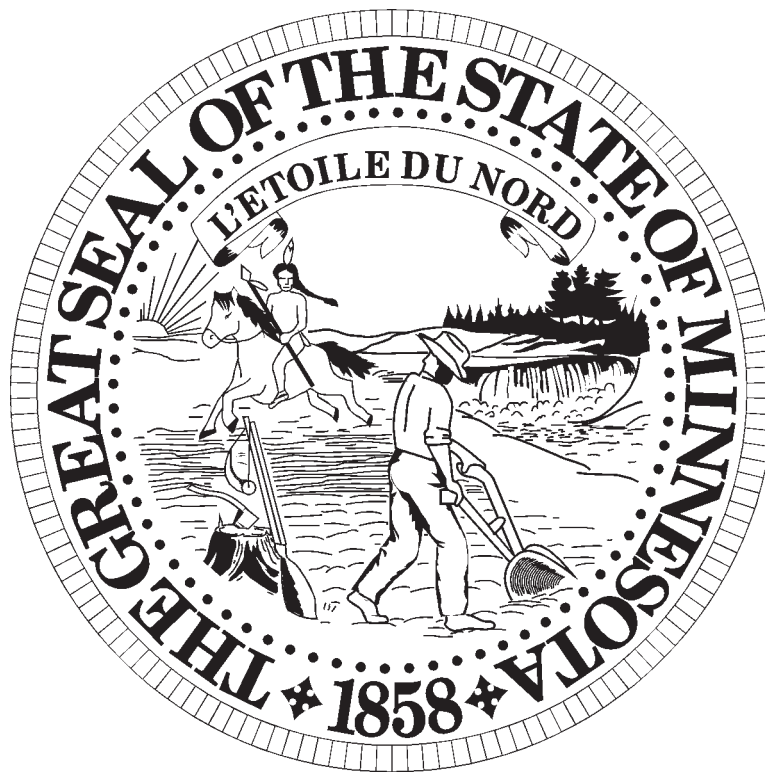


State of Minnesota

# 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:

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- 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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# 18	Monday 31 October	Noon Tuesday 25 October	Noon Wednesday 19 October
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# Minnesota Rules: Amendments and Additions

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

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

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

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 Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*.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

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

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# Proposed Rules

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

**Rules to be Adopted After a Hearing.** After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed.

The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

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

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

## Minnesota Pollution Control Agency

### Policy and Planning Division

#### Proposed Permanent Rules Relating to Repeal of Obsolete Rules

#### NOTICE OF INTENT TO REPEAL OBSOLETE RULES: Minnesota Pollution Control Agency's Obsolete Rules Reports for 2003 and 2004 Governing *Minnesota Rules* Part 7021.0050, Subparts. 4 and 6; Parts 7039.0010 to 7039.0120; Parts 7075.0100 to 7075.5000; Part 7105.0060 Subpart 5a.; Part 7001.0020, Item G and Part 7027.1150, Subpart 2.

**Introduction:** The Minnesota Pollution Control Agency (MPCA) intends to repeal obsolete rules following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, section 14.3895.

**MPCA Contact Person:** Comments or questions on the repeal and written requests that the MPCA proceed to a public hearing on the repeal in accordance with *Minnesota Statutes*, sections 14.131 to 14.20 or proceed to repeal the rule without a public hearing in accordance with *Minnesota Statutes*, sections 14.22 to 14.28 must be submitted to: Norma Coleman, at the MPCA, 520 Lafayette Road, St. Paul, Minnesota, 55155-4194; **Telephone:** 651-296-7712; **Fax:** (651) 297-8676; **e-mail:** [norma.coleman@pca.state.mn.us](mailto:norma.coleman@pca.state.mn.us). **TTY** users may call the MPCA at TTY (651) 292-5332 or 1-800-657-3867.

**Subject of Rules and Statutory Authority:** The proposed repeals govern the following obsolete rules:

**1. Obsolete rules identified in the MPCA's 2003 Obsolete Rules Report (*Minnesota Statutes*, sections 14.05, subdivision 5 and 14.3691).**

- a. Part 7021.0050, subparts 4 and 6 – Compliance Dates.  
Part 7021.0050, subparts 4 and 6 should be repealed as they contain deadlines that have passed and have no apparent bearing on future application of this rule.
- b. Parts 7039.0010 thru 7039.0120 – Listed Metals in Specified Products.  
The purpose of these rules is to implement the Listed Metals Program pursuant to *Minnesota Statutes*, section 115A.9651 by establishing the Listed Metals Advisory Council (Council) and to set out product bans as recommended by the Council. The Council is required by statute to identify products that contain listed metals (lead, cadmium, mercury, or hexavalent chromium) so that these metals upon entering the waste stream do not contribute to bioaccumulation and burden taxpayers with unnecessary disposal costs. Parts 7039.0010 thru 7039.0120 establish the procedures the Council must follow in convening and reviewing specified products as defined in *Minnesota Statutes*, section 115A.9651, subdivision 2, paragraph (i). Part 7039.0130 contains the list of the specified products that, as a result of the Council's activities, have been banned by rule for distribution

# Proposed Rules

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for sale or use in Minnesota. Because the Council has finished its work in reviewing products and is not expected to meet again before the expiration date of June 30, 2006, the MPCA proposes to repeal parts 7039.0010 thru 7039.0120. The MPCA will retain part 7039.0130, which contains the list of prohibited products that may not be sold or used in Minnesota after August 26, 2002, or the date indicated on the list, which ever is later.

- c. Parts 7075.0100 to 7075.5000 – State Fund and Federal Grants  
*Minnesota Rules* chapter 7075 provides for the administration of grants awarded under the federal construction grant program and the state matching grant program for wastewater treatment systems. This chapter also provides for the administration of grants awarded before July 1, 1990, under the state independent grants program and the state financial assistance program for combined sewer overflow abatement. Because the programs addressed by these rules are no longer in effect, the MPCA proposes repealing these rules.
- d. Part 7105.0060, subpart 5a. – Certification Renewal Schedule for Supervisors  
Part 7105.0060, subpart 5a governs the schedule for supervisor certification renewal. This part is no longer applicable because it refers to a timeline that has passed. The MPCA proposes to repeal this subpart.

## 2. Obsolete rules identified in the MPCA's 2004 Obsolete Rules Report (*Minnesota Statutes*, section 14.05, subdivision 5).

