of unfair trade practices statute.** It is not, in and of itself, a violation of *Minnesota Statutes*, sections 72A.17 to 72A.32 for an insurer to issue the same kind of policy of life insurance on both a sex-distinct and sex-neutral basis.

**INCORPORATION BY REFERENCE:** Part 2748.0020, subpart 3: the 2001 CSO Mortality Table adopted by the National Association of Insurance Commissioners, December 2002, is available at the State Law Library.

## Official Notices

Pursuant to *Minnesota Statutes* § 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

## Minnesota Department of Agriculture

### Commissioner's Office

**REQUEST FOR COMMENTS on Possible Amendments to Rules Governing Agricultural Inspectors, Agricultural Chemical Response Compensation, Commercial Feed, Livestock, Agricultural Development Grants, Minnesota Grown Labeling Statements and Commodity Councils; *Minnesota Rules* 1505.0751-1505.0758; 1510.1930-1510.2220; 1515.0100-1515.2900; 1552.0030; 1556.0110-1556.0140; 1570.0700; and 1570.0800**

**Subject of the Rule.** The Minnesota Department of Agriculture requests comments on its planned amendments to rules governing county agriculture inspectors, commercial feed for pets, livestock marketing and weighing reports, agricultural development grant procedures, use of Minnesota grown labeling statements, and commodity council elections. The department is considering amendments that update the rules with respect to governing statutes and practices.

**Persons Affected.** The amendments to rules would likely affect agriculture inspectors, commercial feed manufacturers, livestock marketing agencies, Minnesota grown label licensees and agricultural commodity councils. The department does not contemplate appointing an advisory committee to comment on the planned rules.

**Statutory Authority.** *Minnesota Statutes*, section 18.79 allows the commissioner to adopt rules for the proper enforcement of *Minnesota Statutes* sections 18.76-18.88 governing agricultural inspectors; section 25.40 allows the commissioner to adopt rules for commercial feeds and pet foods as authorized in *Minnesota Statutes* sections 25.31 - 25.43 and rules necessary for the efficient enforcement of *Minnesota Statutes* sections 25.31 - 25.43; section 17.010 requires the commissioner to adopt rules for the administration of agricultural development grants and contracts; section 17.102 subd. 6 requires the commissioner to adopt rules authorizing and licensing use of the Minnesota grown logo or labeling statement; and section 17.58, subd. 4 requires the commissioner to adopt rules for the organization, conduct of elections and referenda, and meetings of commodity councils.

**Public Comment.** Interested persons or groups may submit comments or information on the possible rules in writing or orally until 4:30 p.m. on January 23, 2004. The department does not anticipate that a draft of the rule will be available before publication of the proposed rule. Written or oral comments, questions, requests to receive a draft proposed rules when prepared, and requests for more information on the possible rules should be addressed to: Carol Milligan, Minnesota Department of Agriculture, 90 W.



Plato Blvd., St. Paul, MN 55107: **Phone:** (651) 296-6906, **Fax** (651) 297-5522, **Email:** [carol.milligan@state.mn.us](mailto:carol.milligan@state.mn.us). TTY users may contact the Department of Agriculture through Minnesota Relay Service at (800) 627-3529.

**Comments submitted in response to this notice will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.**

Dated: 11-06-03

Sharon Clark  
Deputy Commissioner

## Executive Council, State Board of Investment, Land Exchange Board, Investment Advisory Council Official Notice of Meetings

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Wednesday, December 3, 2003 at 9:00 A.M. in Room 125, State Capitol, St. Paul, MN.

The Investment Advisory Council will meet on Tuesday, December 2, 2003 at 9:00 A.M. at the State Board of Investment, Board Room (Main Floor), 60 Empire Drive, St. Paul, MN.

