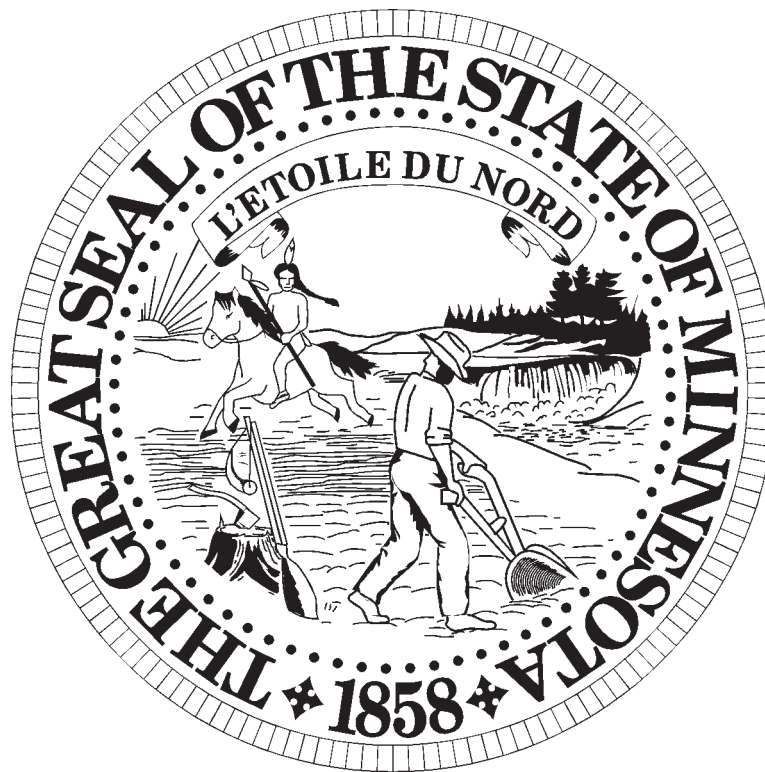


State of Minnesota

State Register



Rules and Official Notices Edition

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State Register

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

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
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Vol. 29	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
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#19	Monday 8 November	Noon Tuesday 2 November		Noon Wednesday 27 October
#20	Monday 15 November	Noon Tuesday 9 November		Noon Wednesday 3 November
#21	Monday 22 November	Noon Tuesday 16 November		Noon Wednesday 10 November
#22	Monday 29 November	NOON MONDAY 22 NOVEMBER		Noon Wednesday 17 November

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

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

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

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

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

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

Department of Natural Resources

Commissioner's Scientific and Natural Area Order No. 179: Rock Ridge Prairie Scientific and Natural Area

WHEREAS, certain lands in Cottonwood County, Minnesota, described as:

The South 1900 feet of the Southeast Quarter (SE1/4), the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4), the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4), the South 135 feet of the Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4) and the South 135 feet of the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4), ALL IN Section Five (5), Township One Hundred Seven (107) North, Range Thirty-five (35) West.

Containing 203.4 acres, more or less, are under the control and possession of the Department of Natural Resources; and

WHEREAS, such lands contain habitat for rare plant species including Prairie Bush Clover (*Lespedeza leptostachya*), Buffalo Grass (*Buchloe dactyloides*), Carolina Foxtail (*Alopecurus carolinianus*), Tumble Grass (*Schedonnardus paniculatus*) and mesic prairie (sw), Crystalline bedrock subtype; and **WHEREAS**, the most effective means by which such lands can be protected and perpetuated in their natural state and used for educational and research purposes in such a manner as will leave them conserved for future generations is by designation as a Scientific and Natural Area;

NOW THEREFORE, I, Gene Merriam, Commissioner of Natural Resources, pursuant to authority vested in me by *Minnesota Statutes* §§ 84.033, 86A.05, subd. 5, 97A.093, and other applicable laws, do hereby designate the above-described lands as the Rock Ridge prairie Scientific and Natural Area. Furthermore, the area is designated as a Public Use unit, open to the public for nature observation and general educational and research activities.

IT IS FURTHER ORDERED that the provisions of *Minnesota Rules* 6136.0100 through 6136.0600 shall apply to the above-designated area.

Dated at St. Paul, Minnesota, this 21st day of May, 2004.

GENE MERRIAM,
Commissioner Department of Natural Resources

APPROVED AS TO FORM AND EXECUTION:

MIKE HATCH, Attorney General

By: JERILYN AUNE HANOLD, Assistant Attorney General

Department of Natural Resources

Commissioner's Scientific and Natural Area Order No. 180: Pine Bend Bluff Scientific and Natural Area

WHEREAS, certain lands in Dakota County, Minnesota, described as:

The Southeast Quarter of the Northeast Quarter of Section 34, Township 27 North, Range 22 West, subject to the flowage rights in the United States of America acquired by condemnation proceedings.

ALSO

The Northeast Quarter of the Southeast Quarter of Section 34, Township 27 North, Range 22 West, except the westerly 600 feet thereof.

ALSO

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The easterly 150 feet of the Southwest Quarter of the Northeast Quarter of Section 34, Township 27 North, Range 22 West.

ALSO

The Northwest Quarter of the Northeast Quarter of Section 34, Township 27 North, Range 22 West, EXCEPT CHESLEY ADDITION, according to the plat on file and of record in the Office of the Recorder for Dakota County, Minnesota, ALSO EXCEPTING the following described parcel:

A strip of land 33 feet wide across said Northwest Quarter of the Northeast Quarter the center line is described as follow: Beginning at a point 683.5 feet South of the quarter corner between Sections 27 and 34, Township 27 North, Range 22 West, said point being on the East right-of-way line of Trunk Highway No. 55 (formerly No. 53) and running thence east a distance of 80 rods and there terminating on the east line of said Northwest Quarter of the Northeast Quarter.

ALSO

Government Lot 9 of Section 35, Township 27 North, Range 22 West, excepting therefrom the following described tract:

Beginning at the southwest corner of said Government Lot 9 and running thence North 24 rods; thence East 20 rods; thence South 24 rods; thence West 20 rods to the point of beginning.

ALSO

That part of the Southwest Quarter of the Southeast Quarter and that part of Southeast Quarter of the Southwest Quarter of Section 27, Township 27 North, Range 22 West, Dakota County, Minnesota, lying easterly of State Trunk Highways Number 52 and 56.

Subject to a Life Estate retained by the Grantor described as follows:

Commencing at the south quarter corner of said Section 27, from which the southwest corner of said Section 27 bears North 89 degrees 40 minutes 20 seconds West (bearing based on the 1983 Dakota County Coordinate System 1986 adjustment) 2640.90 feet; thence North 33 degrees 19 minutes 59 seconds West 434.69 feet to the easterly right of way of U.S. Trunk Highways Number 52 and 56 and a $\frac{3}{4}$ inch by 24 inch rebar with a plastic cap stamped "MN DNR LS 17003" (DNR MON) and the point of beginning; thence North 38 degrees 43 minutes 57 seconds East 164.65 feet to a DNR MON; thence North 13 degrees 48 minutes 37 seconds East 309.33 feet to a DNR MON; thence North 62 degrees 37 minutes 00 seconds East 104.71 feet to a DNR MON; thence North 26 degrees 15 minutes 18 seconds West 247.80 feet to a DNR MON; thence South 63 degrees 44 minutes 42 seconds West 347.93 feet to the easterly right of way of U.S. Trunk Highways Number 52 and 56 and a DNR MON; thence South 19 degrees 56 minutes 58 seconds East along said easterly right of way 290.45 feet; thence South 70 degrees 03 minutes 02 seconds West along said easterly right of way 75.00 feet; thence South 19 degrees 56 minutes 58 seconds East along said easterly right of way 76.23 feet; thence southeasterly along said easterly right of way on a tangential curve concave to the southwest, having a radius of 5802.59 feet, central angle 01 degree 14 minutes 16 seconds, a distance of 125.36 feet; thence North 71 degrees 17 minutes 18 seconds East along said easterly right of way radially to said curve 35.00 feet; thence southeasterly along said easterly right of way on a non-tangential curve concave to the southwest, having a radius of 5837.59 feet, central angle 00 degrees 42 minutes 11 seconds, a distance of 71.63 feet, chord bears South 18 degrees 21 minutes 37 seconds East to the point of beginning; containing 3.54 acres.

ALSO

That part of Government Lot One (1), Section 34, Township 27 North, Range 22 West, Dakota County, Minnesota, according to the Government Survey thereof, lying South of the following described line:

Commencing at the point on the West Line of said Government Lot One (1) where the center line of the town road (111th Street East, Town of Inver Grove Height) intersects said West line, thence easterly parallel with the North line of said Government Lot One (1) to the east line thereof, and said line there terminating.

The above conveyance contains 184 acres, more or less, are under the control and possession of the Department of Natural Resources.

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ALSO

The Southeast Quarter of the Northeast Quarter of Section 27, Township 27 North, Range 22 West.

The above parcel contains 39 acres, more or less, and is in the process of being acquired.

WHEREAS, such lands contain habitat for rare plant species including James Polanisia (*Polanisia jamesii*) and Kitten Tails (*Besseyia bullii*), as well as mature stands of mesic oak forest along with dry prairies on south facing bluffs; and

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

NOW THEREFORE, I, Gene Merriam, Commissioner of Natural Resources, pursuant to authority vested in me by *Minnesota Statutes* Sec. 84.033, 86A.05, subd. 5, 97A.093, and other applicable laws, do hereby designate the above-described lands as Pine Bend Bluffs Scientific and Natural Area for all acquired lands and to include upon acquisition the above referenced parcel.

Furthermore, the Pine Bend Bluffs Scientific and Natural Area is designated as a Public Use unit, open to the public for nature observation and general educational and research activities.

IT IS FURTHER ORDERED that the provisions of *Minnesota Rules* 6136.0100 through 6136.0600 shall apply to the above-designated area,

EXCEPT as follows:

An Easement for trail purposes will be allowed on:

Those parts of the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter, Section 27 and that part of the Northwest Quarter of the Northeast Quarter, Section 34, all in Township 27 North, Range 22 West, Dakota County, Minnesota, being a strip of land 33.00 feet in width, lying adjacent to and easterly of the following described line:

Commencing at the northeast corner of said Southeast Quarter of the Southwest Quarter; thence on an assumed bearing of North 89 degrees 55 minutes West, a distance of 70 feet along the north line of said Southeast Quarter of the Southwest Quarter to the POINT OF BEGINNING; thence southeasterly a distance of 113 feet along a non-tangential curve concave to the southwest having a radius of 108.5 feet, a central angle of 59 degrees 29 minutes 58 seconds, and a chord which bears South 30 degrees 02 minutes East; thence South 00 degree 17 minutes East, a distance of 315 feet; thence southeasterly a distance of 339 feet along a tangential curve concave to the northeast having a radius of 316.5 feet and a central angle of 61 degrees 20 minutes 54 seconds; thence South 61 degrees 38 minutes East, a distance of 335 feet; thence southeasterly a distance of 789 feet along a tangential curve concave to the southwest having a radius of 983.5 feet and a central angle of 45 degrees 57 minutes 52 seconds; thence South 15 degrees 40 minutes East, a distance of 567 feet to the north line of the plat of CHESLEY ADDITION, according to the plat on file and of record in the office of the Recorder for Dakota County and there terminating.