- a. Part 7001.0020, item G – Scope (General Permit Requirements)  
*Minnesota Rules* chapter 7001 establishes permits and certifications issued by the MPCA to regulate the following: general permits, hazardous waste facility permits; National Pollutant Discharge Elimination System permits; solid waste management facility permits; major facility substances storage permits and 401 certifications. Part 7001.0020, item G contains rule language governing mobile sources and indirect source permits for parking facilities. This rule part is obsolete. The rules governing indirect source permits were repealed by the Legislature, Special Session, *Minnesota Laws* chapter 2, section 162, (2001). The MPCA will retain the remaining items listed in part 7001.0020.
- b. Part 7027.1150, subpart 2 – Standards for Appliance Recyclers (Self-certification)  
Part 7027.1150, subpart 2, requires persons engaged in the business of recycling appliances as described in *Minnesota Statutes*, section 115A.9561, subdivision 2, to self certify, in a prescribed manner, to the MPCA Commissioner by January 15 of each calendar year. This rule part is obsolete. The MPCA plans to retain part 7027.1150, subparts 1 and 3.

The statutory authority to repeal these rules is *Minnesota Statutes*, sections 14.3895 and 116.07. A copy of the proposed repeals is published in the *State Register* and attached to this notice as mailed.

**Comments:** You have until 4:30 p.m. on December 27, 2005, to submit written comment in support of or in opposition to the proposed repeals and any part or subpart of the repeals. Your comment must be in writing and received by the MPCA contact person by 4:30 p.m. on December 27, 2005. Comment is encouraged. Your comment should identify the portion of the proposed repeal and the reason for the comment. You are encouraged to propose that any part or subpart not be repealed. Any comments that you would like to make on the legality of the proposed repeals must also be made during the comment period.

**Request for an Alternative Process:** If 25 or more people submit a written request, the MPCA will have to meet the requirements of sections 14.131 to 14.20 for rules adopted after a public hearing or the requirements of section 14.22 to 14.28 for rules adopted without a public hearing, including preparation of a statement of need and reasonableness and the opportunity for a hearing. Your written request for an alternative process must include your name and address. You must identify the portion of the proposed rule repeals which you feel should not be repealed or state that you oppose the entire repeal. Any request that does not comply with these requirements is not valid and cannot be counted by the MPCA for determining whether an alternate process is necessary. You are also encouraged to state the reason for the request.

**Alternative Format:** Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the MPCA contact person at the address or telephone number listed in this notice.

**Modifications:** The proposed repeals may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the MPCA. If the proposed repeals affect you in any way, you are encouraged to participate in the repeal process.

**Request to Have the MPCA Citizens' Board Make Decision on Proposed Repeal if No Hearing is Required:** If a hearing is required, the MPCA Citizens' Board will make the final decision on whether to adopt the proposed repeals. However, even if no hearing is required, you may submit a request to the MPCA Commissioner or an MPCA Citizens' Board member to have the MPCA Citizens'

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# Proposed Rules

Board make the decision on whether to adopt the proposed repeals. Your request must be in writing, must state to whom it is directed and must be received by the MPCA contact person by 4:30 p.m. on December 27, 2005. Under *Minnesota Statutes*, section 116.02 where a hearing is not required, the MPCA Citizens' Board will only make the decision on the repeals if the MPCA Commissioner grants your request or if an MPCA Citizens' Board member makes a timely request that the decision be made by the MPCA Citizens' Board.

**Adoption and Review of Rules:** If no alternative process is required, the MPCA may repeal the rules after the end of the comment period. The repealed rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the repeals are submitted to the Office of Administrative Hearings. If you want to be so notified, or want to receive a copy of the repealer, or want to register with the MPCA to receive notice of future rule proceedings, submit your request to the MPCA contact person listed in this notice.

Sheryl Corrigan, Commissioner  
Minnesota Pollution Control Agency

## 7001.0020 SCOPE.

Except as otherwise specifically provided, parts 7001.0010 to 7001.0210 apply to items A to ~~F~~ H.

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

~~G.~~ An agency permit required for the construction of a facility, building, structure, or installation that attracts or may attract mobile source activity that results in emissions of an air pollutant for which there is a state standard. Parts 7001.0100, subparts 4 and 5, and 7001.0110 do not apply to permits for parking facilities described in part 7001.1270, subpart 2, with a new or increased parking capacity of 5,000 vehicles or less. Part 7001.0150, subparts 1 and 2, does not apply to these permits.

~~G.~~ The processing of certifications under section 401 of the Clean Water Act, *United States Code*, title 33, section 1341, to the extent provided by parts 7001.1400 to 7001.1470.

~~F~~ H. An agency permit required for the construction or operation of a substance storage facility which:

- (1) is a major facility as defined in part 7001.4205;
- (2) stores:
  - (a) a substance as defined in part 7001.4205;
  - (b) asphalt; or
  - (c) fuel oil number 6; and
- (3) is not an excluded aboveground storage tank system under part 7151.1300, subpart 2.

Part 7001.0040, subparts 1 and 3, apply to major facility substance storage permits except that the time period referenced in those subparts shall be 90 days instead of 180 days. Parts 7001.0100, subparts 4 and 5; 7001.0110; and 7001.0150 do not apply to these permits.

Part 7001.0080 applies to the permits in this item except that the time period referenced in part 7001.0080 shall be five years instead of three years.

## 7105.0090 EXAMINATIONS AND DIPLOMAS.

[For text of subs 1 to 4, see M.R.]

Subp. 5. **Diplomas.** The training provider shall issue a diploma to each student who completes the initial or renewal training course and successfully passes the examination. The following information must be included on the diploma:

- A. the name of the student;
- B. the name of the course completed;
- C. the dates of the course and the examination;
- D. a statement indicating that the student attended the course and passed the examination; and
- E. an expiration date for accreditation that is four years after the date on which the student passed the examination ~~except as provided by part 7105.0060, subpart 5a.~~

If the person administering the examination is not the same person administering the course, both persons shall sign the diploma.

