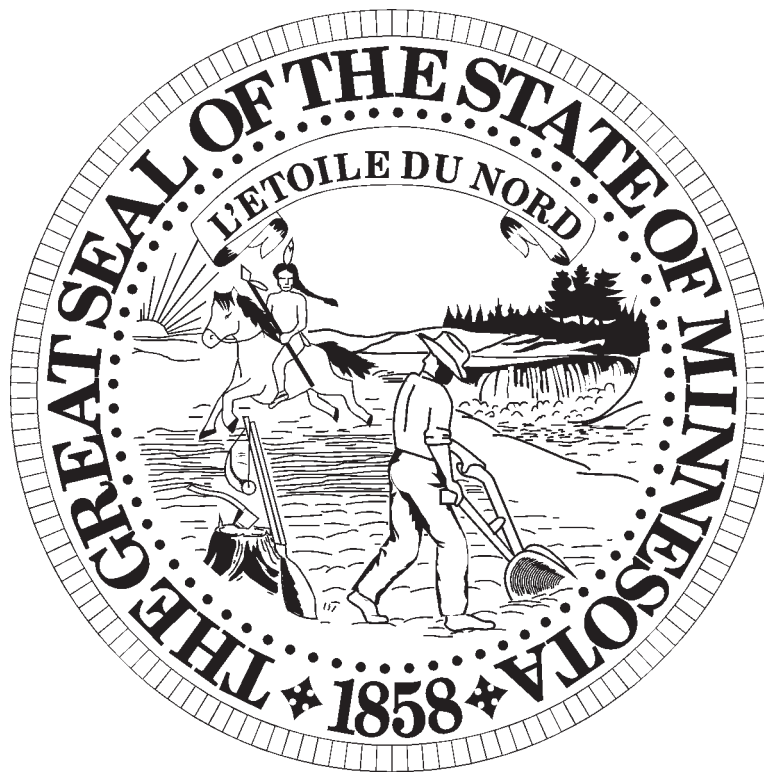


State of Minnesota

State Register



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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
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|----------------------------|---|---|--|
| # 19 | Monday 7 November | Noon Tuesday 1 November | Noon Wednesday 26 October |
| # 20 | Monday 14 November | Noon Tuesday 8 November | Noon Wednesday 2 November |
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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.

Campaign Finance and Public Disclosure Board

Proposed Permanent Rules Relating to Filing of Reports

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Permanent Rules Relating to Filing of Reports, *Minnesota Rules, Chapters 4501, 4503, 4505, 4511, 4512, and 4525*

Introduction. The Campaign Finance and Public Disclosure Board intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until Thursday, December 8, 2005.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Jeff Sigurdson, Campaign Finance and Public Disclosure Board, Suite 190, Centennial Office Building, 658 Cedar Street, St. Paul, MN, 55155. By **phone**: (651) 296-1720 or toll free 1-(800)-657-3889, or **e-mail**: jeff.sigurdson@state.mn.us. TTY users may call the Board at (800) 627-3529.

Subject of Rules and Statutory Authority. The proposed rules regulate providing proper disclosure to the Board, the use of a gift provided to a metropolitan governmental agency, and filing a complaint with the Board. The Board is considering rule amendments to:

- Regulate a secure method of submitting electronic reports and filings with the Board;
- Provide methods for determining the value of an automobile used for campaign purposes;
- Provide for an additional type of noncampaign disbursement;
- Clarify the spending limits for a first time candidate who signs the public subsidy agreement;
- Clarify the classification and reporting requirements for loans and unpaid reimbursements;
- Clarify and revise the reporting requirements for candidates, political committees, political funds, and political party units regulated by the provisions of *Minnesota Statutes* Chapter 10A;
- Clarify the reporting requirements for public officials required to file a Statement of Economic Interest;
- Revise the notification given to a lobbyist who does not file a disclosure report in a timely manner;
- Clarify the categorization of lobbying disbursements;
- Provide the manner in which an official may use a gift given to a metropolitan governmental unit;
- Provide that official complaints to the Board must be in writing.

The Board's statutory authority to adopt the rules is *Minnesota Statutes*, section 10A.02, subd. 13. Additionally, the legislature directed the Board to adopt administrative rules on electronic filing in *Minnesota Laws of 2005*, Chapter 156, Article 6, Section 3. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Proposed Rules

Comments. You have until 4:30 p.m. on Thursday, December 8, 2005, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Thursday, December 8, 2005. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

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

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

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. Copies of the statement may be obtained at the cost of reproduction from the agency. A copy of the Statement of Need and Reasonableness is also available at the Board's web site: www.cfboard.state.mn.us.

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

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

Dated: October 24, 2005

Jeanne Olson, Executive Director

4501.0100 DEFINITIONS.

[For text of subs 1 and 2, see M.R.]