## Minnesota Department of Health

### REQUEST FOR COMMENTS on Biennial Review of Expedited Rulemaking Procedures and Rules Related to the Minnesota Health Care Administrative Simplification Act, *Minnesota Statutes*, Sections 62J.50 to 62J.61

**Expedited Rulemaking Authority.** *Minnesota Statutes*, section 62J.61, sets out an expedited rulemaking procedure for adopting rules to implement the Minnesota Health Care Administrative Simplification Act. The expedited procedure provides:

- the Commissioner of Health must publish proposed rules in the *State Register*;
- the Commissioner may publish a notice describing the rules and offering a free copy instead of publishing the text of the rules, if the rules would be so lengthy as to be unduly cumbersome to publish;
- interested parties have 30 days to comment; and
- after considering all comments, the Commissioner may adopt the rules by publishing a notice of adoption in the *State Register*.

**Reason for Expedited Rulemaking Authority.** Health care industry billing procedures change frequently. It is important that rules keep current with these frequently changing procedures. The Legislature recognized that the normal rulemaking procedures in *Minnesota Statutes*, chapter 14, which take an average of 18 months, would not be adequate to keep pace with the changes in the health care industry. Further, some of the billing manuals and implementation guides are hundreds of pages long. It would not be practical to publish these in the *State Register*, especially when these are of interest to a very small group of interested parties. It would be more cost effective to publish a notice and to give a free copy to anyone who requests one.

**Biennial Review of Rulemaking Procedures and Rules.** Section 62J.61, subdivision 5, requires that the Commissioner of Health do a biennial review of the rulemaking procedures and rules by seeking “comments from affected parties about the effectiveness of and continued need for the [expedited] rulemaking procedures . . . and about the quality and effectiveness of rules adopted using these procedures.” The Commissioner is required to invite oral or written comments by holding a meeting and by publishing a notice in the *State Register* at least 30 days before the meeting. The Commissioner is also required to write a report summarizing the comments and to submit the report to the Minnesota Health Data Institute and the Minnesota Administrative Uniformity Committee by January 15 of every even-numbered year.

**Oral and Written Comments Invited; Deadline.** Oral and written comments are invited about the effectiveness and continuing need for the expedited rulemaking procedures and about the quality and effectiveness of rules adopted using these procedures. You have until 4:30 p.m. on Monday, January 5, 2004 to comment. You may submit comments at the meeting or by sending them to the agency contact person, as set out later in this Request. After Monday, January 5, 2004, the Department will compile the comments and prepare the biennial report.

# Official Notices

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**Meeting for Receiving Oral and Written Comments.** The Department will hold a meeting to receive oral and written comments about the expedited rulemaking procedures in section 62J.61. The meeting will be in Conference Room LL57, Metro Square Building, 121 East Seventh Place, St. Paul, Minnesota 55101, starting at 9:00 a.m. on Monday, January 5, 2004.

**Agency Contact Person for Receiving Written Comments.** Written comments on the expedited rulemaking procedures and questions about this biennial review may be submitted to the agency contact person. The agency contact person is: Tracy Johnson at the Minnesota Department of Health, 121 East Seventh Place, P.O. Box 64975, St. Paul, MN 55164-0975, **e-mail** [tracy.l.johnson@health.state.mn.us](mailto:tracy.l.johnson@health.state.mn.us), or **phone** (651) 282-5650, **fax** (651) 282-5628. **TTY** users may call the Minnesota Relay Service at 1-800-627-3529.

**Background.** The requirement to do a biennial review was effective on June 30, 1997. The Department anticipates using the expedited authority in early-2004 to adopt rules related to the uniform paper remittance advice, the uniform paper explanation of benefits document and dental claim form manual.

Dated: November 17, 2003

## Department of Human Services

### Health Care Purchasing and Delivery Systems Division

#### Public Notice Regarding Proposed January 1, 2004 Payment Rate Change For Hospitals 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 proposed payment rate changes for hospitals 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 proposed facility payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates.

Pursuant to *Laws of Minnesota 2003, First Special Session*, Chapter 14, Article 13C, Section 2, Subdivision 6 and effective for services provided on or after January 1, 2004, Medical Assistance fee-for-service payments will be increased by two percent.