**REPEALER.** *Minnesota Rules*, parts 7021.0050, subparts 4 and 6; 7027.1150, subpart 2; 7039.0010; 7039.0020; 7039.0030; 7039.0040; 7039.0050; 7039.0060; 7039.0070; 7039.0080; 7039.0090; 7039.0100; 7039.0110; 7039.0120; 7075.0100; 7075.0200; 7075.0400; 7075.0401; 7075.0402; 7075.0403; 7075.0404; 7075.0405; 7075.0406; 7075.0407; 7075.0408; 7075.0409; 7075.0410; 7075.0411; 7075.0412; 7075.0413; 7075.0414; 7075.0415; 7075.0416; 7075.0417; 7075.0419; 7075.0420; 7075.0421; 7075.0423; 7075.0424; 7075.0425; 7075.0426; 7075.0427; 7075.0428; 7075.0429; 7075.0430; 7075.0431; 7075.0432; 7075.0433; 7075.2000; 7075.2100; 7075.2200; 7075.4900; 7075.5000; and 7105.0060, subpart 5a, are repealed.

# Adopted Rules

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

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

## Board of Accounting

### Adopted Permanent Rules Relating to Accountants

The rules proposed and published at *State Register*, Volume 29, Number 52, pages 1592-1602, June 27, 2005 (29 SR 1592), are adopted with the following modifications:

#### 1105.0100 DEFINITIONS.

Subp. 4. **Applicant.** "Applicant" means a person applying to take the Uniform Certified Public Accountant Examination. An "applicant" is also referred to as a "candidate." ~~The term "applicant" also includes persons referred to in this chapter by the term "candidate" and those~~ who have passed the examination but have not yet received their CPA certificates.

Subp. 17. **Report.** "Report," as defined in *Minnesota Statutes*, section 326A.01, subdivision 15, and as used in this chapter and *Minnesota Statutes*, section 326A.10, paragraph (a), includes forms of language contained in a report that refers to financial statements, when the forms of language express or deny any assurance as to the reliability of the financial statements to which it refers. Among the possible sources of such forms of language are pronouncements by authoritative bodies describing the work that should be performed and/or the responsibilities that should be assumed for specified kinds of professional engagements, and in addition, prescribing the form of report, which should be issued upon completion of such engagements. A form of report prescribed by such a pronouncement will ordinarily constitute a form of language, which is conventionally understood as implying assurance and expertise. For this reason, as provided in *Minnesota Statutes*, section 326A.10, report includes the issuance of reports using the forms of language set out in the AICPA's Statement on Standards for Accounting and Review Services No. 1 (SSARS 1), for reports with respect to "reviews" of financial statements and compilations of financial statements, as well as the forms of language for "special reports" set out in the AICPA's Statement on Auditing Standards No. 62 and forms of language for reports set out in the AICPA's Statements on Standards for Attestation Engagements or successor pronouncements. These AICPA statements are contained in AICPA Professional Standards and are incorporated by reference.

#### 1105.0250 INCORPORATION BY REFERENCE.

A. For purposes of this chapter, the documents ~~as revised as of May~~ dated June 1, 2005, in item B; ~~the documents dated June 1, 2004~~ 2005, in item C; ~~the document dated December 1, 2004, copyrighted 2005~~ in item D; and the 2003 revision, as further amended through May 2005, of the document as in item E are incorporated by reference to the extent other provisions of this chapter and *Minnesota Statutes* do not modify or conflict with the provisions of the documents, in which case the provisions of this chapter and *Minnesota Statutes* shall prevail. They can be found at the state law library and are subject to frequent change.

B. The following documents are published by and available from the American Institute of Certified Public Accountants, 1211 Avenue of the Americas, New York, NY 10036:

(4) Statement on Standards for Continuing Professional Education (CPE) Programs.

The Code of Professional Conduct and the statements identified above are published in the document identified in item C, subitem (2).

D. The following document is published by and available from the American Institute of Certified Public Accountants, 1211 Avenue of the Americas, New York, NY 10036: PCAOB Standards and Related Rules, copyright 2005.

E. The following document is published by and available from the United States General Accounting Office, Washington, DC 20548: Government Auditing Standards: 2003 revision.

#### 1105.1500 EDUCATION REQUIREMENTS.

Subpart 1. **Education requirements on or after July 1, 2006.**

On or after July 1, 2006, for purposes of *Minnesota Statutes*, section 326A.03, subdivision 3, an applicant is considered to have met the education requirement if the applicant has met any one of the following conditions:

D. earned a baccalaureate or higher degree from an accredited educational institution (level one accreditation) that included or is supplemented by at least 24 semester hours of accounting at the upper division or graduate level, including coverage of, but not necessarily



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# Adopted Rules

separate courses in, the subjects of financial accounting, auditing, taxation, and management accounting that is earned at an accredited educational institution. Upper division is normally defined as junior or senior level. In accounting, this would be all courses taken beyond the elementary level. Graduate level is defined as courses that apply towards an advanced degree offered by an accredited educational institution offering bachelor's and graduate degrees in business or accounting.

## **1105.2900 EDUCATION REQUIRED FOR INITIAL CERTIFICATION ON OR AFTER JULY 1, 2006.**

C. No more than six hours may be recognized for internships or life experience.

## **1105.3000 CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS FOR RENEWAL OF CERTIFICATE.**

The requirements of continuing professional education in items A to K apply to the renewal of certificates pursuant to *Minnesota Statutes*, section 326A.04, subdivision 4.

A. A licensee seeking renewal of a certificate with an active status shall show the completion of at least 120 hours of continuing professional education complying with this chapter during the three-year period preceding renewal, with a minimum of 20 hours in each year. No carryforward of CPE hours from a one- or three-year CPE period ended on June 30 to another CPE period is allowed. As further explained in part 1105.3100, a licensee seeking renewal of a certificate shall demonstrate participation in a program of learning meeting the applicable standards set forth in the Statement on Standards for Continuing Professional Education (CPE) Programs jointly approved by NASBA and AICPA, which is incorporated by reference. At least eight hours of the 120 hours shall be in accounting or business ethics.

## **1105.3100 PROGRAMS QUALIFYING FOR CONTINUING PROFESSIONAL EDUCATION CREDIT.**

Subp. 2. **Other qualifications.** The board shall accept programs that, in the determination of the board, contribute to the growth of the professional knowledge and competence of the licensee even if the programs do not meet the specific requirements of subpart 1 or part 1105.3000, item A, if the licensee shows that such programs contribute to the licensee's professional knowledge and professional competence and provided the aggregate hours of the programs do not exceed 40 percent of the hours required for the three-year period. All self-study ~~programs must comply with the specific requirements of~~ program sponsors must be members of NASBA's Quality Assurance Service Program as required by subpart 1 and the program must comply with part 1105.3000, item A.