And on:

The west 33 feet of the east 150 feet of the north 820 feet of the Southwest Quarter of the Northeast Quarter of Section 34, Township 27 North, Range 22 West, Dakota County, Minnesota.

A Trail Head facility will be allowed on:

Those parts of the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter, Section 27, Township 27 North, Range 22 West, Dakota County, Minnesota, bounded by the following described lines:

Commencing at the northeast corner of said Southeast Quarter of the Southwest Quarter; thence on an assumed bearing of North 89 degrees 55 minutes West, a distance of 70 feet along the north line of said Southeast Quarter of the Southwest Quarter; thence southeasterly

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a distance of 113 feet along a non-tangential curve concave to the southwest having a radius of 108.5 feet, a central angle of 59 degrees 29 minutes 58 seconds, and a chord which bears South 30 degrees 02 minutes East; thence South 00 degree 17 minutes East, a distance of 89 feet to the POINT OF BEGINNING; thence South 89 degrees 53 minutes West, a distance of 103 feet; thence South 63 degrees 45 minutes West, a distance of 198 feet; thence South 00 degrees 00 minutes East, a distance of 200 feet; thence South 31 degrees 56 minutes East, a distance of 248 feet; thence South 17 degrees 08 minutes West, a distance of 68 feet; thence southwesterly a distance of 115 feet along a tangential curve concave to the northwest having a radius of 250.00 feet and a central angle of 26 degrees 18 minutes 36 seconds; thence South 43 degrees 27 minutes West, a distance of 72 feet to the easterly right-of-way of U.S. Trunk Highways Number 52 and 56; thence South 19 degrees 34 minutes East, a distance of 13 feet along said right-of-way; thence North 71 degrees 17 minutes East, a distance of 35 feet along said right-of-way; thence South 18 degrees 14 minutes East, a distance of 82 feet along said right-of-way; thence North 43 degrees 27 minutes East, a distance of 86 feet; thence northeasterly a distance of 161 feet along a tangential curve concave to the northwest having a radius of 350.00 feet and a central angle of 26 degrees 18 minutes 36 seconds; thence North 17 degrees 08 minutes East, a distance of 215 feet; thence North 90 degrees 00 minutes East, a distance of 56 feet to the easterly right of way line of the above described 33 foot wide trail easement; thence northerly, along said easterly trail right-of-way line, a distance of 169 feet along a non-tangential curve concave to the east having a radius of 316.5 feet, a central angle of 30 degrees 33 minutes 20 seconds, and a chord which bears North 15 degrees 33 minutes West; thence North 00 degrees 17 minutes West, a distance of 226 feet along said easterly trail right-of-way line to the point of beginning.

Dated at St. Paul, Minnesota, this 6th day of October, 2004.

GENE MERRIAM,
Commissioner Department of Natural Resources

Department of Natural Resources

Commissioner's Scientific and Natural Area Order No. 181: Quarry Park Scientific and Natural Area, Superseding Scientific and Natural Area Order No 169

WHEREAS, certain lands in Stearns County, Minnesota, described as:

Part of the West Half of the Northeast Quarter (W 1/2 NE 1/4) and the Northwest Quarter (NW 1/4) of Section Twenty-nine (29), Township One Hundred Twenty-four (124) North, Range Twenty-eight (28) West, Stearns County, Minnesota, described as follows:

Beginning at the north quarter corner of said Section 29; thence North 89 degrees 52 minutes 04 seconds East, Stearns County Coordinate System, NAD83, grid bearing, along the north line of said West Half of the Northeast Quarter, 192.39 feet; thence South 00 degrees 45 minutes 15 seconds East, 685.71 feet; thence South 52 degrees 41 minutes 36 seconds West, 247.05 feet; thence South 56 degrees 00 minutes 58 seconds West, 211.76 feet; thence South 60 degrees 50 minutes 31 seconds West, 313.95 feet; thence South 00 degrees 15 minutes 54 seconds East, parallel to the east line of said Northwest Quarter, 586.50 feet to the north line of a tract of land described in deed document No. 786879; thence North 89 degrees 55 minutes 38 seconds West, along the north line of said tract, 650.05 feet; thence South 00 degrees 15 minutes 54 seconds East, parallel to the east line of said Northwest Quarter and along the west line of said tract, 950.00 feet to the south line of the Northwest Quarter; thence North 89 degrees 55 minutes 38 seconds West, along the said south line of the Northwest Quarter, 1559.82 feet to the west quarter corner of said Section 29; thence North 00 degrees 01 minutes 51 seconds West along the west line of said Northwest Quarter, 2639.73 feet to the northwest corner of said Section 29; thence North 89 degrees 59 minutes 42 seconds East along the north line of said Northwest Quarter, 2649.03 feet to the point of beginning and there terminating,

together with a perpetual non-exclusive easement for the purposes of ingress and egress over and across part of the Northeast Quarter (NE 1/4) of Section Twenty-nine (29), Township One Hundred Twenty-four (124) North, Range Twenty-eight (28) West, Stearns County, Minnesota, described as the northerly 66 feet of said Northeast Quarter as measured at right angles to the north line of said Northeast Quarter, being bounded on the East by the westerly boundary line of State Highway Right-of-Way Plat No. 73-9, according to the

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recorded plat thereof and on the West by the easterly line of the above described tract.

AND

The Southeast Quarter of the Northeast Quarter (SE/4 NE 1/4) of Section Thirty (30), Township One Hundred Twenty-four (124) North, Range Twenty-eight (28) West.

AND

The East Half of the West Half of the Northeast Quarter (E 1/2 W 1/2 NE 1/4) of Section Thirty (30), Township One Hundred Twenty-four (124) North, Range Twenty-eight (28) West, according to the United States Government Survey thereof, Stearns County, Minnesota, except the North 660 feet thereof.

AND

The East Three-Fourths (3/4) of the North half of the Southeast Quarter (N1/2 SE 1/4) of Section Thirty (30), Township One Hundred Twenty-four (124) North, Range Twenty-eight (28) West,

together with a nonexclusive easement for ingress and egress over the North 66 feet of the Southwest Quarter (SW 1/4) and over the North 66 feet of the West Half of the Northwest Quarter of the Southeast Quarter (W 1/2 NW 1/4 SE 1/4) of Section Thirty (30), Township One Hundred Twenty-four (124) North, Range Twenty-eight (28) West.

AND

The Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) and the East Half of the Southwest Quarter of the Southeast Quarter (E1/2 SW1/4 SE1/4) of Section Thirty (30), Township One Hundred Twenty-four (124) North, Range Twenty-eight (28) West,

containing 323 acres, more or less, are encumbered by a Conservation Easement held by the State of Minnesota, through its Department of Natural Resources; and

WHEREAS, such lands contain habitat for rare plant species including Tubercled rein-orchid (*Platanthera flava* var. *herbiola*), Red-shouldered hawk (*Buteo lineatus*), Acadian flycatcher (*Empidonax vireescens*), and granite bedrock outcrop, wet meadow, wet prairie, oak woodland and oak forest communities; and

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

NOW THEREFORE, I, Gene Merriam, Commissioner of Natural Resources, pursuant to authority vested in me by *Minnesota Statutes* §§ 84.033, 86A.05, subd. 5, 97A.093, and other applicable laws, do hereby designate the above-described lands as the Quarry Park Scientific and Natural COMMISSIONER'S SCIENTIFIC AND NATURAL AREA ORDER NO. 181 Area. Furthermore, the area is designated as a Public Use unit, open to the public for nature observation and general educational and research activities.

IT IS FURTHER ORDERED that the provisions of *Minnesota Rules* 6136.0100 through 6136.0600 shall apply to the above-designated area.

Dated at St. Paul, Minnesota, this 21st day of May, 2004.

GENE MERRIAM,
Commissioner
Department of Natural Resources

APPROVED AS TO FORM AND EXECUTION:

MIKE HATCH Attorney General

By: JERILYN AUNE HANOLD

Assistant Attorney General

Revenue Notices

The Department of Revenue began issuing Revenue Notices in July of 1991. Revenue Notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue Revenue Notices is found in *Minnesota Statutes*, Section 270.0604.

Department of Revenue

Modification of Revenue Notice # 94-12: MinnesotaCare – Who Is The Taxpayer?

Under the MinnesotaCare law, a tax is imposed on the gross receipts received by hospitals, surgical centers, and health care providers for patient services they provide (“providers”). The tax liability is imposed on the entity that has the legal right to these receipts. Generally, this means that the entity receiving the payment for the services from the patient or ~~another consumer~~ third party payer is the taxpayer. ~~There are some exceptions:~~

When the provider who receives payment from the patient or third party payer reimburses another provider for patient services provided, the first provider pays the tax and the payment to the second provider is excluded from the second provider’s taxable revenues under *Minnesota Statutes*, section 295.53, subdivision 1(a)(3) and (4) since each transaction is subject to tax only once (i.e., there is no pyramiding of the tax).

It is NOT up to the providers to choose whether the first or second provider will pay the tax. Even if a contract between the two providers states that the second provider is responsible for the tax and the first provider will reimburse the second provider for the expense of the tax, it is the department’s position that the first provider is the party responsible for the tax. The only instances where the first provider receiving the payment is not responsible for the tax occur when one of the following conditions is met:

1. ~~When~~The entity receiving the payment (or its equivalent in services) from the patient or consumer third party payer is not a hospital, surgical center or health care provider under *Minnesota Statutes*, section 295.50 (e.g., a business that contracts with outside providers to provide patient services to its employees as part of the employees’ benefits, a nursing home), the tax liability falls on the provider who provides the patient services rather than the entity that receives the payment or its equivalent;

2. ~~When~~The person who entity receiving the payment from the patient or consumer third party payer serves merely as a billing/collection agency. The receipts are taxable to the provider who is legally entitled to these receipts, not the ~~person~~ entity that who acts as an agent, even if that ~~person~~ entity is a provider. The provider who is legally entitled to the receipts is the provider who bears the risk of loss in case payment for the service is not collected; or

3. ~~When~~Under the law,The payments received by the first provider are excluded from his/her taxable receipts tax under *Minnesota Statutes*, Section 295.53, subdivision 1(a), items (1) through (14), or subdivision 2, item (1). The next provider who is paid by that provider is responsible for payment of the tax (e.g., an independent contractor nurse who receives payments from a home health agency is responsible for the tax).

~~When two providers deal with the same patient and the first provider reimburses the second provider for services to the patient the first provider pays the tax and the payment to the second provider is excluded from the second provider’s taxable revenues since each transaction is subject to tax only once (i.e., no pyramiding of the tax burden).~~

When Providers That Are Part Of A Larger Corporate Entity

~~In case of~~Health care providers, defined under *Minnesota Statutes*, Section 295.50, subdivision 4, that are part of a larger the legal entity is are responsible for payment of the tax, similar to the way it ~~the entity~~ the entity pays its other business taxes (e.g., if the provider pays the payroll withholding taxes as a corporate entity, it is required to pay the MinnesotaCare tax as a corporation; if each facility pays its withholding tax separately, the facility is required to pay the MinnesotaCare tax separately). Hospitals and surgical centers that are part of a larger business entity report and pay separately (e.g. each hospital pays the tax independently).