Individual inpatient hospital proposed payment rates are available by contacting Richard Tester, Health Care Administration, Minnesota Department of Human Services, 444 Lafayette Road North, St. Paul, MN 55155-3853; **phone** (651) 296-5596 or **Email:** [richard.teste@state.mn.us](mailto:richard.teste@state.mn.us)

## Metropolitan Airports Commission

### Notice of Adoption of Ordinance No. 99 - MSP Fire Code

Please take notice that on the 17th day of November 2003, at a regular meeting, the Metropolitan Airports Commission adopted Ordinance No. 99.

#### Ordinance No. 99

An ordinance to promote and conserve the public safety, health, peace, convenience, and welfare by adopting the Minnesota State Fire Code as the fire code for the Minneapolis - St. Paul International Airport; to provide for the application, administration, and enforcement of that fire code; and to repeal Commission Ordinance No. 52.

Copies of Ordinance No. 99 as adopted will be on file with the Secretary of State and may be obtained from the Metropolitan Airports Commission offices.

Jeffrey W. Hamiel  
Executive Director  
Metropolitan Airports Commission  
6040 - 28th Avenue South  
Minneapolis, MN 55450

**Northern States Power Company (d/b/a Xcel Energy)****Notice of Acid Rain Program Designated Representative**

**NOTICE IS HEREBY GIVEN** that, pursuant to *Code of Federal Regulations* Title 40, Part 72, I am the Designated Representative as of December 1, 2003 for the Acid Rain Program affected sources at the Northern States Power Company (d/b/a Xcel Energy) Blue Lake Generating Plant, units 5 and 6. If there are questions, call Nancy Stafki at (612) 330-5520.

Lloyd A. Hilgart  
Director, Peaking Plants

**Minnesota Pollution Control Agency****REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Hazardous Waste Fees, *Minnesota Rules*, Chapter 7046.**

**Subject of Rules.** The Minnesota Pollution Control Agency (MPCA) requests comments on its planned amendments to rules governing hazardous waste fees (*Minnesota Rules*, Chapter 7046). These rules govern establishment and administration of fees levied on generators of hazardous wastes and on hazardous waste facilities. Specifically, the Agency is planning to develop rules amending the hazardous waste fee formula in *Minnesota Rules* 7046.0060. In the process of restructuring MPCA funding, the Legislature directed the MPCA to amend the formula.

**Persons Affected.** The amendments to the rules would affect firms and individuals whose business activities generate hazardous waste (and who are currently required or may be required to pay hazardous waste fees to the State of Minnesota), and county governments in the Twin Cities Metropolitan Area which collect hazardous waste fees on behalf of the State of Minnesota. Although the amount of hazardous waste fees would increase, the net financial impact on some hazardous waste generators may be negligible because the Hazardous Waste Generator Tax will no longer be in effect beyond the 2003 tax year.

**Statutory Authority.** *Minnesota Laws* 2003, Chapter 128, Article 2, Section 54 requires that the MPCA amend the hazardous waste fee formula (*Minnesota Rules* 7046.0060) to increase hazardous waste fees by \$2,000,000.

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on December 31, 2003. The MPCA does not contemplate appointing an advisory committee to comment on the proposed rules.

**Rules Drafts.** The MPCA has not yet prepared a draft of the proposed rule amendments.

**MPCA Contact Person.** Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Allen Dotson at the Minnesota Pollution Control Agency, 520 Lafayette Road, St. Paul, Minnesota 55155, (651) 296-7735. TTY users may call the MPCA at (651) 282-5332.

**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 MPCA 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 when a proceeding to adopt rules is started. The MPCA is required to include in the rulemaking record only those written comments received in response to the rules after they have been proposed. If you submit comments during the development of the rules and you want to ensure that they are included in the rulemaking record, you should resubmit the comments after the rules are formally proposed.