Subp. 4. **CPE hour limitations.** On and after June 30, 2007, the following hour limitations apply during the three-year period preceding renewal:

C. no more than ~~60~~ 80 percent of the hours required can be obtained from self-study programs; and

## **1105.4100 NOTIFICATION OF CHANGES BY FIRMS.**

A. A firm granted a permit pursuant to *Minnesota Statutes*, section 326A.05, shall file with the board a written notification of any of the following events concerning the practice of public accountancy within this state within 30 days after its occurrence:

- (2) addition of a partner, member, manager, or shareholder resident who resides or practices in this state;
- (3) retirement, withdrawal, or death of a partner, member, manager, or shareholder resident who resides or practices in this state;

## **1105.4200 APPLICATIONS FOR INITIAL ISSUANCE AND FOR RENEWAL OF PERMITS.**

A. The application for initial issuance and for renewal of permits must specify that:

(1) all individual employees of the firm who hold certificates and reside or practice in this state and those persons specified in part 1105.4000, item D, who are responsible for supervising attest or compilation services or who sign or authorize someone to sign an accountant's report on financial statements have met the competency requirements set out in professional standards; and

## **1105.7850 RETENTION AND CONTENT OF AUDIT DOCUMENTATION.**

C. Failure to comply with this part, or with all professional standards applicable to particular engagements, including, but not limited to, standards adopted by the Public Company Accounting Oversight Board or the Comptroller General of the United States, which are incorporated by reference in part 1105.0250, items D and E, respectively, is an act discreditable to the profession and is basis for disciplinary action specified in *Minnesota Statutes*, section 326A.08. The documentation and retention requirements set out in this part do not apply to engagements that are subject to the jurisdiction of the Public Company Accounting Oversight Board or the Comptroller General of the United States. Unless otherwise stated in this part, firms shall comply with the documentation and retention requirements set out in this part in any other audit engagement performed in this state.

# Commissioners' Orders

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

## Department of Natural Resources (DNR)

### Designation of Aquatic Management Areas

#### Order No. AMA 05-003

Pursuant to the provisions of *Minnesota Statutes*, section 86A.07, subdivision 3(2), and section 86A.05, subdivision 14(e), the following described lands under the jurisdiction of the Minnesota Department of Natural Resources meet the criteria as being suited for aquatic management areas:

#### Duck Lake AMA, Blue Earth County

Located in Township 109, Range 25, in the following sections, as described in deeds previously recorded at the Blue Earth County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	285003	10/22/1970	34	NWNE

#### Bingham Lake AMA, Cottonwood County

Located in Township 105, Range 35, in the following section, as described in deeds previously recorded at the Cottonwood County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	157773	11/16/1972	9	SWSW

#### Naylor Pond AMA, Dodge County

Located in Township 107, Range 18, in the following sections, as described in deeds previously recorded at the Dodge County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
5	Fee Title	074193	6/17/1988	13	NENE
6	Fee Title	074638	7/22/1988	13	SENE

#### Eagle Lake AMA, Kandiyohi County

Located in Township 120, Range 34, in the following sections, as described in deeds previously recorded at the Kandiyohi County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	276137	4/28/1980	30	SENE

#### Green Lake AMA, Kandiyohi County

Located in Township 120, Range 34, in the following sections, as described in deeds previously recorded at the Kandiyohi County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	14617	7/21/1958	3	S1/2SW1/4
2	Fee Title	179782	5/24/1958	10	NENE
3	Fee Title	171267	11/18/1955	10	NENE

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# Commissioner's Orders

## Norway Lake AMA, Kandiyohi County

Located in Township 121, Range 36, in the following sections, as described in deeds previously recorded at the Kandiyohi County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	274541	12/14/1979	1	NWSE

## Marsh Lake AMA, Lac Qui Parle County

Located in Township 120, Range 43, in the following sections, as described in deeds previously recorded at the Lac Qui Parle County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	CERT 34	6/09/1964	31	NWNW

## Francis Lake AMA, Le Sueur County

Located in Township 109, Range 24, in the following sections, as described in deeds previously recorded at the Le Sueur County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	121005	7/23/1958	35	NE1/4NW1/4
2	Fee Title	120621	5/17/1958	35	NW1/4NW1/4
3	Fee Title	273361	4/12/1999	35	GL7
4	Easement	275859	8/6/1999	35	GL7
5	Easement	273361	4/12/1999	35	GL7

## Gorman Lake AMA, Le Sueur County

Located in Township 110, Range 24, in the following sections, as described in deeds previously recorded at the Le Sueur County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	136744	12/14/1965	14	NESE
2	Fee Title	139232	12/05/1966	14	SESE
3	Fee Title	136743	12/14/1965	14	NWSE

## St. Peter AMA, Le Sueur County

Located in Township 110, Range 26, in the following sections, as described in deeds previously recorded at the Le Sueur County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	52428	7/19/1919	14	NESW
2	Fee Title	53403	7/19/1919	14	NWSE

## Tetonka Lake AMA, Le Sueur County

Located in Township 109, Range 23, in the following sections, as described in deeds previously recorded at the Le Sueur County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	132753	1/28/1964	17	NWSW
2	Fee Title	132754	1/28/1964	17	NESW

## Benton Lake AMA, Lincoln County

Located in Township 110, Range 45, in the following sections, as described in deeds previously recorded at the Lincoln County Recorders Office.

# Commissioner's Orders

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Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	106008	2/21/1968	36	NESW

## Koronis Lake AMA, Meeker County

Located in Township 121, Range 32, in the following sections, as described in deeds previously recorded at the Meeker County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Easement	195661	3/27/1980	4	NENE
2	Easement	194050	10/08/1979	4	SESE
3	Easement	193665	8/27/1979	3	GL5
4	Easement	95997	5/05/1979	9	NENE
5	Fee Title	207150	11/21/1983	3	GL6
5A	Easement	207146	11/21/1983	3	GL6
6	Easement	193623	8/27/1979	3	GL7

## Manuella Lake AMA, Meeker County

Located in Township 118, Range 30, in the following sections, as described in deeds previously recorded at the Meeker County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	161745	4/01/1968	9	NENE

## Minnebelle Lake AMA, Meeker County

Located in Township 118, Range 31, in the following sections, as described in deeds previously recorded at the Meeker County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
2	Fee Title	300949	11/15/2001	12	SWNW