Payments For Administrative Services

Gross revenues received for patient services include the total payments collected as a result of the sale of such services. The tax on payments for patient services includes payments for administrative services such as:

- (1) Payments for administrative services that are made separately from payment for patient services;

State Contracts

(2) Payments for administrative services received by a provider who provides patient services as well as refers patients to other providers; and

(3) Payments for administrative services, even when some of the patient services provided by the entity are exempt from tax.

When an entity is both a provider and a third party administrator licensed under *Minnesota Statutes*, section 60A.23, subdivision 8 (3), payments the entity receives for the services it provides in its capacity as a third party administrator are not subject to tax.

Gross revenues for patient services do not include payments for unrelated services, such as gift shop, parking lot, or cafeteria.

Examples

1. Provider A receives capitation payments from an insurer. These payments are for patient services provided by Provider A as well as for patient services provided by Provider B who is under contract with Provider A to provide patient services. Provider A compensates Provider B for patient services provided and retains a portion of the payment as payment for the administrative services Provider A provided. Under the contract, Provider A reimburses Provider B for the expense of the tax and Provider B is required to pay the MinnesotaCare tax. Provider A is not licensed as a third party administrator.

Provider A is responsible for the tax on the total amount received from the insurer and Provider B may exclude from its taxable receipts the payments received from Provider A.

2. A referral agency that does not employ providers, contracts with an insurance company to provide patient services to its enrollees. The agency contracts with a physician to provide these patient services.

The referral agency is not responsible for the tax since it does not qualify as a provider. The physician is responsible for the tax on the amount received from the referral agency.

3. A nurse is employed by a clinic and provides patient services to the clinic's patients.

The clinic is the taxpayer since it has the legal right to these payments*.

4. A college employs health care providers who provide patient services to the students. The college also contracts with an outside lab to provide lab services to the students. The students pay the college, and the lab bills the college for the services it provides.

The college is the taxpayer since it is a health care provider providing patient services; the lab may exclude the payment from the college from its taxable receipts.

5. An employer provides patient services to its employees by contracting with an outside clinic to provide the services. The employer does not employ any health care providers who provide patient services.

The clinic is the taxpayer since the employer does not meet the definition of a health care provider*.

~~*A business employs a nurse to provide health care services to its employees. This service is part of the employees' benefits. The employer is the taxpayer; the tax is imposed on the amount allocated to these services in the budget;~~

6. A physician works at a hospital on weekends as an independent contractor. The hospital pays the physician regardless of whether the patients pay for the physician's services.

The hospital is the taxpayer. The physician may exclude the payment from the hospital from her taxable receipts*.

7. A staff model HMO contracts with a physician to provide services to enrollees of the HMO*.

Under the law, staff model HMOs may deduct payments to providers that are not employed by the HMO. The physician is responsible for payment of the tax.

State Contracts

8. A provider receives payments under the Medicare program as well as payments from another insurance company for patient services and for administrative services. The provider is not licensed as a third party administrator.

The payments received under the Medicare program are exempt. All other payments are taxable. The provider is not allowed to deduct any portion of the payment received from the insurance company for administrative services since the payment under the Medicare program reimburses the provider for both the patient service component as well as the administrative service component of the Medicare service provided.

9. A billing agency collects payments for patient services provided by a physician; the agency deducts an administrative fee before transferring the payment to the physician.

The physician is responsible for payment of the tax on the total amount received by the billing agency, including the administrative fee that is kept by the agency.

10. An ambulance service transports a patient to the hospital; the hospital treats the patient; it bills the patient for its service and, according to an agreement with the ambulance service, it bills the patient for the ambulance services as well. The hospital reimburses the ambulance service only if the patient pays for the service (i.e., this ambulance service bears the risk of loss of the payment if the patient does not pay for the ambulance services).

The ambulance is the taxpayer for the portion of payment that represents the ambulance service; the payment for the services provided by the hospital is taxable to the hospital.

* Nursing homes are excluded from the definition of a health care provider (i.e., they are not subject to the MinnesotaCare tax); a physical therapist provides services to residents of the nursing home as an independent contractor; the physical therapist is the taxpayer;
* Under the law, payments received by a home health agency are excluded from the tax; the agency contracts with a nurse to provide nursing services to its patients; since the payment is not taxable to the home health agency, the nurse is responsible for payment of the tax;

Dated: June 20, 1994

Patricia A. Lien
Assistant Commissioner for Tax Policy

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 State Agricultural Society Notice of Meeting of the Board of Managers

The Board of Managers of the Minnesota State Agricultural Society will meet at 9:00 a.m. Wednesday, November 10 at the Libby Conference Center on the State Fairgrounds. The Society is the governing body of the Minnesota State Fair. The session opens with a meeting of the board's sales and planning committees, followed immediately by a general business meeting of the board. Agendas are available upon request; please phone the Minnesota State Fair at (651) 288-4400.

Minnesota State Fair 2005 will run Aug. 25 through Labor Day, Sept. 5.

Minnesota Department of Employment and Economic Development

REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Vocational Rehabilitation Services, *Minnesota Rules*, parts 3300.5010 to 3300.5060

Subject of Rules. The Minnesota Department of Employment and Economic Development requests comments on its possible amendment to rules governing vocational rehabilitation services. The Department is considering rule amendments to:

- Bring rules into conformity with federal regulations for the vocational rehabilitation program (Title 34, *Code of Federal Regulations*, Part 361);
- Lower the gross family income threshold at which customers will be expected to pay part of certain vocational rehabilitation services;
- Clarify and revise the terms and conditions for when costs are covered, how services are provided, and what products and services can be provided;

The rule amendments are necessary to incorporate revised federal-level program requirements, to ensure the financial viability of the program, and to prevent further reduction in the number of customers served.

Examples of possible amendments include:

3300.5000 Purpose and Scope

Subp. 3. Exclusion. We are considering updating the title of the agency that parts 3300.5000 to 3300.5060 do not apply to. Currently, the agency is referred to as “State Services for Blind and Visually Impaired Persons, which is an outdated title for the program. The amendment will provide proper reference to agency as “State Services for the Blind”.

3300.5010 Definitions

Subp. 3. Assessment for determining eligibility and vocational rehabilitation. We are considering updating this definition by incorporating by reference the definition of “assessment for determining eligibility and vocational rehabilitation needs” in the federal regulations, 34CFR 361.5(b)(6).

Subp. 4. Books and supplies for postsecondary training. We are considering amending this definition by specifying that “books and supplies for post secondary training means textbooks, paper, pencils, pens, small calculators, and similar items that all students are required to purchase for participation in a training program at a postsecondary institution”. Currently, the definition means “textbooks, paper, pencils, pens, small calculators, and similar items that are *usually* required for participation in a training program at a postsecondary training institution”.

Subp. 5. Commissioner. We are considering repealing this definition because there are no longer determinations or actions referenced in the rule that must be made by the commissioner.

Subp. 6. Comparable benefits. We are considering updating this definition by incorporating by reference the definition of Acomparable services and benefits@ in the federal regulations, 34 CFR 361.5(b)(10).

Subp. 7. Division. We are considering updating this definition to indicate “Agency” means the Vocational Rehabilitation program in the Department of Employment and Economic Development. The Department of Jobs and Training has been abolished.

Subp. 9. Eligible consumer. We are considering updating this definition by incorporating by reference the definition of Aeligible individual@ in the federal regulations, 34 CFR 361.5(b)(15)

Subp. 10. Employment goal. We are considering updating this definition by incorporating by reference the definition of Aemployment outcome@ in the federal regulations, 34 CFR 361.5(b)(16).

Subp. 13. Functional area.

Item A. Communication. We are considering amending this definition to define communication as “the ability to effectively give and receive information through words or concepts, such as reading, writing, speaking, listening, sign language, or other adaptive methods”. The proposed revised definition adds reading to the definition and eliminates that communication must be in spoken form.

Item E. Self-direction. We are considering amending this definition to define self direction as “the ability to independently plan, initiate, organize, or carry out goal-directed activities or solve problems related to working”. The proposed revised definition removes reference to problems with “self care, socialization and recreation” as these issues are addressed in other functional areas.

Subp. 14. Gift aid. We are considering amending this definition to indicate that awards and scholarships based on merit will not be considered “gift aid”; this change is necessary due to the federal regulations, 34 CFR 361.5(b)(10).

Subp. 16. Independent living skills training. We are considering amending this definition to clarify that the focus of “independent living skills training” is on achieving an employment outcome.

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Subp. 19. Individualized written rehabilitation program. We are considering amending this term to “individualized plan for employment” or “employment plan” for consistency with the terms used by the federal regulations and by vocational rehabilitation program staff and consumers. We are also considering incorporating by reference the federal regulations on the development, review, amendment and mandatory components of the plan, 34 CFR 361.45 and 361.46.

Subp. 24. Maintenance. We are considering amending this definition by incorporating by reference the definition of “maintenance” in the federal regulations, 34 CFR 361.5(b)35.

Subp. 28. Personal assistance services. We are considering amending this definition to add the phrase “without assistance”.

Subp. 28a. Physical and mental restoration services. We are considering amending this definition by incorporating by reference the definition of “physical and mental restoration services” in the federal regulations, 34 CFR 361.5(b)40.

Subp. 30 and Subp. 31. Post-secondary training and Post-secondary training institution. We are considering amending these definitions or adding other definitions. The current definitions may not be adequate to describe or include the increasing number of specialized training institutions and training programs offered by public, private, nonprofit and for-profit training providers.

Subp. 32 Public safety officer. We are considering repealing this definition because the legal basis for giving priority to public safety officers if all eligible individuals cannot be served has been eliminated from the federal law and regulations governing the vocational rehabilitation program.

Subp. 35. Rehabilitation counseling and guidance. We are considering amending this definition to add that rehabilitation counseling and guidance includes the process by which the rehabilitation counselor gathers and identifies supports, if needed, to assist an individual to exercise informed choice. This change is to be consistent with changes to the federal regulations regarding informed choice.

Subp. 36. Rehabilitation counselor We are considering amending this definition to add the following responsibilities of a rehabilitation counselor: 1) providing rehabilitation counseling and guidance, 2) developing and approving employment plans and amendments and 3) determining if an employment outcome is satisfactory.

Subp. 40. Serious Functional Limitation. We are considering changing the reference to “secure, retain and regain employment” to “enter, engage in or retain employment” to be consistent with the language of the federal regulations.

Subp. 41. State Rehabilitation Advisory Council. We are considering amending this term to “State Rehabilitation Council,” which is the term used in the federal regulations, for example, 34 CFR 361.16 and 34 CFR 361.17.

Subp. 44. Tuition cap. We are considering amending this term to “Tuition Fee Schedule.” We are also considering whether to change the basis for determining the dollar amount of the fee schedule for undergraduate and graduate post-secondary programs at private and out-of-state post-secondary institutions. We are considering whether that amount should continue to be based on the cost at the MnSCU institution with the highest combined cost of tuition and mandatory fees, or whether a different basis should be used. We are also considering amending the definition to clarify that we will pay no more than the resident student rate for tuition and fees at Minnesota public post-secondary institutions.