Sheryl A. Corrigan, Commissioner  
Minnesota Pollution Control Agency

## State Grants & Loans

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

### Minnesota Department of Employment and Economic Development Business and Community Development Division Small Cities Development Program

Contact: **Leona L. Humphrey, (651) 297-4740, or**  
[Leona.Humphrey@state.mn.us](mailto:Leona.Humphrey@state.mn.us)

#### Notice of Intent to Request Release of Funds

On or about December 5, 2003, the Minnesota Department of Employment and Economic Development (MN DEED), Small Cities Development Program (SCDP), will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Lead-Based Paint Hazard Control in Privately-owned Housing Grant Program funds under Section 1011 of the Housing and Community Development Act of 1992, Public Law 102-550, for the following program/project: Minnesota Non-entitlement Areas Lead Based Paint Hazard Control Grant Program, for the purpose of minor lead-hazard reduction-related housing rehabilitation in areas of Minnesota that do not receive a separate Community Development Block Grant (CDBG) Program allocation, blood lead testing of children 6 years and under, lead risk assessments, lead clearances, lead hazard related training, personnel costs and lead-related education/outreach event costs through the Sustainable Resources Center. Some of the activities will be conducted through a contract with the Minnesota Department of Health. The MN DEED is requesting the release of \$2,453,664 of Federal assistance from the Lead-Based Paint Hazard Control in Privately-owned Housing Grant Program. MN DEED will match these funds with \$2,850,828 in other funds, consisting of non-entitlement CDBG funds, along with State and other funds.

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from the National Environmental Policy Act requirements. In accordance with §58.15, a tiered review process has been structured, whereby some environmental laws and authorities have been reviewed for the target area and other applicable laws and authorities will be complied with, when individual projects are ripe for review. Specifically, the target area has been studied and compliance with the following laws and authorities has been established: Floodplain Management, Coastal Barriers Resource Act and Coastal Zone Management Act. Compliance with the following laws and authorities will take place for lead-only projects, i.e., projects that do not combine funding with other Federal funding sources, prior to commitment of funds for: Historic Preservation, National Flood Insurance Program requirements, Explosive & Flammable Operations. For combined lead/rehabilitation projects including CDBG, HOME or other Federal funding sources, the City will complete a Statutory Worksheet, in accordance with Sec. 58.35. Copies of the compliance documentation worksheets are available at the address below.

An Environmental Review Record (ERR) that documents the environmental determinations for this project, and more fully describes the tiered review process cited above, is on file at the Minnesota Department of Employment and Economic Development, Business and Community Development Division, Small Cities Development Program, 500 Metro Square, 121 7th Place East, St. Paul, Minnesota 55101-2146, and may be examined or copied weekdays 8:00 a.m. to 5:00 p.m.

#### Public Comments

Any individual, group, or agency may submit written comments on the ERR to Commissioner Matthew Kramer at the Minnesota Department of Employment and Economic Development, Business and Community Development Division, Small Cities Development Program, 500 Metro Square, 121 7th Place East, St. Paul, Minnesota 55101-2146. All comments received by December 3, 2003 will be considered by the MN DEED prior to authorizing submission of a Request for Release Of Funds and Certification to HUD.

#### Release of Funds

The MN DEED certifies to HUD that Matthew Kramer, in his official capacity as its Commissioner, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the MN DEED to utilize federal funds and implement the Program.

#### Objections to Release of Funds

HUD will consider objections to its release of funds and the MN DEED's certification for a period of fifteen days following either the anticipated submission date (cited above) or HUD's actual receipt of the request (whichever is later) only if the objections are

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# State Grants & Loans

on one of the following bases: (a) that the Certification was not executed by the Certifying Officer of the MN DEED; (b) the MN DEED has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the MN DEED has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58), and may be addressed to HUD as follows: U.S. Department of Housing and Urban Development, Karen Choi, Environmental Clearance Officer, 611 West Sixth Street, Suite 805, Los Angeles, CA 90017. Potential objectors may contact HUD to verify the actual last day of the objection period.