## Ripley Lake AMA, Meeker County

Located in Township 119, Range 31, in the following sections, as described in deeds previously recorded at the Meeker County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	183649	10/20/1976	23	SESW

## Sucker Creek AMA, Meeker County

Located in Township 118, Range 30, in the following sections, as described in deeds previously recorded at the Meeker County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
2	Easement	188238	1/26/1978	5	E1/2SE1/4
3	Easement	185527	5/31/1977	5	E1/2NE1/4
4	Easement	188400	1/26/1978	5	W1/2NE1/4
6	Easement	184770	3/14/1977	6	N1/2SE1/4
9	Easement	188082	2/09/1978	12	N1/2SE1/4

## Ramsey Creek AMA, Redwood County

Located in Township 113, Range 36, in the following sections, as described in deeds previously recorded at the Redwood County Recorders Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Easement	229434	4/23/1979	35	N1/2NW1/4

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# Commissioner's Orders

## Cedar Lake AMA, Rice County

Located in Township 110, Range 22, in the following sections, as described in deeds previously recorded at the Rice County Records Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	192789	8/26/1963	35	SENW
2	Fee Title	434808	3/30/1998	35	GL9

## Dudley-Kelly AMA, Rice County

Located in Township 110, Range 21, in the following sections, as described in deeds previously recorded at the Rice County Records Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	195108	4/23/1964	8	SWNE
2	Fee Title	195195	4/27/1964	8	SWNE
4	Fee Title	265464	5/15/1979	8	SWNE
5	Fee Title	195107	5/07/1963	8	SWNE
6	Fee Title	280691	11/18/1981	8	SWNE
7	Fee Title	280692	11/18/1981	8	SWNE

## Spring Brook AMA, Rice County

Located in Township 111, Range 20, in the following sections, as described in deeds previously recorded at the Rice County Records Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
2	Easement	253715	8/10/1977	3	SWSE
3	Easement	251546	5/04/1977	3	SESW
4	Easement	251120	4/06/1977	3	N1/2SW1/4

## Clear Lake AMA, Waseca County

Located in Township 107, Range 22, in the following sections, as described in deeds previously recorded at the Waseca County Records Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1,2,3	Fee Title	113086	1/14/1964	9	SWSE

## Upper Cormorant AMA, Becker County

Located in Township 138, Range 43, in the following sections, as described in deeds previously recorded at the Becker County Records Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	261189	2/2/72	5	GL 5 & 7

## Demontreville Lake AMA, Washington County

Located in Township 29, Range 21, in the following sections, as described in deeds previously recorded at the Washington County Records Office.

Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1,2	Fee Title	400988	1/2/1980	5	GL6
3,4	Easement	400988	1/2/1980	5	GL6

## Love Lake AMA, Crow Wing County

Located in Township 143, Range 29, in the following sections, as described in deeds previously recorded at the Crow Wing County Records Office.

# Commissioners' Orders

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Parcel	DNR Interest	Document #	Deed Date	Section	Locator
1	Fee Title	220917	1/11/1966	10	GL5
2	Fee Title	218894	9/13/1965	10	GL4

NOW THEREFORE, IT IS HEREBY ORDERED that the lands described above are designated as aquatic management areas.

Dated: October 6, 2005

Gene Merriam, Commissioner  
Department of Natural Resources

## Official Notices

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

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

## Department of Human Services

### Authorization List of All Drugs That Have Been Added Requiring Authorization as a Condition of Minnesota Health Care Programs (MHCP) Payment

The following is a listing of added drugs to the current authorization list. The newly added drug codes will require authorization on or after November 1, 2005.

As authorized by *Minnesota Statutes*, section 256B.0625, subd 25, the following list includes all drugs that have been added requiring authorization as a condition of MHCP payment. The criteria used to develop this list are as follows:

- A. The health service could be considered, under some circumstances, to be of questionable medical necessity.
- B. Use of the health service needs monitoring to control the expenditure of program funds.
- C. Less costly, appropriate alternatives to the health service are generally available.
- D. The health service is investigative.
- E. The health service is newly developed or modified.
- F. The health service is of a continuing nature and requires monitoring to prevent its continuation when it ceases to be beneficial.
- G. The health service is comparable to a service provided in a skilled nursing facility or hospital but is provided in a recipient's home.
- H. The health service could be considered cosmetic.

These newly added non preferred drugs will require Authorization for services provided on or after November 1, 2005.

#### DRUGS

##### Added Drugs

- Renagel
- FosRenol
- Growth Hormone
- Revitio
- BiDil

## Department of Human Services

### Notice of Public Comment Period for the “Title XX Intended Use Report: Block Grant for Social Services”

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human services (DHS), Child Safety and Permanency Division, is seeking comments from the public regarding the “Title XX Intended Use Report – Block Grant for Social Services.”

The Title XX Intended Use Report summarized the intended use of payments received by the State under Title XX of the Social Security Act. It includes information about the activities to be funded and characteristics of the individuals who will be served for the twelve months of the federal fiscal year 2006 (October 1, 2005 through September 30, 2006). The report can be reviewed at:

*[http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dHS-\\_id\\_052908.pdf](http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dHS-_id_052908.pdf)*

The comment period is from October 17 to November 16, 2005.

Written comments may be submitted to:

Carol Janson, Social Services Program Advisor  
444 Lafayette Road  
St. Paul, MN 55155-3832  
Or by e-mail to: *carol.janson@state.mn.us*

## Metropolitan Council

### Public Hearing on 2006-2011 Metropolitan Regional Parks Capital Improvement Program and Revised Regional Park Capital Grant Reimbursement Policy

A public hearing will be held on the 2006-2011 Metropolitan Regional Parks Capital Improvement Program and revised regional park capital grant reimbursement policy as part of the Metropolitan Council’s regular meeting. The hearing is scheduled for:

4:15 p.m., Wednesday, November 9, 2005  
Testimony will be taken until 5:30 p.m.  
Metropolitan Council Chambers, Mears Park Centre  
230 East Fifth Street, St. Paul, MN

All interested persons are encouraged to attend the public hearing and offer comments. People may register in advance to speak by calling Pat Curtiss at (651) 602-1390 or (612) 291-0904 (TTY). Upon request, the Council will provide reasonable accommodations to persons with disabilities.