3300.5020 and 3300.5030 Order of Selection

Subpart 1. Determination of open priority categories. We are considering amending this part to indicate that decisions made regarding order of selection are made by the Director of the Vocational Rehabilitation program in the Department of Employment and Economic Development. Currently, the rule indicates these decisions are made by the Commissioner of the Department.

Subp. 5. Priority for public safety officers. We are considering repealing this definition because the legal basis for giving priority to public safety officers if all eligible individuals cannot be served has been eliminated from the federal law and regulations governing the vocational rehabilitation program.

3300.5040 Consumer Financial Participation

Subp. 1a. Consumer financial participation threshold. We are considering amending the consumer financial participation threshold level to 200 percent of the federal poverty guidelines, as adjusted for family size. Currently the threshold amount is the average of the estimated state median income and 187.5 percent of the federal poverty guidelines, adjusted for family size. The change being considered would be likely to require more consumers to pay for part or all of the cost of certain vocational rehabilitation services.

Subp. 4. Exemption from determination of degree of consumer financial participation. We are considering amending these subparts to make it clear that a consumer, who is receiving Social Security Disability Insurance or Supplemental Security Income benefits, or other benefits under Title II or Title XVI of the Social Security Act, is not required to pay any of the costs of vocational rehabilitation services. The possible amendment would also eliminate the requirement for calculating the gross family income of a consumer who is receiving Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) benefits, or other benefits under Title II or Title XVI of the Social Security Act. We believe these changes are required by the federal regulations, 34CFR 361.54(b)(3)(ii).

We also are considering updating our reference to the program “Aid to Families with Dependent Children to its current title, which is “Minnesota Family Investment Program”.

Subp. 6. Services exempted from consumer financial participation. We are considering amending this list of services so that it specifically includes “personal assistance services”. We are also considering removing “single time nonrecurring purchases of goods and services costing \$300 or less” from the list of services exempted from consumer financial participation.

Subp. 9 Variance.

We are considering updating this subpart to reflect that decisions regarding variances are made by the Director of Consumer and Staff Services or a designee. Currently, the rule indicates that decisions regarding variances are made by the Commissioner of the Department.

3300.5050 Comparable Benefits and Services

Subp. 2. Consumer responsibilities. We are considering amending item A to clarify that the consumer is not required to apply for awards and scholarships based on merit. We believe this change is required by the definition of “comparable services and benefits” in the federal regulations, 34 CFR 361.5(b)(10)(iii). We are also considering amending the last sentence in item B to clarify that a responsible repayment effort on a defaulted student loan will be deemed to be satisfied if the consumer has made six consecutive *monthly* payments. We are also considering adding a new item to specify the consumer’s responsibilities when Pell grants or other grants for post-secondary training are not available because the consumer has not repaid Pell grant funds that are owed to the post-secondary institution, or hasn’t complied with requirements necessary to be eligible for Pell grant funds after a felony drug conviction.

3300.5060 Terms and Conditions for Provision of Vocational Rehabilitation Services

Throughout this part, where necessary we are considering amending the items dealing with consumer financial participation and comparable benefits so they will be in accordance with the federal regulations. These are usually items A and B in each subpart.

Subp. 1 General conditions for provision of vocational rehabilitation services.

Item A. We are considering updating the references to the federal regulations to match the numbering of the federal regulations: 34 CFR 361.42 (assessment for determining eligibility and order of selection priority, and assessment via trial work experiences or extended evaluation); and 34 CFR 361.45(f) (assessment to determine the employment goal and the nature and scope of services to be provided).

Subp. 1a. Auxiliary aids and services for effective communication. The current legal references in this subpart are to federal regulations for the Americans with Disabilities Act. We are considering a possible amendment to add a reference to the Minnesota Human Rights Act, which also contain requirements covering auxiliary aids and services that can apply to providers of services.

Subp. 3. Computer hardware and software.

Throughout this subpart, we are considering using the term “provide” instead of “purchase” in order to make it clear that alternatives such as leasing or loaning computer hardware or software may be used to meet a consumer’s needs.

Item C. We are considering an amendment to clarify that we can provide computers if they are required by a post-secondary institution for all students or when all students in post secondary training institution are charged for a computer either as a mandatory fee or as part of tuition.

Item G. We are considering removing this item so that the \$3,000 maximum expenditure for the provision of computer hardware is removed.

We are also considering adding a new subpart to specify the terms and conditions for replacement or upgrade of computers and peripherals.

Subp. 3a Durable medical equipment. We are considering amending this subpart to state that our maximum payment for wheelchairs would not exceed the maximum payment under Minnesota Medical Assistance, which is currently 80% of the retail price. We are also considering amending this subpart to specify that our maximum payment for other durable medical equipment would not exceed the maximum payment under Minnesota Medical Assistance. We are considering these possible amendments as an appropriate cost control measure; we believe that Minnesota’s public vocational rehabilitation program should not have to pay more for wheelchairs or other durable medical equipment than the state’s Medical Assistance program.

Subp. 5. Maintenance. We are considering amending the rules on maintenance for post-secondary training to specify that when a consumer is attending an out-of-state post-secondary institution and meets the criteria for the provision of maintenance, the vocational rehabilitation program will pay no more than the actual added cost to the individual, and no more than the lowest of either a) the cost of on-campus housing, or b) the agency maintenance fee schedule.

Subp. 7 Personal assistance services. Item B currently requires consumer financial participation in the cost of personal assistance services. We are considering removing that requirement because the federal regulations, 34 CFR 361.54(b)(2)(G)(ii), prohibit requiring consumer financial participation for personal assistance services.

Item D. We are considering removing number 2 from this item which specifies that the agency will only purchase personal assistance services from a personal care attendant who is authorized by the Department of Human Services Personal Care Services Division to be independently enrolled for the purpose of providing personal care. The Department of Human Services no longer allows individuals to be independently enrolled. Therefore, we are considering specifying that the agency will purchase personal assistance

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services only from a personal care attendant who is employed by or under contract to a personal care provider *organization* who is authorized by the Department of Human Services Personal Care Services Division.

Subp. 9 Rehabilitation technology.

Item C. We are considering several possible amendments dealing with vehicle adaptations. We are considering amending C(3) to require the vocational rehabilitation program to take into account the availability of public transportation, including paratransit, when the consumer and counselor assess the consumer's needs for vehicle adaptations or other services that assist in meeting the consumer's needs for transportation to reach and maintain a vocational outcome.

We are considering specifying that the vocational rehabilitation program's maximum expenditure for van adaptations would be based on the least costly van adaptation alternative (in most cases, this is the cost of adapting a full-size van versus the cost of adapting a minivan).

We are considering an amendment specifying that the vocational rehabilitation program will purchase structural adaptations to a vehicle for an eligible individual no more than every 7 years or 85,000 miles.

We are considering adding new language about the vocational rehabilitation program's financial participation in adapting used vehicles. We are considering specifying that agency will purchase structural modifications to a used vehicle only if the remaining "life expectancy" of the vehicle is at least 7 years or 85,000 miles, in order to assure that the vehicle being adapted will have a reasonable "life."

We are considering an amendment stating that the vocational rehabilitation program will participate in paying for vehicle adaptations only when the consumer has title to the vehicle being adapted.

We are considering an amendment that specifies a pre-driving evaluation is required before the vocational rehabilitation program purchases vehicle adaptations for an individual who has not previously driven a modified vehicle or when his/her physical or cognitive condition(s) have changed since he/she last drove a modified vehicle.

We are considering an amendment that specifies that all pre-driving evaluations, if required, must be conducted by an occupational therapist or physical therapist. Further, the therapist must have experience and training in the area of driver's assessment or have a minimum of one year full time experience in the evaluation and treatment of adults with cognitive and physical limitations.

We are considering an amendment to require that driving evaluations must be conducted by a person who meets the qualifications necessary for certification by the Association for Driver Rehabilitation Specialists (ADED). We are also considering an amendment to require that providers of structural adaptations to vehicles must agree to adhere to the guidelines of the National Mobility Equipment Dealers Association (NMEDA).

Subp. 12 Transportation services.

Item I. We are considering a possible amendment to the terms and conditions for vehicle repair to change the maximum amount that the vocational rehabilitation program would pay for necessary non-routine vehicle repairs needed for a consumer to continue progress toward his or her employment goal to \$1,000 in a 12-month period, and to specify that vehicle being repaired must be owned by the consumer.

We are also considering an amendment dealing with payments for transportation for post-secondary training. We are considering setting a limit on vocational rehabilitation payments for mileage and parking when post-secondary training is available at a Minnesota public institution in the consumer's home community, but the consumer chooses to commute to a college or university farther away. We are considering limiting mileage and parking payments to the amount that would apply if the consumer attended the Minnesota public institution in his or her home community.

Subp. 13. Post-secondary training tuition and mandatory fees. We are considering removing item F, which specifies that the tuition fee schedule does not apply when the individual's employment plan includes attendance at either Gallaudet University, National Technical Institute for the Deaf or a post-secondary training program operated by a community rehabilitation program in conjunction with a Minnesota public post-secondary institution.

We are considering removing item G which specifies that if the undergraduate field of study required by the eligible individual's employment plan is not available at a Minnesota public postsecondary institution, the agency shall not apply the tuition cap in determining the amount of agency payments for tuition and mandatory fees.

Items H, I, J and K in subpart 13 deal with how vocational rehabilitation calculates its contribution (if any) to the costs of tuition and fees. We are considering amending these items, especially item K, in order to limit the vocational rehabilitation program's payments for tuition and fees at private or out-of-state post-secondary institutions to the amount the vocational rehabilitation program would be paying for tuition if the consumer were attending a Minnesota public institution.

Persons Affected. The amendments to the rules would likely affect the following groups: 1) customers receiving post-secondary training at private and out of state schools, 2) customers receiving payments for transportation services, 3) customers receiving maintenance for post secondary training outside of their home community, 4) customers and their families whose gross family income is above 200 percent of the federal poverty guidelines, 5) customers who require vehicle adaptations, 6) vendors of driver evaluations for people with disabilities, 7) vendors of adaptive driving equipment, 8) customers who require durable medical equipment and, 9) customers

receiving benefits under Title II or Title XVI of the Social Security Act.

Statutory Authority. *Minnesota Statutes*, section 116J.035 subd. 2 gives DEED's commissioner general rulemaking authority to "adopt rules pursuant to chapter 14 as necessary to carry out the commissioner's duties and responsibilities." *Minnesota Statutes*, section 268A.03 item (m), gives the commissioner program-specific authority to "adopt, amend, suspend, or repeal rules necessary to implement or make specific programs that the commissioner by sections 268A.01 to 268A.15 is empowered to administer." *Minnesota Statutes*, section 268A.03 item (b) authorizes the commissioner to administer the vocational rehabilitation program by providing vocational rehabilitation services to persons with disabilities in accordance with the federal Rehabilitation Act of 1973, as amended.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing or orally until 4:30 p.m. on December 8, 2004. The Department does not contemplate appointing an advisory committee to comment on the possible rule amendments.

Rules Drafts. The Department has prepared a draft of the possible rule amendments. Interested persons may obtain a draft copy at <http://www.deed.state.mn.us/rehab/rehab.htm> or contact Heather Farmer, whose contact information is provided below, to obtain a draft copy.