Dated: 24 November 2003

Matthew Kramer  
Commissioner,

Minnesota Department of Employment and Economic Development

## Minnesota Housing Finance Agency (MHFA)

### MHFA/FHIC Accessible Housing Marketing and Tenant Screening Study Initiatives' Requests for Proposals

The Minnesota Housing Finance Agency (MHFA) and the Fair Housing Implementation Council (the FHIC, consisting of the following partners: Anoka County, Dakota County, Hennepin County, Ramsey County, Washington County, City of Minneapolis, City of St. Paul, the Minnesota Housing Finance Agency representing the Counties of Carver and Scott, and stakeholders from communities of protected-class persons and the housing industry) request proposal for the following activities:

#### Accessible Housing Marketing Initiative

Up to \$40,000 is available for this initiative.\*

- To establish a system/tool model to address the mismatch between households with a need for accessible housing and the current utilization rate of accessible housing units by households with such needs.

#### Tenant Screening Study Initiative

Up to \$10,000 is available for this initiative\*

- To study the practices of Twin Cities metro area tenant screening companies, identify best practices from metro area and other companies, and make recommendations on how to ensure that tenant screening reports are as fair and accurate as possible.

The FHIC reserves the right to withdraw or modify the terms of this request for proposals, including the amount of funds available. The FHIC reserves the right to require a successful applicant to modify or replace their originally submitted proposal.

More details about the application guidelines (the scope of the work, selection criteria, and other information) are available on the web site listed below. Hard copies of the application guidelines will be mailed upon request, by contacting the staff person listed below.

#### Submission of Applications

Applications are due in the offices of the Minnesota Housing Finance Agency by December 12, 2003, no later than 12:30 p.m.

Applications should be submitted as follows:

Minnesota Housing Finance Agency  
Attn: Pacyinz Lyfoung  
400 Sibley Street, Suite 300  
Saint Paul, MN 55101-1998

Direct questions to Pacyinz Lyfoung by **e-mail** at [pacyinz.lyfoung@state.mn.us](mailto:pacyinz.lyfoung@state.mn.us), or by **phone** at (651) 296-9825. You may also view a copy of this Request for Proposals on the MHFA website at [www.mhfa.state.mn.us](http://www.mhfa.state.mn.us).

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\*There is some slight flexibility in the contract amount: proposals which demonstrate that they have an outstanding concept requiring a larger contract amount will be reviewed and can possibly be selected, upon further negotiations and within the FHIC budget constraints.

## State Contracts

**Informal Solicitations:** Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) website. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD website at [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us) for informal solicitation announcements.

**Formal Solicitations:** Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

## Administration Department

### *State Register*

#### ON-LINE Subscriptions Available

Don't waste time or your company's money. Get the *State Register* E-MAILED to you the afternoon it is published, on Friday, so you can be ready with your phone calls on Monday morning. You will also receive TWO EXTRAS free:

#1 - A current log of contracts, grants and loans, as well as non-state contracts, helps you locate contracts to bid on.

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Subscriptions are \$180 for an entire year (less than \$3.50 per issue), that's \$80 LESS than the cover price. Service, speed, accuracy, and on-time delivery with the *State Register* ON-LINE. Order today by calling (651) 297-8774 and charge your credit card, or E-mail: [jessie.rahmeyer@state.mn.us](mailto:jessie.rahmeyer@state.mn.us) for more information.

You can also FAX your credit card information: (651) 297-8260; or send in your check or credit card information to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155.

## Minnesota Department of Health

### Health Policy and Systems Compliance Division

#### Notice of Intent to Adopt Exempt Rules Regarding a Manual for Completion of the CMS 1500 Paper Health Insurance Claim Form; Per *Minnesota Statutes*, section 62J.52, Subdivision 2, paragraph (b)

**Introduction.** Notice is hereby given that the Minnesota Department of Health (MDH) is seeking information or opinions from outside sources on a manual for completion of the CMS 1500 paper health insurance claim form; as developed by the Administrative Uniformity Committee (AUC) and its Data Definitions Technical Advisory Group. The CMS 1500 form was developed by the Centers for Medicare and Medicaid. The manual is a description of the conventions for completing the CMS 1500 paper claim form.