In addition to the public hearing, you may also provide oral or written comments as follows:

- Written comments to: Metropolitan Council Data Center,  
ATTN: 2006-11 Parks CIP and revised park capital grant reimbursement policy comments,  
Mears Park Centre, 230 E 5<sup>th</sup> St, St. Paul, MN 55101-1626
- Fax comments to Data Center at (651) 602-1464
- Record comments on Council’s Public Comment Line at (651) 602-1500
- Send TTY comments to: (651) 291-0904
- E-mail comments to: *data.center@metc.state.mn.us*

Comments will be accepted until 4:30 p.m., November 23, 2005.

Copies of the 2006-2011 Metropolitan Regional Parks Capital Improvement Program and revised regional park capital grant reimbursement policy (Publication No. 78-05-066) are available after October 15 for review at major public libraries in the seven-county Twin Cities Metropolitan Area or by contacting the Council’s Regional Data Center at (651) 602-1140 or (612) 291-0904 (TTY). You can also view this document on the Council’s website: “*www.metrocouncil.org*”.

# Official Notices

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

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

Pamela K. Graika  
General Manager, Power Generation

## 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](http://www.mmd.admin.state.mn.us) for informal solicitation announcements.

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

## Department of Administration Want Help Winning Contract Bids ?

The *State Register* helps you land state government business and contracts -- about \$3 billion a year. A subscription brings you information about contracts, grants, rules, governor's orders, revenue notices and more.

- Index to Vol. 30
- Indexes to Vols. 29, 28 and 27
- Early delivery, on Friday
- Easy Access to *State Register* Archives
- Contracts & Grants Open for Bid
- LINKS, LINKS, LINKS
- E-mailed to you . . . its so easy

Receive the growing index to the Volume 30 so you keep up-to-date on everything in the volume. Receive a list of contracts and grants open for bid. Everything includes LINKS (including the index) that will get you to the information you want with the ease of the click of your mouse. It's all E-mailed to you, on Friday, instead of waiting for Monday's issue. Subscriptions cost \$180 per year. Contact Jessie Rahmeyer, our subscriptions manager, at (651) 297-8774, or Fax: (651) 297-8260, or E-mail: [jessie.rahmeyer@state.mn.us](mailto:jessie.rahmeyer@state.mn.us)

## Capitol Area Architectural and Planning Board Notice of Request for Proposal from Design Professionals for Restoration Work on the Minnesota State Capitol Building

The Capitol Area Architectural and Planning Board (CAAPB) is seeking design professionals (architects, engineers, or artists) or teams of individuals, including at least one Minnesota licensed architect for:

- the Schematic Design Phase for the Interior Restoration of the Minnesota State Capitol Building, with the opportunity for all subsequent Design Phase Services as funding allows
- miscellaneous State Capitol construction projects requiring architectural services during the course of the contract period as defined above.

Design Teams responding must have extensive preservation experience in large-scale historic restoration of public buildings with multiple clients, and preferably civic buildings such as state capitol buildings that are active working buildings. Interested parties will find the Request for Proposal (RFP) posted on the Minnesota State Architect's Office web site at [www.sao.admin.state.mn.us](http://www.sao.admin.state.mn.us), select "Solicitation Announcements".



Once all responses to the RFP have been reviewed, the CAAPB, the Department of Administration, the Minnesota Historical Society, and the project's Design Selection Committee will select candidates who will then be invited to interview. Selection of the Design Team is scheduled to occur by late December 2005.

The budget for this schematic design phase of the Capitol's full interior restoration is approximately \$1.0 million. Future design phases and construction projects, estimated at \$73.0 million, will be based on this schematic design work, and are contingent upon funding from the legislature and possible private funding.

In addition to this design project, the Design Team may be asked to provide architectural design services for other asset preservation or tenant remodeling projects within the Capitol Building as they occur.

The State reserves the right to make future work contingent on performance.

All responses must be received by 3:00 p.m. (CST), Monday, November 21, 2005.

Contact person:

Paul Mandell, Principal Planner  
Capitol Area Architectural and Planning Board (CAAPB)  
204 Administration Building  
50 Sherburne Avenue  
Saint Paul MN 55155  
**Phone:** (651) 296-6719  
**Fax:** (651) 296-6718

Nancy Stark, Executive Secretary  
Capitol Area Architectural and Planning Board (CAAPB)

## Colleges and Universities, Minnesota State (MnSCU) Dakota County Technical College Request for Proposals for Owners Representative Services for Information Technology and Telecommunications Renovation

**NOTICE IS HEREBY GIVEN** that Dakota County Technical College is requesting proposals for owners representative services for the information technology and telecommunications renovation project at our main campus in Rosemount.

Copies of the request for proposal are available by calling Lynda McPherson at (651) 423-8407. Completed proposals must be received by 1:00 p.m. on Monday, October 31, 2005.

Dakota County Technical College reserves the right to reject any or all bids or portions thereof, or to waive any irregularities or informalities in bids received.

## Department of Employee Relations Notice of Availability of Contract for Drug and Alcohol Testing

The Minnesota Department of Employee Relations is requesting proposals for the purpose of providing statewide drug and alcohol testing, training, and administrative service in compliance with the provisions of the Omnibus Transportation Employee Testing Act of 1991 as administered under the Federal Motor Carrier Safety Regulations of the U.S. Department of Transportation Part 382, et.al. and Part 40 of the Title 49 *Code of Federal Regulations*.

The services will be for approximately 2,650 employees in safety sensitive positions who work for various State agencies and report to work sites located in all 87 counties of the State.

Services under this contract will begin January 1, 2006. This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Prospective responders can call or email for a full paper copy of the RFP which will be sent free of charge to interested vendors. Please direct your request for an RFP or any questions to Joanie Pream at (651) 259-3756 or email at [joanie.pream@state.mn.us](mailto:joanie.pream@state.mn.us).

All proposals must be received at the Department of Employee Relations by 3:00 p.m., Friday, November 18, 2005. Three copies of the proposal must be submitted in a sealed mailing envelope or package with the vendor's name and address written on the outside. Late proposals will not be considered. Fax or emailed proposals will **not** be considered.

# State Contracts

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## Department of Public Safety

### ARMER/911 Program

#### Request for Proposals (RFP) for Business Plan for the Statewide Public Safety Radio and Communication System

Professional/technical services are needed to provide the Department of Public Safety, Allied Radio Matrix for Emergency Response (ARMER)/911 Program with a comprehensive evaluation of alternative business plans for the operation of the state of Minnesota's Statewide Public Safety Radio and Communication System. The written plan is to include a detail assessment of estimated costs of operating the system, estimated number of potential system users, assessment of issues related to the source of funds, assessment of allocation approaches and their influence upon participation and articulate various enterprise business models.