Agency Contact Person. Written or oral comments, questions, and requests for more information on the possible rule amendments should be directed to: Heather Farmer, Department of Employment and Economic Development, Vocational Rehabilitation, 1st National Bank Building, 332 Minnesota Street, Suite E200, St. Paul, MN 55101. Her **phone number** is (651) 296-9152, **FAX** number is (651) 297-5159 and **e-mail** address is Heather.Farmer@state.mn.us **TTY** users may call the Department at (651) 296-3900 or 1-800-657-3973.

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

Note: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: November 8, 2004

Matt Kramer, Commissioner
Department of Employment and Economic Development

Minnesota Department of Health

Health Policy, Information and Compliance Monitoring Division

Notice Of Adoption of the "Minnesota Standards for the Use of the ADA Dental Claim Form (2002)" as Defined by the Commissioner of Health; Per *Minnesota Statutes*, section 62J.52, Subdivision 3.

Adoption: Notice is hereby given that the "Minnesota Standards for the Use of the ADA Dental Claim Form (2002)" as proposed at *State Register*, Volume 29, Number 11, page 309, September 13, 2004, is adopted without any changes.

Manual Available: The "Minnesota Standards for the Use of the ADA Dental Claim Form (2002)," as defined by the Commissioner of Health, is available for use for paper claims submitted on the ADA Dental Claim Form (2002). The manual is available on the internet at www.mmaonline.net/auc and in the Minnesota's Bookstore at (651) 297-3000 or (800) 657-3757.

Description and Statutory Reference: The manual is a description of the conventions of use for the ADA Dental Claim Form (2002) paper claim form published by the American Dental Association (ADA). The manual has been developed per *Minnesota Statutes*, section 62J.52, subdivision 3. The statute reads in relevant part: "(a) On and after January 1, 1996, all dental services provided by dental care providers in Minnesota, that are not currently being billed using an equivalent electronic billing format, shall be billed using the American Dental Association uniform dental billing form. (b) The instructions and definitions for the use of the uniform dental billing form shall be in accordance with the manual developed by the Administrative Uniformity Committee dated February 1994, and as amended or further defined by the commissioner." The updated edition of this manual, in this announcement, is the further definition mentioned.

Development: The Administrative Uniformity Committee (AUC) and the Dental Claim Form subcommittee developed and revised the manual. This manual have been submitted for public comment; the most recent (second) edition was announced in the *State Register* on September 13, 2004. The public comment period for the second edition was from September 13 to October 12, 2004. The Minnesota Department of Health at (651) 282-5650 collected the public comments. Only one comment in support of the manual was received.

Official Notices

Date of Implementation: The Manual “Minnesota Standards for the Use of the ADA Dental Claim Form (2002)” is to be used by providers and non-government payers in Minnesota as of December 8, 2004.

Dated: November 8, 2004

Dianne M. Mandernach, Commissioner

Department of Human Services Health Care Purchasing and Delivery Systems Division, Health Care Administration Public Notice of Maximum Allowable Costs of Medical Assistance Outpatient Prescribed Drugs

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

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

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

On January 13, 2003 at 27 SR 1117-1130, the Department published the MAC list, listing the federal and state MACs. Additional changes to the state MAC list were published on February 18, 2003 (27 SR 1331-1334), March 3, 2003 (27 SR 1386-1393), April 21, 2003 (27 SR 1583-1584), August 4, 2003 (28 SR 102-103), October 13, 2003 (28 SR 505-506), October 20, 2003 (28 SR 528-529), December 15, 2003 (28 SR 784-785), January 26, 2004 (28 SR 934-935), March 8, 2004 (28 SR 1089-1090), April 5, 2004 (28 SR 1232), April 19, 2004 (28 SR 1313-1314), May 3, 2004 (28 SR 1367-1368), August 9, 2004 (29 SR 173), and August 23, 2004 (29 SR 224-225).

Effective November 9, 2004, the Department will add the following outpatient prescribed drugs to the state MAC list:

<u>GCN</u>	<u>Drug Name</u>	<u>Strength</u>	<u>MAC Price</u>
00780	Gabapentin	100MG	.428
00781	Gabapentin	3000MG	1.022
00782	Gabapentin	400MG	1.284

These additions are made to bring Medical Assistance reimbursement to pharmacists more closely in line with the actual acquisition cost of the drugs listed above. The Department estimates that there will be a state savings of \$662,000 for State Fiscal Year 2005 (July 1, 2004 through June 30, 2005).

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

Written comments and requests for information may be sent to:

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

**State Board of Investment
Administrative Committee****Meeting of the State Board of Investment Administrative Committee**

The State Board of Investment Administrative Committee will meet on Wednesday, November 17, 2004 at the State Board of Investment, Board Room, (Main Floor), 60 Empire Drive, St. Paul, MN at 2:30 p.m.

**Department of Labor and Industry
Labor Standards Unit****Notice of Addition and Correction to Highway/Heavy Prevailing Wage Rates**

Additional rates have been added to the Highway/Heavy Prevailing Wage rates for all Laborers, Heavy Equipment Operators and Trucks in all Regions.

A **correction** was made to Group 1 Heavy Equipment Operators, Labor Codes 201-205.

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

M. Scott Brener
Commissioner

**Department of Labor and Industry
Labor Standards Unit****Notice of Determination of Truck Rental Rates and Notice of Informal Conference
Pursuant to *Minnesota Rules, Part 5200.1105***

On November 8, 2004 the commissioner determined the operating costs and the minimum truck rental rates for highway projects in the state's ten highway and heavy construction areas for trucks and drivers operating "four or more axle units, straight body trucks," "three axle units," "tractor only," and "tractor trailers."

The operating costs were determined by survey on a statewide basis. The operating cost for "four or more axle units, straight body trucks" is determined to be \$35.22 per hour. The operating cost for "three axle units" is determined to be \$28.56 per hour. The operating cost for "tractor only" is determined to be \$31.08 per hour. The operating cost for "trailer only" is determined to be \$11.46 per hour. The operating cost for "tractor trailers" is determined to be \$42.54 per hour.

Adding the prevailing wage for drivers of these four types of trucks from each of the state's ten highway and heavy construction areas to the operating costs, the minimum hourly truck rental rate for the four types of trucks in each area is determined to be as follows:

	Tractor Trailer	4 or More Axle	3 Axle	Tractor Only
Region 1	72.84	60.73	58.21	61.38
5/1/2005	73.69	61.58	59.06	62.23
Region 2	68.56	52.08	46.61	57.10
5/1/2005	69.41			57.95
Region 3	68.06	54.66	53.92	56.60
5/1/2005			54.77	
Region 4	60.26	52.46	46.52	48.80
Region 5	63.31	56.96	50.30	52.15
Region 6	71.04	63.17	56.41	59.58
5/1/2005	71.89	64.02	57.26	60.43

Official Notices

Region 7	67.14	59.32	52.40	55.68
Region 8 5/1/2005	64.96	59.32	53.92 54.77	53.50
Region 9 5/1/2005	73.24 74.09	65.37 66.22	58.61 59.46	61.78 62.63
Region 10 5/1/2005	59.64	60.73 61.58	53.92 54.77	48.18

The operating costs and truck rental rates may also be reviewed by accessing the department's web site at www.doli.state.mn.us. Questions regarding the truck rental rates or the informal conference noticed below can be answered by calling (651) 284-5091.

PLEASE TAKE NOTICE that on Tuesday, November 30, 2004 from 1:30PM until 4:00PM, in the Minnesota Room, at the Minnesota Department of Labor and Industry, 443 Lafayette Rd. No., St. Paul, Minnesota, the department will hold the informal conference pursuant to *Minnesota Rules*, part 5200.1105. The informal conference is a public meeting and its purpose is to receive further input prior to the certification and publication of the minimum truck rental rates for these four types of trucks on highway and heavy construction projects. The data, summary sheets and other documents used in making the determinations will be reviewed and available for inspection at the informal conference.

Subsequent to the informal conference the minimum truck rental rates for these four types of trucks will be certified and notice of the certification will be published in the *State Register*.

The minimum truck rental rate for these four types of trucks in the state's ten highway and heavy construction areas will be effective for all highway and heavy construction projects financed in whole or part with state funds advertised for bid on or after the day the notice of certification is published in the *State Register*.

Dated: November 8, 2004

M. Scott Brener,
Commissioner

Public Employees Retirement Association Notice of Meeting of the Board of Trustees

A meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Wednesday, November 10, 2004, at 9:30 a.m., in the PERA offices, 60 Empire Drive, Room 117, Saint Paul, Minnesota.

Minnesota Sentencing Guidelines Commission Notice of Public Hearing to Consider Modifications to the Sentencing Guidelines

THE MINNESOTA SENTENCING GUIDELINES COMMISSION WILL HOLD A PUBLIC HEARING on Thursday, December 9, 2004, at 2:00 p.m. in Room 107 at the State Capitol Building, 75 Rev. Dr. Martin Luther King Jr. Blvd, St. Paul, MN 55155. The public hearing is being held to consider proposed modifications to the sentencing guidelines and commentary resulting from the recent U.S. Supreme Court decision *Blakely v. Washington*. The proposed modifications include changes to the procedures for imposing aggravated departures, modifications to the consecutive sentencing provisions, modification to the sentencing grid and proposed ranking of unranked offenses.

Copies of the proposed modifications are available, free of charge, on the agency's website, at www.msgc.state.mn.us, or by contacting the Minnesota Sentencing Guidelines Commission at 525 Park Street, Suite 220, St. Paul, MN 55103, or by calling Voice: (651) 296-0144. Deaf/Hard of Hearing/Speech Impaired Only TTY users may call this agency through the MN Relay Service: 1 (800) 627-3529; ask for (651) 296-0144. If you need special accommodations to attend, please contact the Minnesota Sentencing Guidelines Commission as soon as possible. This notice is available in alternative formats upon request.

All interested persons are encouraged to attend the hearing and offer comments. Persons wishing to speak may register in advance by contacting the commission staff at the above address/telephone number.

The commission will hold the record open for five days after the public hearing to accept additional written comment on the proposed modifications. On Thursday, December 16, 2004, the commission will meet at 2:00 p.m. at the Minnesota Department of Corrections, 1450 Energy Park Drive, Suite 200, St. Paul, MN 55108 to formally adopt or reject the proposed modifications. If adopted, the proposed modifications will become effective August 1, 2005, pending legislative review.

Teachers Retirement Association Notice of Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Wednesday, November 10, 2004 at 9:30 a.m. in Suite 400, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the Board.

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.

Department of Employment and Economic Development Rehabilitation Services

Notice of Availability of Funds for Extended Employment Programs

Information on Extended Employment Program funding for State Fiscal Year 2005 is available for current Extended Employment providers. The authority for the Extended Employment Program is described in *Minnesota Statutes* 268A.03 (A) and 268A.15 and in *Minnesota Rules* 3300.2005 to 3300.2055. The Extended Employment Program includes the CenterBased, Community, and Supported Employment sub-programs that provide ongoing employment support services to workers with severe disabilities. In State Fiscal Year 2005, \$11,354,000 in Extended Employment Program funding will be available.