**Contact Person.** MDH requests information and opinions concerning the applicability and functionality of the manual. Interested persons or groups may submit data or views in writing. Written statements should be addressed to Tracy Johnson, MDH, P.O. Box 64975, St. Paul, MN 55164-0975, Internet at [tracy.l.johnson@health.state.mn.us](mailto:tracy.l.johnson@health.state.mn.us) or **FAX:** (651) 282-5628.

**Description of the Rules.** *Minnesota Statutes*, section 62J.52 outlines the advantages of uniform billing formats to participants in the health care system. Further, the statute requires participants in the health care system to use the CMS 1500 billing form for physician and allied provider claims. Under *Minnesota Statutes*, section 62J.61, the Commissioner of Health is exempt from chapter 14, including section 14.386, in implementing sections 62J.50 to 62J.54, subdivision 3, and 62J.56 to 62J.59. Because the Commissioner of Health has determined that it is unduly cumbersome to publish the entire text of the proposed rules, the Commissioner of Health is publishing this notice of the proposed rules with a detailed description.

**Public Review Process.** MDH will provide free copies of the draft manual in paper or electronic PDF format to persons and organizations interested in reviewing them against their current data requirements. The draft manual will be available as of Monday, November 24, 2003. **Comments and suggestions for improvements on this document will be accepted at the above address until Wednesday, December 24, 2003.** After the Commissioner of Health has considered all comments received, the Commissioner will publish a notice of adoption in the *State Register*. The rules will take effect 30 days after that.

**How to Obtain the Manual for Completion of the CMS 1500 Form Document.** A free copy of the proposed rules is available upon request. Persons who wish to obtain a paper copy should call Tracy Johnson at MDH, (651) 282-5650, or FAX a request to (651) 282-5628 or write at the address above. The document will also be available for downloading on the World Wide Web at <http://www.mmaonline.net/auc>.

Dated: November 17, 2003

Dianne M. Mandernach, Commissioner  
Department of Health

## Minnesota Historical Society

### Notice of Request for Bids for Printing Services - *Twin Cities Then and Now*

The Minnesota Historical Society (Society) is seeking bids from qualified firms and individuals for printing of 6,000 books, titled *Twin Cities Then & Now*, (also requesting quotes for additional 500's). A delivery date of January 31, 2004 at Chicago Distribution Center must be guaranteed.

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

Bids must be received no later than 2:00 p.m., Local Time, December 9, 2003. No later bids will be accepted.

Dated: 24 November 2003

## Minnesota State Retirement System (MSRS)

### Notice of Intent to Request a Proposal for Record Keeping for the Health Care Savings Plan (HCSP)

The record keeper will maintain investments for monthly valued funds and all records for plan participants and their monies. Additionally, semi-annual statements will be provided to participants along with management reports to the plan administration. Online data will be available for participants as well as fund transfers electronically. Fund disbursement will be triggered by MSRS staff and fund payments forwarded from the record keeper. All participant records and monies held under the HCSP will be kept with one record keeping vendor.

A written request by direct mail or fax is required to receive the complete "Request for Proposal of the Health Care Savings Plan (HCSP)" which can be obtained from the:

Ronald Schweitzer, Assistant Director  
Minnesota State Retirement System  
60 Empire Drive, Suite 300  
St. Paul, MN 55103  
**Phone:** (651) 296-1519  
**Fax:** (651) 297-5238  
**Email:** [Ronald.Schweitzer@state.mn.us](mailto:Ronald.Schweitzer@state.mn.us)

**Fifteen copies of the Final Proposal must be submitted by: 3:00 p.m. Wednesday, January 7, 2004.**

We will not consider: faxed, e-mailed, or late proposals.