The output from this contract will be a written project report, including a preliminary written report upon estimated operational costs and a final written report discussing alternatives and their impact. The study will involve contractor's staff working with the state of Minnesota's Statewide Radio Board and other system stakeholders.

Anticipated contract start date is December 12, 2005 with an ending date of April 15, 2006. Details are contained in the complete RFP, which may be obtained by emailing; [ron.whitehead@state.mn.us](mailto:ron.whitehead@state.mn.us). All questions concerning this RFP should be emailed to [ron.whitehead@state.mn.us](mailto:ron.whitehead@state.mn.us), and should be received no later than 2:00 p.m. Central Standard Time on November 3, 2005. Answers to questions will be emailed to all entites requesting a complete RFP. Final date for submitting a proposal is 2:00 p.m. Central Standard Time on November 14, 2005.

## Department of Public Safety

### REVISED Request for Proposal for Pre-Employment Medical Evaluations of State Patrol Trooper Candidates, Patrol Student Workers, BSA Agents, and Deputy State Fire Marshals

The Department of Public Safety (Department) is seeking proposals from qualified licensed medical professionals to:

- Conduct pre-employment physical/medical examinations according to the established medical guidelines for approximately 80 State Patrol Trooper candidates, 10 patrol student workers, 12 BCA Special Agents, and 4 Deputy Fire Marshals each year, and/or as needed by the Department.

Details are contained in a complete Request for Proposals, which may be obtained by calling or writing:

Lieutenant Jeffery P. Gladfelter  
State Patrol Training Academy  
1900 West County Road I  
Shoreview, MN 55126  
**Telephone:** (651) 628-6972  
**Fax:** (651) 628-6797  
**E-mail:** [jeff.gladfelter@state.mn.us](mailto:jeff.gladfelter@state.mn.us)

The estimated cost of this project is \$60,000.00 for a two-year contract, from December 1, 2005 through November 30, 2007. The Department will retain an option to extend the contract for an additional three one-year periods, not extending beyond November 30, 2010. Extension options may also be exercised by the state to extend contractor's services to include pre-employment physical/medical evaluations of Minnesota Department of Natural Resource enforcement positions. The value of the contract for subsequent years may be adjusted. Final date for submitting proposals 2:00 PM, Central Daylight Time, on October 31, 2005.

## Department of Transportation (Mn/DOT)

### Engineering Services Division

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

This document is available in alternative formats for persons with disabilities by calling 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 (Mn/DOT) Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities

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

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

## Department of Transportation (Mn/DOT) Finance and Administration Division Office of Workforce Development Request for Proposals (RFP), Leadership Foundations Program

**NOTICE OF AVAILABILITY OF CONTRACT** for professional services to develop curriculum and deliver content with regard to leadership development programming. 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 the department reserves the right to cancel this request for proposal. All expenses incurred in responding to this notice shall be borne by the responder.

Mn/DOT requests responses from qualified professionals for developing and delivering the curriculum content in the identified areas of its Leadership Foundations Program. This program was developed with strategic staffing and succession planning staff for the purpose of increasing the leadership capability of the organization for future success.

The Leadership Foundations Program is an eight module program delivered over a five to six month time period for supervisors and high potential employees for future supervisor positions. This program is a key step in developing frontline leaders within the organization capable of leading a motivated workforce and delivering quality products and services to the citizens of Minnesota.

The goal of this project is to give program participants the skills necessary to provide strong, effective leadership of the organization and its people.

The full Request for Proposal can be viewed on the Consultant Services Web Page at [www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult) under the Profes-

# State Contracts

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sional Technical Notices Section.

If you have any questions regarding this advertisement, or are having problems viewing the Request for Proposals on the Consultant Services Web Page, you may contact:

Ron Bisek, Contract Administrator  
**Telephone:** (651) 296-1361  
**E-mail:** *ron.bisek@dot.state.mn.us*

## Minnesota Veterans Homes Board Request for Proposals for Comprehensive Review of Minnesota Veterans Homes, Board of Directors and Board Staff

**NOTICE IS HEREBY GIVEN** that the Minnesota Veterans Homes Board Special Review Committee (SRC) is seeking proposals from qualified firms and individuals to complete a comprehensive review of:

- The Minnesota Veterans Homes
- The Veterans Homes Board of Directors
- The Veterans Homes Board Staff

### Project Overview:

The major goal of this project is to complete a system-wide analysis of the Minnesota Veterans' Homes five facilities (Minneapolis, Hastings, Luverne, Fergus Falls and Silver Bay), which should include patient care, staffing, financing, governance, quality assurance, board of directors and the functions of board office in order to enhance the quality of resident care and the overall efficiency and effectiveness of the agency including the following:

- Evaluate the adequacy of other organizational issues at Board Office and Homes, including:
  - a. A system-wide analysis of resident care, staffing, financing, governance and quality assurance.
  - b. Management and organization structure;
  - c. Department structures and charters;
  - d. Succession planning for the Executive Director and Administrators;
  - e. Succession planning for the other key management positions;
  - f. Level of staffing in key functional areas, such as quality of care, nursing, accounting, financial reporting, legislative compliance, and operations risk management.
  - g. Evaluate the effectiveness of relationship management with regard to government entities, veteran service organizations, family councils and community leaders.
- Assess the adequacy of skills and expertise of key Veterans Homes Board Staff relative to current and anticipated operations:
  - a. Executive Director;
  - b. Human Resource Director;
  - c. Finance Director;
  - d. Quality Assurance Director;
  - e. Government Affairs Director;
  - f. Projects Director;
  - g. General Counsel; and others Board Staff functions.
- The Veterans Homes Board of Directors
  - a. Corporate bylaws;
  - b. Committee structures;
  - c. Committee charters;
  - d. Knowledge and skills of Directors;
  - e. Composition of committees;
  - f. Board oversight;
  - g. Adequacy and quality of agenda materials\* provided to the Board; and
  - h. Other relevant governance issues.

Phase I of this project which includes a system-wide review of the quality of nursing services, financial management, governance, the Board of Directors, Board office functions, reporting structures, and other review topics as defined by the Special Review Committee. This phase must be completed no later than January 2, 2006. Phase II which includes Human Resources, strategic planning, and other quality issues as defined by the Special Review Committee. Phase II must be completed no later than March 1, 2006.