To be an Extended Employment Program provider, an organization must be certified by Rehabilitation Services of the Department of Employment & Economic Development in accordance with *Minnesota Rule* 3300.2010. Individual eligibility for persons who may be served in Extended Employment is defined in *Minnesota Rule* 3300.2015. Extended Employment Standards for program planning and service delivery are set forth in *Minnesota Rule* 3300.2025. The Extended Employment funding system is described in *Minnesota Rule* 3300.2035. Provisions for new and expanded programs are defined in *Minnesota Rule* 3300.2030. Funding for new and expanded programs is contingent upon the availability of funds. Any city, town, county, non-profit organization, or combination of these that operates or proposes to operate a public or non-profit Extended Employment program may apply for funding. Applications are required for both current Extended Employment providers and providers applying for new or expanded program funds.

These sections of the *Minnesota Rules* that describe the Extended Employment Program can be found on the Internet at:

<http://www.revisor.leg.state.mn.us/arule/3300/>

Persons or parties who wish to obtain information on Extended Employment Program funding in State Fiscal Year 2005 may contact:

Abigail Bergeron
Rehabilitation Services - Extended Employment
Minnesota Department of Employment & Economic Development
1st National Bank Building,
332 Minnesota Street, Ste E200
St. Paul, MN 55101-1351
Phone: (651) 296-9157
FAX: (651) 297-5159

The deadline for the application is no later than Tuesday, November 30, 2004, by 12:00 Noon.

Department of Employment and Economic Development (DEED) Minnesota Job Skills Partnership Training Grant Deadlines

The Minnesota Job Skills Partnership (MJSP) Board solicits grant proposals from educational and training institutions for training programs designed for specific businesses. Proposals will be accepted for the Job Skills Partnership Program, the Pathways Program, the Healthcare and Human Services Program and the Low Income Workers Training Grant Program.

State Grants & Loans

Priority will be given to the following three types of grant applications: 1) Pathways or Healthcare and Human Services training grants to accredited educational institutions/ organizations in which nonprofits are involved; 2) Low Income Workers Training Grant Program grants to public, private, or nonprofit entities that provide employment services to low-income individuals; and 3) regular Job Skills Partnership applications in which the business partner is a nonprofit organization.

The purpose of the Low Income Worker Training Program is to help individuals with incomes at or below 200% of the federal poverty line receive training and acquire additional skills, in order to move up the ladder to higher paying jobs and economic self-sufficiency. Eligible recipients of grants include public, private or nonprofit entities that provide employment services to low-income individuals or partnerships of two or more of these entities. Low Income Workers Training grants can only be used to pay for training, and payments will be on a reimbursement basis. Applications can be obtained by calling the Job Skills Partnership at (651) 296-2953.

A participating business is limited to one active grant in each grant program at any given time, with the exception of businesses that have multiple locations or businesses engaged in projects that involve a consortium of businesses, or also in the case of an economic development event that results in a significant number of new jobs in Minnesota.

The deadline for submission of proposals is 4:00 p.m. on January 3, 2005, to DEED, Workforce Partnerships Division, MJSP, 1st National Bank Building, 332 Minnesota Street, Suite E200, St. Paul, MN 55101-1351. No late proposals will be considered. Ten final copies must be submitted at that time for consideration at the MJSP Board meeting to be held on February 7, 2005. It is important to use the current application forms that are available on the web at <http://www.deed.state.mn.us/mjsp/forms.htm> or by calling the Job Skills Partnership at (651) 296-2953.

NOTE: The Minnesota Job Skills Partnership Short Form Application process is open for application on a continuous basis. MJSP Short Form grant applications can be submitted at any time and considered at the next scheduled MJSP Board Meeting. MJSP Short Form grants are for \$50,000 or less and are intended to help small businesses.

Federal Emergency Management Agency (FEMA) Public Notice of Intent to Reimburse Eligible Local Governments for Eligible Costs Incurred to Repair Publicly Owned Facilities Damaged by Severe Storms and Flooding

PUBLIC NOTIFICATION IS HEREBY GIVEN by the Federal Emergency Management Agency (FEMA) of the intent to reimburse eligible local governments for eligible costs incurred to repair publicly owned facilities damaged by severe storms and flooding in portions of Minnesota that began September 14, 2004. The incident period for this disaster is September 14, 2004 through September 27, 2004. This notice applies to the Public Assistance, Individual Assistance and the Hazard Mitigation Grant Program.

Under the Presidential Disaster Declaration dated October 7, 2004 the following areas have been designated to receive disaster assistance.

The areas affected for **Individual Assistance** (Assistance to individuals and households): Dodge, Faribault, Freeborn, Mower, and Steele counties

The areas affected for **Public Assistance** (Assistance to State and local governments for all categories of work) are: Dodge, Faribault, Freeborn, Martin, Mower, and Steele counties.

Should the declaration be amended to include additional county or counties, they will be identified in a subsequent notice and the pertinent information contained herein will apply.

This assistance is granted under the authority of Public Law 93-288, as amended, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. This notice concerns undertakings and projects that may affect facilities that could be of historic or archeological significance or facilities located in the 100-year floodplain (areas that have been determined to have a one percent probability of flooding in any given year), or critical facilities within the 500-year floodplain. These projects and facilities may be vulnerable to damage if they are restored to pre-disaster condition.

These projects and facilities include, but are not limited to, the following: non-emergency debris removal; non-emergency repair to protective flood control facilities, including dams, reservoirs and channels; damage to roads, including streets, culverts and bridges; damage to water control facilities, pipes and distribution systems; damage to public buildings and related equipment; damage to public utilities, including sewage treatment plants and sewers, and electrical power distribution systems; damage to private, non-profit facilities (hospitals, educational centers, emergency and custodial care services, etc.); and construction of a hazard mitigation project designed to reduce the impact of future flooding.

The National Historic Preservation Act (NHPA) [36 CFR Part 800.2(h)] requires federal agencies to take into account the effects of their undertakings on historic properties. Section 106 of the NHPA provides for active participation by the public. Activities performed with funding provided as a result of declaration 1569-DR-MN may impact historic and/or archeological resources. We encourage all interested parties to contact FEMA if they have knowledge or concerns with historic properties or archaeological sites in the disaster area.

State Grants & Loans

The President's Executive Order 11988 on Floodplain Management requires that all Federal actions in or affecting the base floodplain be reviewed for opportunities to relocate out of the floodplain or to minimize future damage from flooding. Executive Order 11990 requires that all Federal actions give consideration to relocating outside of wetland areas and to develop alternate project plans to protect wetlands. FEMA has determined that for certain types of facilities there are normally no alternatives to restoration in the floodplain. These are facilities that meet all of the following criteria: the FEMA-estimated cost of repairs is less than 50% of the estimated replacement cost of the entire facility and is less than \$100,000; the facility is not located in a floodway; the facility **has not** sustained major structural damage in a previous presidentially declared flooding major disaster or emergency; the facility **is not** a critical one (i.e. hospital, generating plant, contains dangerous materials, emergency operations center, etc.).

FEMA intends to provide assistance for the restoration of the facilities described above to their pre-disaster condition except that certain measures to mitigate the effects of future flooding may be incorporated into the restoration work. For example, culverts and bridges with insufficient waterway openings may be subject to washing out due to the backed-up water. This backup may also cause damage to other facilities in the area. One mitigation measure would be to increase the size of the waterway openings. Another example may be to place power lines damaged during this event underground so as to minimize damages from future severe storm, tornado and flooding events.

Other projects and facilities that do not fall into one of the four criteria listed above are required to undergo more detailed review, including study of alternative locations. The public is invited to participate in the process of identifying alternatives and analyzing their impacts. Details on how to obtain information on specific projects and on the submission of comments will be found at the end of this notice. Further explanation on the final determination on the restoration of these facilities will be given in subsequent notices.

Because of urgent need for some facilities of the type described in the previous paragraph, an applicant may have started restoration of a facility when the Federal inspector visited the site. Some of these facilities would normally fall into the category requiring examination of alternative sites. These facilities will be restored in their original location based upon the following rationale. One of the following situations applies in each case: the facility is functionally dependent on its floodplain location (flood control facilities and bridges are examples); the project facilitates an open space use (facilities, which are part of a park or other open space use are examples); this type of use represents sound floodplain management and therefore there is no need to change it. The facilities, such as roads and utilities, are an integral part of a larger network that would be uneconomical to relocate.

Additionally, the possible effects of not restoring the facility will be examined. In each case, there may be an overriding public need for the facility that clearly outweighs the Order's requirements to avoid the floodplain and that makes non-floodplain sites impractical. FEMA also consults with state and local officials to ensure that actions, which will be carried out, do not violate either state or local floodplain protection standards. The restoration of these facilities also will incorporate certain measures designed to mitigate the effects of future flooding and/or storm damage. This will be the only notice to the public concerning these facilities.

Hazard mitigation projects may involve the construction of a new facility. Examples include levees and debris dams; or modification of undamaged facilities, such as improving waterway openings of bridges or culverts; relocation of facilities out of the floodplain; or other types of projects to limit the effects of future floods. Subsequent notices will provide more specific information as project proposals are developed.

FEMA also intends to provide Hazard Mitigation Grant Program (HMGP) funding to the State of Minnesota. This program provides grants to state and local governments for the purpose of mitigation of future disaster damages. Hazard Mitigation projects likely to be undertaken in the 100-year floodplains of the State include acquisition and/or relocation of facilities out of the floodplain; elevation of flood damaged property; and minimal structural flood control measures likely to limit the effects of future floods.

Pursuant to Executive Orders 11988 Floodplain Management and 11990 Protection of Wetlands, FEMA has prepared a Memorandum of Class Review of Acquisition-Only projects. FEMA has determined that voluntary acquisition of flood-damaged property under the HMGP is the most cost-effective, permanent solution to mitigate future flood damage. Other mitigation measures may include elevation, floodproofing, or minor structural flood control.

Interested persons may obtain information about these actions and the locations at the Federal/State Disaster Field Office, at 134 E. Vine Street, Owatonna Minnesota 55060 or by calling (507) 446-5360, between 8:00 a.m. and 5:00 p.m., Monday through Friday. Comments about specific projects and the application of the Floodplain Management Executive Order to them should be submitted in writing to Mr. Thomas J. Costello, Federal Coordinating Officer, at the above address or to Jeanne Millin, Regional Environmental Officer at FEMA offices in Chicago at 536 S. Clark, Chicago IL 60606.

State Grants & Loans

Department of Public Safety

Juvenile Crime Enforcement Coalition and Office of Justice Programs Juvenile Accountability Block Grant (JABG) Funding Available for Disproportionate Minority Contact (DMC) Reduction Projects

Purpose: The purpose is to provide grants for the assessment of juvenile justice systems at decision points at multiple stages (e.g. arrest, detention, prosecution, probation, certification/EJJ, incarceration, etc.) in order to determine factors that may cause or contribute to *Disproportionate Minority Contact* and develop intervention strategies to mediate those factors based on data gathered.

Eligible Applicants: Counties and/or Counties in partnership with smaller units of government or nonprofits. A minimum of one grant will be awarded in out-state Minnesota provided that criteria for funding are met.

Eligibility Criteria: Counties must demonstrate at a minimum the following:

- 1% or greater minority juvenile (10-17) population.
- Significant disproportionate minority contact in the juvenile justice system as evidenced by numerical data.
- A strategy or plan which investigates formal and informal institutional factors.
- A focus on all minorities that are disproportionately represented in the juvenile justice system.
- The use of outside researchers/evaluators.