Subp. 2a. Audit trail. "Audit trail" means documentation of submission of an electronic file or facsimile transmission to the board. The audit trail includes the date and time at which the facsimile transmission or electronic file submission was made and a copy of any verification report or message received from the board.

[For text of subs 3 and 4, see M.R.]

Subp. 4a. Electronic file. "Electronic file" means a report or statement required by *Minnesota Statutes*, chapter 10A, and submitted to the board using an electronic filing system.

Subp. 4b. Electronic filing system. "Electronic filing system" means the computer-based systems developed by the board to transfer an electronic file of data that meets the filing and reporting requirements of *Minnesota Statutes*, chapter 10A.

Subp. 4c. Facsimile transmission. "Facsimile transmission" means the use of a fax machine or e-mail to submit an electronic image of a report or statement to the board.

[For text of subs 5 to 7, see M.R.]

Subp. 7a. Personal identification code. "Personal identification code" is a confidential user name and password provided by the board and required to use an electronic filing system.

Proposed Rules

[For text of subs 8 and 9, see M.R.]

4501.0300 CERTIFICATION, SIGNATURES, AND NOTARIZATION.

Subp. 1a. **Signature required.** The original signature of the person responsible for preparation or filing of a report or other document is required to make the report or document complete. Only signed reports or documents may be filed with the board. A document filed by facsimile transmission meets the requirements of this part if the original document being transmitted bears the required signature. An electronic filing meets the requirement of this part if it is submitted with a personal identification code. The board must provisionally accept an initial registration submitted without a personal identification code pending a confirmation of the registration.

[For text of subs 2 and 3, see M.R.]

4501.0500 FILINGS, SUBMISSIONS, AND DISCLOSURES.

Subpart 1. **Format.** A report or statement required under *Minnesota Statutes*, chapter 10A, must be submitted on the forms provided by the board for that purpose or by an electronic filing system. The board may provide alternative methods for submitting information, including other means for the electronic submission of data.

Subp. 1a. **Completion of filing.** A filing with the board is complete upon:

- A. receipt in the board office of the document being filed, bearing the original signature of the person responsible for filing the document;
- B. receipt of a facsimile transmission of the document, subject to subpart 2; ~~or~~
- C. the postmark date of a first class or certified mailing of the document being filed, properly addressed to the board at its current address; ~~or~~
- D. the successful submission of an electronic file to the board.

Subp. 2. **Filing by facsimile transmission or electronic filing system.** A document filed by facsimile transmission or ~~electronic filing system~~ has the same force and effect as ~~the filing an original paper document~~. Facsimile ~~filings~~ ~~transmissions~~ and the use of an ~~electronic filing system~~ are subject to items A to ~~E~~ F.

A. A facsimile transmission or ~~electronic file~~ received after the close of a business day is considered received at the beginning of the next business day.

B. Use of an electronic filing system is optional. In order to provide a secure environment for the submission of electronic files, the board must require that a filer use a personal identification code when submitting an electronic file. The board may also request the filer to provide a valid e-mail address in order to receive confirmation and verification messages from the board.

C. After an electronic file is processed by the board, the information contained in the electronic file becomes the property of the state subject to the terms of the Data Practices Act under *Minnesota Statutes*, chapter 13.

D. In the case of a filing by facsimile transmission, the filer must retain the original of the filed document and a record of the date and time of the transmission. If an electronic filing system is used to submit an electronic file to the board, the filer must retain as documentation the database and information on which the electronic submission of data is based. The database and records are subject to audit as provided in *Minnesota Statutes*, chapter 10A.

~~E.~~ E. Within five days of a request by the board, any person filing a document by facsimile transmission or ~~electronic filing system~~ shall refile the document by one of the other filing methods provided in subpart 1.

F. Technical problems that prevent the successful submission of a facsimile transmission or electronic file do not relieve the filer of the responsibility of meeting the requirements of *Minnesota Statutes*, chapter 10A. An audit trail that demonstrates that the facsimile transmission or electronic file was successfully submitted in a timely fashion may be used by the board to waive late filing fees.

[For text of subp 3, see M.R.]

4503.0100 DEFINITIONS.

[For text of subs 1 to 3, see M.R.]

Subp. 3a. **Fair market value.** “Fair market value” means the amount that an individual would pay to purchase the same or similar service or item on the open market.

[For text of subp 4, see M.R.]

Subp. 4a. **Loan.** “Loan,” for principal campaign committees, political committees and funds, party units, and ballot question committees, means the lending or receipt of funds.

[For text of subs 5 to 8, see M.R.]

4503.0500 CONTRIBUTIONS.

[For text of subs 1 to 7, see M.R.]