## Minnesota Supreme Court

### Office of the State Court Administrator

### Request For Proposals for Identifying Cost Effective Ways to Enhance Collection of Court-Imposed Fines, Charges, Co-payments and Restitution

The State Court Administrator is authorized by *Minnesota Statute* 480.15, subdivision 2, to "examine the administrative methods and systems employed in the offices of ... court administrators ... and make recommendations--through the Chief Justice--for the improvement of the same." The Minnesota Courts collect approximately \$130 million dollars each year. These funds are distributed to municipal, county, state entities and private entities and individuals. The State Court Administrator is seeking assistance in identifying cost effective ways to enhance the collection of court-imposed fines, surcharges, co-payments and restitution.

The goals of the project are to:

# State Contracts

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- a) maximize the efforts of court staff in the process of collecting fines, surcharges, co-payments and restitution through streamlined procedures, more effective utilization of existing state resources in other agencies or private collection entities,
- b) reduce the collection time from imposition to payment,
- c) develop administrative procedures which would reduce the necessity for court hearings to enforce court judgments,
- d) improve the collection rate, i.e. the amount collected relative to the amount imposed, and
- e) propose performance measures for the collection process.

Inquiries regarding proposals should be directed to:

Bruce Biser  
Director of Finance  
110 Minnesota Judicial Center  
25 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, Minnesota 55155  
(651) 215-0044

**Proposal Submission Deadline: December 5, 2003 at 4:30 p.m. Central Standard Time**

## Department of Transportation

### Program Support Group

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

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

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

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available at this time. Following the advertisement of 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 North, Mail Stop 680  
St. Paul, MN 55155

Note: DUE DATE: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

## Department of Transportation

### Engineering Services Division

#### Notice Concerning Professional/Technical Contract Opportunities

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

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.



## Non-State Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of 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 Retail Concessions at the Uptown Transit Station Contract Number 03R027

The Metropolitan Council is requesting proposals for retail concessions at the Uptown Transit Station. This will result in a revenue contract.

<i>Issue Request for Proposals</i>	<b>November 17, 2003</b>
<i>Receive Proposals</i>	<b>December 22, 2003</b>
<i>Contract negotiated, executed, NTP</i>	<b>February, 2004</b>

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

Harriet Simmons, Senior Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
230 East Fifth Street  
Mears Park Centre  
St. Paul, MN 55101  
**PHONE:** (651) 602-1068  
**FAX:** (651) 602-1138  
**e-mail:** [harriet.simmons@metc.state.mn.us](mailto:harriet.simmons@metc.state.mn.us)

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

### Metropolitan Council

#### Notice of Request for Proposals (RFP) for Engineering Services for Northwest Interceptor Improvements

##### Contract 03P116

The Metropolitan Council is requesting proposals from professional engineering firms to assist the Council with updating the Regional Wastewater System Plan for the Northwest Metro Area; and to provide coordinated, integrated facility plans for three proposed capital improvement projects.

System Plan analysis will include determining the needed improvements to the Council's northwest area interceptors and downstream interceptors in order to serve the long-term regional growth. Also, additional analysis is required to assist the Council with determining the long-term extent of the Metropolitan Wastewater Treatment Plant Service Area and recommending additional wastewater treatment plants for the long-term future.

Facility Plans will include, among other things, proposed capacity, size, alignment, location and cost of improvements to the Champlin-Anoka-Brooklyn Park (CAB) and 4-BP-541 Interceptor Systems; replacement of the Brooklyn Park Lift Station (L-32); and replacement of the Coon Rapids Lift Station (L-43).

The anticipated schedule for this project is as follows:

<i>Issue Request for Proposals:</i>	<b>November 24, 2003</b>
<i>Proposals Due:</i>	<b>December 23, 2003</b>
<i>Award Contract:</i>	<b>February 2004</b>

# Non-State Contracts & Grants

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All firms interested in being considered for this project and desiring to receive an RFP package are invited to submit a written request for the RFP to:

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

**NOTE:** The RFP is **NOT** available in electronic form.

## University of Minnesota

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

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

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 the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.