Estimated Available Funds: \$396,000 in 2003 Juvenile Accountability Block Grant funding.

Estimated Range of Awards: \$50,000 - \$200,000 for up to 15 months.

Estimated Number of Awards: 2 to 3

JABG Requirements: Federal statute requires that any jurisdiction receiving JABG funds must:

- Establish a Juvenile Crime Enforcement Coalition (JCEC). This can be an existing group if it includes the required membership.
- Develop a local Coordinated Enforcement Plan for reducing juvenile crime.
- Have a plan for juvenile substance abuse testing.
- Certify that they will be responsible for providing matching funds required to secure their grant award.

Application Materials: The full application description and materials may be accessed at www.ojp.state.mn.us or by contacting Maurice Nins at maurice.nins@state.mn.us or (651) 284-0063. Any updates regarding this request for proposals will be posted on the above website.

Application Deadline: Received or postmarked by 4:30 P.M., on December 13, 2004. Emailed, faxed and late applications will not be accepted.

Submission: Mail or deliver an original, ten (10) copies and a copy on disk or CD-ROM of the completed proposal to:

Maurice Nins, Jr., DMC Coordinator
Minnesota Department of Public Safety
Office of Justice Programs
444 Cedar Street, Suite 100
St. Paul, MN 55101-0100

State Contracts

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

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

Minnesota State Colleges and Universities

Notice of Availability of Request for Proposal (RFP) for Designer Selection for MacLean Hall Renovation at Minnesota State University Moorhead (State Project No. 04-14)

The Minnesota State Colleges and Universities, acting as the owner for the State of Minnesota through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

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

A project informational meeting has been scheduled for 1:00 pm Tuesday, November 16, 2004 at Minnesota State University Moorhead in Science Laboratory Bldg, Room 102. Contact David Crockett, (218) 477-2070, Crockett@mnstate.edu to sign up for the meeting.

Proposals must be delivered to Terry Lewko, Executive Secretary, State Designer Selection Board, in the State Architect's Office, not later than 1:00 pm, Monday, November 22, 2004. Late responses will not be considered.

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

Dated: November 8, 2004

Department of Education

NOTICE OF REQUEST FOR PROPOSALS for the Minnesota Comprehensive Assessments – Series II: Item Development and Implementation for Grades 3-8 in Reading, Mathematics, and Science

The Department of Education is soliciting proposals from qualified vendors to implement for 2006 (grades 3, 5, and 7), continue the development for 2006 (grades 4, 6, 8), and develop for 2008 (Science in grades 5 & 8) the Minnesota Comprehensive Assessments – Series II (MCA-II). These tests partially fulfill the requirements of the No Child Left Behind Act of 2001 and the statewide testing law *Minnesota Statutes* § 120B.30. Virtually all students in the grades involved will take the MCA-IIs.

The Department has estimated the cost of this project should not exceed \$50,000,000.00 over the five-year period of the RFP.

The anticipated project period is May 1, 2005 to April 30, 2010. The initial contract period is expected to be from May 1, 2005 to June 30, 2006. The Responder must submit a proposal for all tests in the project. For a copy of the complete Request for Proposal, please contact:

Kathy Eiler
Minnesota Department of Education
1500 Highway 36 West
Roseville, Minnesota 55113-4567
Phone: (651) 582-8673
Fax: (651) 582-8874
kathy.eiler@state.mn.us

Proposals are due no later than 3:00 p.m. December 6, 2004. Late proposals will not be considered.

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

State Contracts

Department of Natural Resources

Notice of Proposed Reclassification of State Forest Lands in Hubbard County with Respect to Motor Vehicle Use

NOTICE IS HEREBY GIVEN that the Commissioner of the Minnesota Department of Natural Resources (DNR) proposes to reclassify the Badoura State Forest, Paul Bunyan State Forest, and other Forest Lands under the Authority of the Commissioner in Hubbard County, Minnesota with respect to operation of motor vehicles. The proposal is to change the current classification of the State Forest lands from ‘*Managed*’ (in which forest roads and forest trails are open for motor vehicle use unless posted closed), to ‘*Limited*’ (in which forest trails are closed to motor vehicle use unless posted open). *Minnesota Rules* Chapter 6100.1950 governs the classification of State Forests with respect to motor vehicle use.

The Badoura State Forest is located in southeastern Hubbard County and includes about 4,500 acres of DNR-administered land. The Paul Bunyan State Forest includes about 60,600 acres of DNR-administered land. There are about 11,700 acres of Forest Land under the Authority of the Commissioner outside of State Forest boundaries in Hubbard County. Portions of the Huntersville State Forest and Mississippi Headwaters State Forest are also located in Hubbard County and will be reclassified in the future.

In conjunction with the proposed reclassification the Department of Natural Resources has developed a plan that designates which roads and trails on State Forest lands in Hubbard County will be open to use by various types of motor vehicles. There are 540 miles of forest access routes on State Forest lands in Hubbard County. The DNR proposes designation of 160 miles as State Forest Roads which would typically be open to both highway-licensed vehicles and off-highway vehicles. The plan also proposes designation of routes as all-terrain vehicle (ATV), off-highway motorcycle (OHM), and off-road vehicle (ORV) trails. The Hubbard County Natural Resource Management Department is also proposing road and trail designation for routes on about 138,000 acres of county-administered forest lands.

There will be a public meeting on the proposed reclassification and road and trail use designations from 6:00 PM to 9:00 PM on Wednesday, January 12, 2005 at the Park Rapids Area High School, 401 Huntsinger Avenue, Park Rapids, MN. The department will present information and receive public comments on the proposal.

The reclassification proposal, road and trail designation plan, and related maps are on the DNR website at:

www.dnr.state.mn.us/input/mgmtplans/ohv/designation/status.html

Copies of the documents can also be obtained from:

Helen Cozzetto, Natural Resources Planner
Minnesota Department of Natural Resources
6603 Bemidji Avenue N
Bemidji, MN 56601
Phone: (218) 755-3954
E-mail: helen.cozzetto@dnr.state.mn.us

Written comments on the proposal can be submitted to the above address until 4:30 PM on January 28, 2005.

Mark Holsten, Deputy Commissioner
Minnesota Department of Natural Resources

Department of Natural Resources

Notice of Proposed Reclassification of State Forest Lands in the Beltrami Island State Forest Area with Respect to Motor Vehicle Use

NOTICE IS HEREBY GIVEN that the Commissioner of the Minnesota Department of Natural Resources (DNR) proposes to reclassify the Beltrami Island State Forest and other Forest Lands under the Authority of the Commissioner in northern Beltrami County, Minnesota with respect to operation of motor vehicles. The proposal is to change the current classification of the State Forest lands from “*Managed*” (in which forest roads and forest trails are open for motor vehicle use unless posted closed), to “*Limited*” (in which forest trails are closed to motor vehicle use unless posted open). *Minnesota Rules* Chapter 6100.1950 governs the classification of State Forests with respect to motor vehicle use.

The Beltrami Island State Forest is located in Beltrami, Lake of the Woods, and Roseau counties. The DNR Division of Forestry administers about 288,000 acres of land within the Beltrami Island State Forest. The proposed reclassification also applies to 1,578 acres of Forest Lands under the Authority of the Commissioner located outside of the Beltrami Island State Forest in northern Beltrami County.

In conjunction with the proposed reclassification the Department of Natural Resources has developed a plan that designates which

roads and trails on DNR-administered lands in Beltrami Island area will be open to use by various types of motor vehicles. There are about 1,135 miles of roads, trails, and other access routes in the Beltrami Island area. The DNR proposes designation of 488 miles as "State Forest Roads," which would typically be open to both highway-licensed vehicles and off-highway vehicles. The plan also proposes designating about 54 miles of existing routes as all-terrain vehicle (ATV) and off-highway motorcycle (OHM) trail. About 592 miles of existing routes would remain undesignated and would be closed to motor vehicle use when the reclassification becomes effective.

There will be a public meeting on the proposed reclassification and road and trail use designations from 6:00 p.m. to 9:00 p.m. on Thursday, January 13, 2005 at the Warroad Middle School, 510 Cedar Avenue NW, Warroad, MN. The department will present information and receive public comments on the proposal.

The reclassification proposal, road and trail designation plan, and related maps are on the DNR website at:

www.dnr.state.mn.us/input/mgmtplans/ohv/designation/status.html

Copies of the documents can also be obtained from:

Helen Cozzetto, Natural Resources Planner
Minnesota Department of Natural Resources
6603 Bemidji Avenue N
Bemidji, MN 56601
Phone: (218) 755-3954
E-mail: helen.cozzetto@dnr.state.mn.us

Written comments on the proposal can be submitted to the above address until 4:30 p.m. on January 28, 2005.

Mark Holsten, Deputy Commissioner
Minnesota Department of Natural Resources

Department of Transportation Program Management

Request for Proposal (RFP) INV 645 – Research Implementation Activities (2005 – 2006)

The Minnesota Department of Transportation is requesting proposals to develop and conduct research implementation activities that bring research findings and current technologies to local county and city governments in a way that facilitates application at the local level.

The Minnesota Local Road Research Board (LRRB) was established by the Minnesota Legislature to conduct research in methods and materials for the construction and maintenance of county and municipal streets and highways and to improve design and environmental compatibility of local streets and highways. The LRRB recognizes the importance of moving the results of this research into practice, and through its Research Implementation Committee (RIC) communicates current information and technologies to local county and city agencies.

The RIC, together with Mn/DOT's Research Services Section (RSS), selects a variety of topics and tasks and coordinates development of the implementation activities. The Selected Responder will work closely with the RIC, the Minnesota Technology Transfer Center at the University of Minnesota and other state and local officials to review and evaluate state-of-the-art practices, technologies and research findings.

All contract work will be in accordance with the Research Implementation Committee Orientation and Procedures Manual and any appendices thereto. All contract deliverables (printed and electronic) will adhere to Mn/DOT policy, procedures and guidelines where applicable (copies available upon request). In addition all material delivered under the contract will be identified with the LRRB logo and funding acknowledgments and be free of Selected Responder's logos and other identification except where approved by the RIC.

Responses to this advertisement become public information under the Minnesota Government Data Practices Act. This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and Mn/DOT reserves the right to cancel this request for proposal. All expenses incurred in responding to this notice shall be borne by the responder.

Full RFP document can be downloaded from Mn/DOT's Consultant Services Web Page at www.dot.state.mn.us/consult under the Professional Technical Notices Section.

Note: PROPOSALS WILL BE DUE ON DECEMBER 1, 2004 AT 2:00PM CENTRAL TIME.

State Contracts

Department of Transportation

Engineering Services Division

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

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

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

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

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

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

Send completed application material to:

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

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

Department of Transportation

Engineering Services Division

Notice Concerning Professional/Technical Contract Opportunities

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

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

Non-State Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Elm Creek Watershed Management Commission Request for Interest Proposals for Professional Services for Legal and Administrative Consulting Services

Pursuant to *Minnesota Statutes Annotated* 103B.227, subd. 5, the Elm Creek Watershed Management Commission hereby solicits Letters of Interest for legal and administrative consulting services for the fiscal years of 2005 and 2006. The annual budget for all services for the organization for the year 2005 is \$215,450.