Consultants will be accountable to the SRC, who are accountable to the Board of Directors. The consultants will work closely with board staff and staff at each of the homes for information and data. The Executive Director will serve as or appoint an internal liaison to serve as the primary contact for the consultants.

Copies of the Request for Proposal are available by calling Vi Nicholas at (651) 296-2073. Copies of the RFP may also be picked up in person at the Veterans Homes Board Office, temporarily located on the third floor of the Centennial Building in the Capitol Complex, St. Paul, Minnesota.

Prospective responders who have any questions regarding this request for proposal may write:

Jeff Johnson, SRC Chair  
C/o Stephen Musser, Executive Director  
Minnesota Veterans Homes Board  
Veterans Service Building  
20 W 12<sup>th</sup> Street, Suite 122  
St Paul, MN 55155  
*Jeff.Johnson@co.jackson.mn.us*

Questions will be taken until one week after this notice has been published in the *Minnesota State Register*.

Other agency personnel are not authorized to discuss this request for proposal with anyone, including responders, before the proposal submission deadline. Contact regarding this RFP with any personnel not listed above could result in disqualification.

This request for proposal does not obligate the state to award a contract or complete the project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

**Proposed Delivery:**

All proposals must be sent to:

Jeff Johnson, SRC Chair  
C/o Minnesota Veterans Homes Board of Directors  
Veterans Service Building, Suite 122  
20 West 12<sup>th</sup> Street  
St. Paul, MN 55155

All proposals must be received no later than November 14, 2005 at 3:00 p.m. as indicated by a notation made by the Administrative Assistant of the Minnesota Veterans Homes Board Office.

Late Proposals will not be considered.

All costs incurred in responding to this RFP will be borne by the responder. Faxed or emailed proposals will not be accepted.

Submit five (5) copies of the proposal. Proposals are to be sealed in mailing envelope or packages with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed, in ink, by an authorized individual or member of an organization. Prices and terms of the proposal as stated must be valid for the length of any resulting contract.

# 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.

## Metropolitan Council

### Sealed Bids Sought for Audio/Video Systems

Notice is given that on **Tuesday, November 22, 2005 at 2:00 P.M.** the Metropolitan Council will receive and publicly open separate sealed bids for Audio/Video Systems for 390 North Robert Street, Contract Number 05P115 at its office at 230 East 5th Street, St. Paul, MN, 55101-1634. Sealed bids should be delivered to 2<sup>nd</sup> floor receptionist.

The Work of this Project includes providing and installing informational kiosks, A/V multimedia equipment, and portable A/V equipment, including integrated A/V systems and integrated control systems. Equipment will be installed in the lobby, Council chambers and conference rooms, A/V control room, and related spaces at the Council's 390 North Robert Street office.

The estimated project cost is between \$350,000 and \$450,000.

Bidding Documents may be obtained from the Metropolitan Council, Attn: Miriam Lopez-Rieth at 230 East 5th Street, St. Paul, MN 55101-1634, **phone:** (651) 602-1095, **fax:** 651-602-1083, **e-mail:** [miriam.lopez-rieth@metc.state.mn.us](mailto:miriam.lopez-rieth@metc.state.mn.us).

A Pre-Bid Meeting will be held in the Council Chambers of Mears Park Centre, 230 E. 5<sup>th</sup> Street, St. Paul, MN, on Tuesday, November 8, 2005 at 9:00 a.m. Attendees should report to the 2<sup>nd</sup> floor receptionist. A tour of the 390 North Robert Street office building will immediately follow the pre-bid meeting.

Direct inquiries to the COUNCIL's Project Manager, Will Craig CTS-D, Elert & Associates, **phone:** (651) 705-1242, **e-mail:** [will.craig@elert.com](mailto:will.craig@elert.com).

The geographical area for this notice and contract is St. Paul, Minnesota.

Dated this 24<sup>th</sup> day of October, 2005

## Metropolitan Council

### Notice of Request for Proposals (RFP) - Master Contracts for Metro Transit in Six Specialty Areas

#### RFP/Contract Numbers 05P098 through 05P103

The Metropolitan Council is soliciting proposals for its Metro Transit Division for Master Contracts in six specialty areas.

RFP/Contract Number	Specialty Area	Expected Number of Contracts	Maximum Expected Value of Each Contract \$
05P098	Real Estate Appraisal	2	\$ 75,000
05P099	Environmental Assessment and Investigations	3	\$100,000
05P100	Geotechnical Investigations	3	\$100,000
05P101	Surveying and Right-of-Way	2	\$ 50,000
05P102	Material Testing and Testing and Inspection	2	\$ 50,000
05P103	Traffic Studies and Traffic Engineering	2	\$100,000

Each contract is expected to have 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, schedule of completion, specified cost for the services, and a designated Metro Transit Project Manager.

The anticipated schedule for this procurement is:

*Issue Request for Proposals*

**October 17, 2005**

*Proposals Due Date*

**November 16, 2005**

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# Non-State Contracts & Grants

*Selection of Firms  
Notice to Proceed*

**About December 1, 2005  
December 30, 2005**

All firms interested in providing any of these services should request a copy of the Request for Proposals (RFP) for that specialty and associated RFP/Contract Number. A firm can propose on any of the six specialty areas but a separate proposal is required for each area.

Send or fax requests to:

Harriet Simmons, Administrative Assistant  
Contracts and Procurement Unit  
Metropolitan Council  
Mears Park Centre  
230 East Fifth Street  
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 (RFP) for Regional Assessment of Water Supply Systems, Water Demand and Availability, and Management Needs

#### Contract Number 05P097

The Metropolitan Council is requesting proposals for a regional assessment of water supply systems, water demand and availability, and management needs.

*Issue Request for Proposals  
Receive Proposals  
Contract negotiated, executed, NTP  
Period of performance*

**October 18, 2005  
December 6, 2005  
January, 2006  
January, 2006 to December, 2008**

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

Harriet Simmons, Senior Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
230 East Fifth Street  
Mears Park Centre  
St. Paul, MN 55101  
**Phone:** (651) 602-1086  
**Fax:** (651) 602-1083  
**E-mail:** harriet.simmons@metc.state.mn.us

## University of Minnesota

### Subscribe to Bid Information Service (BIS)

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

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