## University of Minnesota

### Request for Proposal for Design/Build Services for the Student Housing Sprinkler Project

#### I. NOTICE OF REQUEST FOR PROPOSAL

The University of Minnesota, Duluth is requesting proposals for Design / Build services for the Student Housing Sprinkler Project. This project is being completed to meet the University's strategic mission of having all student housing units sprinkled with new fire alarm systems by 2005.

#### Project Summary

The University of Minnesota, Duluth has been required to sprinkle the balance of the student housing buildings on campus by the start of the academic school year (September) in 2005. In addition to sprinklers, all fire alarm systems will be upgraded to meet current codes. The fire suppression and detection systems will be upgraded in the following housing units as part of this Request for Proposal:

#### Anticipated Construction Schedule

<i>Griggs Hall (P, Q, R &amp; S) - Approx. 114,150 Square Feet</i>	Summer 2004
<i>Burntside Hall - Approx. 22,863 Square Feet</i>	Summer 2004
<i>Balsam Hall - Approx. 23,754 Square Feet</i>	Summer 2004
<i>Goldfine Hall (A) - Approx. 23,754 Square Feet</i>	Summer 2004
<i>Griggs Hall (A-D, K-H) - Approx. 70,020 Square Feet</i>	Summer 2005
<i>Cuyuna Hall - Approx. 19,827 Square Feet</i>	Summer 2005
<i>Mesabi Hall - Approx. 19,827 Square Feet</i>	Summer 2005
<i>*Stadium Apartments 1530 - Approx. 29,250 Square Feet</i>	Summer 2005
<i>*Stadium Apartments 1430 - Approx. 29,250 Square Feet</i>	Summer 2005

Stadium Apartments 1530 and 1430 are currently being evaluated to determine if these apartments will continue to operate. They are included as part of this scope of work and are tentatively scheduled for upgrades summer of 2005.

**Please Note:** These schedules are tentative; the successful design build team will work with the University schedule constraints to best meet the needs of the student and housing office schedules.

E-mail or call your request for the full RFP, which will be sent free of charge to interested vendors.

## II. CONTACT FOR RFP INQUIRIES:

Refer questions to:

**PURCHASING SERVICES:**

Chip Foster

Facilities Management

400 Donhowe Building

319 15th Ave. SE

Minneapolis, MN 55455-1082

**E-Mail:** [fosterc@facm.umn.edu](mailto:fosterc@facm.umn.edu)

**Phone:** (612) 626-8757

**FAX:** (612) 624-5796

## III. TENTATIVE SCHEDULE OF EVENTS

Be advised that these dates are subject to change, as University officials deem necessary.

<i>RFP Document Issued</i>	<b>Monday, November 17, 2003</b>
<i>Mandatory Pre-Proposal Meeting/Site visit at 10:00 AM @ the Darland Administration Lobby at UMD</i>	<b>Monday, December 1, 2003</b>
<i>All Questions/Inquiries deadline at 1:00PM CST</i>	<b>Friday, December 5, 2003</b>
<i>RFP Response Due at 1:00 PM CST</i>	<b>Thursday, December 11, 2003</b>
<i>Tentative Evaluation and Selection of Short-listed Finalists</i>	<b>Tuesday, December 16, 2003</b>
<i>Tentative Interview/Presentations date</i>	<b>Friday, December 19, 2003</b>
<i>Tentative Award Decision/Notification to Proposers</i>	<b>Tuesday December 23, 2003</b>
<i>Substantial Project Completion Date</i>	<b>August 15, 2005</b>

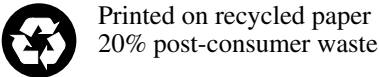
The University reserves the right, in its sole discretion, to reject any and all proposals, accept any proposal, waive informalities in proposals submitted, and waive minor discrepancies between a proposal and these proposal instructions, as it deems to be in its best interest. Any waiver of the University with respect to the requirements of these proposal instructions shall apply only to the particular instance for which it was made or given, and no such waiver shall constitute a permanent or future waiver of such requirements.



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