Letters should include a brief description of the company and the experience of the individual(s) proposing to perform services for the Commission. The Commission will review said letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest should be submitted on or before November 30, 2004 to:

Jim Merickel, chair
Elm Creek Watershed Management Commission
3235 Fernbrook Lane
Plymouth, MN 55447
(NO CALLS)

Metropolitan Council Notice of Request for Proposals for Professional Design Services Contract 04P108

The Metropolitan Council is soliciting proposals for various professional design services to support the Council's Metro Transit Division in completing smaller projects on an as-needed basis. These services include:

- Facility plan studies for shelters, transit stations, transit hubs, park & ride lots, other bus-related facilities, LRT-related facilities, and busway-related facilities.
- Preparation of concept plans and sketches for bus-related facilities, LRT-related facilities, and busway-related facilities.
- Design services for transit hubs, transit stations, shelters, park & ride lots, other bus-related facilities, LRT-related facilities, and busway-related facilities.
- Design services shall be in the fields of architecture, landscape architecture, civil engineering, mechanical engineering, electrical engineering, HVAC engineering, structural engineering, and surveying.

The Council intends to execute professional service contracts with up to six Proposers that can provide these services. Each contract will have a maximum value of \$250,000 and a term of three years. The contracts will be structured to allow the Council to request specific professional services, generally valued at less than \$50,000, on an as-needed basis by issuing Work Orders. Each Work Order will include a specific scope of services, deliverables, a completion schedule, specified cost for those services, and a designated Metro Transit Project Manager.

The Council intends to select firms for these services based on the following tentative schedule:

<i>Issue Request for Proposal</i>	November 1, 2004
<i>Proposals Due</i>	December 1, 2004
<i>Selection of Firms</i>	December 2004 – January 2005
<i>Execution of Contracts</i>	January-February 2005

All firms interested in providing these services should request a copy of the Request for Proposals. Send or fax requests to:

Harriet Simmons
Metropolitan Council
Mears Park Centre
230 East Fifth Street

Non-State Contracts & Grants

St. Paul, MN 55101
Phone: (651) 602-1086
Fax: (651) 602-1138
E-mail: harriet.simmons@metc.state.mn.us

Metropolitan Council

Notice of Request for Proposals for Off-Site Records Storage (RFP 04P130)

The Metropolitan Council is requesting service proposals for Off-Site records storage services for the Metropolitan Council (all divisions) during the period 2/1/2005 to 1/31/2008.

Issue Request for Proposals	11/08/2004
Receive Proposals	12/14/2004
Contract negotiated, executed, NTP	01/14/2005

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
Metropolitan Council
230 East Fifth Street
Mears Park Centre
St. Paul, MN 55101
PHONE: (651) 602-1086
FAX: (651) 602-1083
E-mail: 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 - Metro Transit

Sealed Bids Sought for Maintenance Services at Transit Centers and Park and Ride Lots at Seven Locations along I-394

Metro Transit, a division of the Metropolitan Council, is soliciting sealed bids for maintenance services at transit centers and park and ride lots at seven locations along I-394. This work involves regular maintenance of restrooms, passenger waiting shelters, transit centers, and grounds keeping.

Sealed Bids are due by 2:00 p.m. on December 1, 2004. Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
515 North Cleveland Avenue
St. Paul, Minnesota 55114
(612) 349-5070

Minnehaha Creek Watershed District

Notice of Call for Bids for Structure Repair and Maintenance

Class of Work: Construction, Excavation, Sheeting
Bids Close At: 2:00 PM, November 15, 2004

NOTICE TO CONTRACTORS

Sealed Bid Proposals for work indicated above will be received by the Minnehaha Creek Watershed District at 18202 Minnetonka Boulevard, Deephaven, Minnesota 55391 until 2:00 PM, November 15, 2004, after which time such bids will be publicly opened and read aloud at the District Office. The work, in accordance with drawings and specifications prepared by Wenck Associates, Inc., 1800

Non-State Contracts & Grants

Pioneer Creek Center, P.O. Box 249, Maple Plain, Minnesota 55359, consists of the following major items of work:

1. Restoration
2. Erosion Control
3. Rip Rap
4. Sheet Piling
5. Clay Fill

Bid Proposals shall be submitted on forms furnished for that purpose.

Each bid proposal shall be accompanied by a "Bid Security" in the form of a certified check made payable to Minnehaha Creek Watershed District (OWNER) in the amount not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the OWNER, with the surety company thereon duly authorized to do business in the State of Minnesota, such Bid Security to be a guarantee that the bidder will not, without the consent of the OWNER, withdraw his bid for a period of sixty (60) days after the opening of bids, and, if awarded a contract, will enter into a contract with Minnehaha Creek Watershed District; and the amount of the certified check will be retained or the bond enforced by the OWNER in case the bidder fails to do so. All bid securities except those of the three lowest bidders will be returned within five days after the opening of bids.

The Bid Security of the three (3) lowest bidders will be retained until the contract is executed, but in no event longer than sixty (60) days, provided that the Bid Security of the lowest responsible bidder shall be retained in any event until the contract is executed and Public CONTRACTOR'S Bond furnished as herein provided. No bidder shall, without the consent of the OWNER, withdraw his bid for a period of sixty (60) days after the date for the opening thereof.

The bid of the lowest responsible bidder, will be accepted on or before the expiration of sixty (60) days after the date of the opening of bids. The OWNER, however, reserves the right to reject any or all bids and to waive any minor irregularities, informalities or discrepancies.

Plans and specifications are on file for inspection at the Minnehaha Creek Watershed District Office aforesaid and at the office of Wenck Associates, Inc., 1800 Pioneer Creek Center, P.O. Box 249, Maple Plain, Minnesota, 55359; and at the Builders Exchange, 1123 Glenwood Avenue North, Minneapolis, Minnesota 55405.

Bidders desiring drawings and specifications for personal use may secure a complete set from:

Wenck Associates, Inc.
1800 Pioneer Creek Center
P.O. Box 249
Maple Plain, Minnesota 55359-0249
Telephone: (763) 479-4200
Facsimile: (763) 479-4242

Non-refundable deposits in the form of a check shall be made payable to: "Wenck Associates, Inc." The deposit shall be in the amount of \$65.00 per set of contract documents (drawings and specifications).

Dated: October 11, 2004

Owner: Minnehaha Creek Watershed District

By: Resolution of the Managers, Lance Fisher, President

Pioneer-Sarah Creek Watershed Management Commission Request for Interest Proposals for Professional Services for Legal and Administrative Consulting Services

Pursuant to *Minnesota Statutes Annotated* 103B.227. subd. 5, the Pioneer-Sarah Creek Watershed Management Commission hereby solicits Letters of Interest for legal and administrative consulting services for the fiscal years of 2005 and 2006. The annual budget for all services for the organization for the year 2005 is \$73,580.

Letters should include a brief description of the company and the experience of the individual(s) proposing to perform services for the Commission. The Commission will review said letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest should be submitted on or before November 30, 2004 to:

Lisa Whalen, chair
Pioneer-Sarah Creek Watershed Management Commission
3235 Fernbrook Lane
Plymouth, MN 55447
(NO CALLS)

Non-State Contracts & Grants

Shingle Creek Watershed Management Commission Request for Interest Proposals for Professional Services for Legal, Engineering and Technical, and Administrative Consulting Services

Pursuant to *Minnesota Statutes Annotated* 103B.227, subd. 5, the Shingle Creek Watershed Management Commission hereby solicits Letters of Interest for legal, engineering and technical, and administrative consulting services for the fiscal years of 2005 and 2006. The annual budget for all services for the organization for the year 2005 is \$426,190.

Letters should include a brief description of the company and the experience of the individual(s) proposing to perform services for the Commission. The Commission will review said letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest should be submitted on or before November 30, 2004 to:

Mark Hanson, chair
Shingle Creek Watershed Management Commission
3235 Fernbrook Lane
Plymouth, MN 55447
(NO CALLS)

West Mississippi Watershed Management Commission Request for Interest Proposals for Professional Services for Legal, Engineering and Technical, and Administrative Consulting Services

Pursuant to *Minnesota Statutes Annotated* 103B.227, subd. 5, the West Mississippi Watershed Management Commission hereby solicits Letters of Interest for legal, engineering and technical, and administrative consulting services for the fiscal years of 2005 and 2006. The annual budget for all services for the organization for the year 2005 is \$426,190.

Letters should include a brief description of the company and the experience of the individual(s) proposing to perform services for the Commission. The Commission will review said letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest should be submitted on or before November 30, 2004 to:

Graydon Boeck, chair
West Mississippi Watershed Management Commission
3235 Fernbrook Lane
Plymouth, MN 55447
(NO CALLS)

University of Minnesota

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

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

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

Minnesota's Bookstore

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St. Paul, MN 55155

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State Hunters and Fishers Information Center

10% OFF! *Trees of Minnesota Field Guide*

This pocket-sized field guide features 93 species of Minnesota trees. Easy-to-use thumb tabs show leaf type; fact-filled information includes comparison of average tree height to a two-story house; full color photos showing bark, blossoms, leaves, and fruit. **Stock Number:** 9-45 **Price:** \$11.66 **Publisher:** Adventure Publishing **Year:** 2001 **Pages:** 194

10% OFF! *Minnesota Travel Companion:*

A Guide to History Along Minnesota's Highways

Make your road trips come alive, with this great collection of historical background about the communities and people living along our most frequently traveled highways. Learn about the Sioux uprising that caught settlers by surprise in the Hwy. 7 area near Hutchinson. Discover that the city of Hibbing (off of Hwy. 169 North) was moved from its original location in 1915 to allow for access to rich deposits of ore. Find out what Minnesota town along Hwy. 35 South was the first to form a cooperative, spawning what has grown to 1400 coops throughout the nation, 50% of them in Minnesota. Learn how towns got their name, how they interact with the rivers and railroad, etc. **Stock Number:** 19-114 **Price:** \$17.96 **Publisher:** U of M Press **Year:** 2001 **Pages:** 253

Minnesota's Iron Country: Rich Ore, Rich Lives

Northern Minnesota's rich iron ore deposits helped shape the destiny of the United States, and in times of war helped protect the world. The story is all here in this exploration of Minnesota's Iron Country, revealing the lives of a remarkable people, and the industrial and political forces of one of America's most important regions. **Stock Number:** 17-10

Price: \$19.95 **Publisher:** Lake Superior Port **Year:** 2004 **Pages:** 276

Field Guide to the Freshwater Mussels of Minnesota

A tool for anyone interested in identifying and learning about Minnesota freshwater mussels. Contains photographs, shell descriptions, habitat associations, and distribution maps. Also contains general information about mussels, their importance in the ecosystem, threats to their survival, collection methods and collection regulations. **Stock Number:**

9-90 **Price:** \$9.95 **Publisher:** Natural Resources **Year:** 2003 **Pages:** 144

NEW! Minnesota Contractor's Reference Manual

An essential reference that explains how the contracting industry works, and prepares you for the licensing examination. Organized into 12 chapters, including a glossary of legal and industry terms, the manual provides an easy-to-read description of procedures and legal requirements. Includes copies of important government rules and regulations. **Stock Number:** 26-14 **Price:** \$55.00 **Publisher:** Exporior **Year:** 2003 **Pages:** 64

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