Subp. 8. **Value of contributions of automobile use.** Automobile use provided ~~without reimbursement to the provider~~ is a donation ~~in kind~~ to a committee by an individual may be valued at the lowest rate used by the state of ~~Minnesota~~ to reimburse its employees for

Proposed Rules

automobile use. Alternatively, the value of the automobile may be calculated as the actual cost of fuel, maintenance, repairs, and insurance directly related to the use of the automobile. The use of an automobile that exceeds \$20 in value a day is either an expenditure that must be reimbursed or a donation in kind from the individual who provided the use of the automobile. An automobile provided by an association must be valued at the fair market value for renting an equivalent automobile.

4503.0900 NONCAMPAIGN DISBURSEMENTS.

Subpart 1. **Additional definitions.** In addition to those listed in *Minnesota Statutes*, section 10A.01, subdivision 26, the following expenses are noncampaign disbursements:

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

- D. payment of advances of credit in a year after the year in which the advance was reported as an expenditure; ~~and~~
- E. payment of fines assessed by the board; ~~and~~
- F. costs of running a transition office for a winning gubernatorial candidate during the first six months after election.

[For text of subp 3, see M.R.]

4503.1400 PUBLIC SUBSIDY AGREEMENTS.

[For text of subs 2 to 8, see M.R.]

Subp. 9. **Increase for firsttime candidates.** Candidates who qualify for first-time candidate status receive a ten percent increase in the campaign expenditure limit in all years of the applicable election cycle.

4503.1500 AGREEMENT TO MAKE LOAN LOANS.

Subpart 1. **Loan agreement requirements.** An agreement to make a loan to a principal campaign committee or political committee or fund must be made in writing and signed by the borrower and endorsers.

Subp. 2. **Unpaid yearend balance.** The unpaid year-end balance of all loans from a political committee, political fund, party unit, individual, or candidate to a principal campaign committee for a legislative or constitutional office may not exceed the applicable yearly contribution limit for the entity that made the loan.

Subp. 3. **Unpaid reimbursements.** A principal campaign committee that does not reimburse an individual or candidate for an expenditure made on behalf of the committee within 18 months of the date on which the expenditure occurred shall convert the unpaid reimbursement into a loan from the individual or candidate to the committee. The unpaid balance of the loan counts against the contribution limit of the individual or candidate for the year in which the expenditure occurred.

4503.1800 REPORTING REQUIREMENTS.

Subpart 1. **Contributions.** Legislative, statewide, and judicial candidates, party units, political committees and funds, and committees and funds to promote or defeat a ballot question must itemize contributions that in aggregate exceed \$100 in a calendar year on reports submitted to the board. The itemization must include the date on which the contribution was received, the individual or association that provided the contribution, and the address of the contributor. Additionally, the itemization for a donation in kind must provide a description of the item or service received. Contributions that are less than the itemization amount must be reported as an aggregate total.

Subp. 2. **Contributors who are issued political contribution refund receipts.** Party units and principal campaign committees that issue political contribution refund receipts to contributors must report the contribution that generated the political contribution refund receipt as provided in subpart 1 on the periodic report of receipts and expenditures filed with the board.

Subp. 3. **Expenditures and noncampaign disbursements.** Legislative, statewide, and judicial candidates, party units, political committees and funds, and committees to promote or defeat a ballot question must itemize expenditures and noncampaign disbursements that in aggregate exceed \$100 in a calendar year on reports submitted to the board. The itemization must include the date on which the committee made or became obligated to make the expenditure or disbursement, the name and address of the vendor that provided the service or item purchased, and a description of the service or item purchased. Expenditures and noncampaign disbursements must be listed on the report alphabetically by vendor.

4505.0900 FILING.

[For text of subs 2 to 6, see M.R.]

Subp. 7. **Reporting of securities.** A public official must list the full name of each security with a value of \$2,500 or more owned in part or in full by the public official at any time during the reporting period.

4511.0500 LOBBYIST REPORTING REQUIREMENTS.

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

Subp. 2. **Reporting by multiple lobbyists representing the same entity.** Items A to F apply if a single individual, association,

political subdivision, or public higher education system is represented by more than one lobbyist.

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

E. The reporting periods and due dates for a reporting lobbyist are those provided in *Minnesota Statutes*, section 10A.04, subdivision 3. The board must notify by certified mail or personal service each reporting lobbyist that fails to file a required report within seven days of a statutory filing date. Additionally, the board must notify by certified mail or personal service each lobbyist listed on the registration of the reporting lobbyist of the failure of the reporting lobbyist to file in a timely manner. Within ~~seven ten business~~ days of ~~receipt of this the date on which the notice was sent~~, each lobbyist must report disbursements to the board. If a lobbyist fails to file a report within ~~seven ten business~~ days of ~~receiving this notice from the date on which the notice was sent by~~ the board, the board may impose a late filing fee of \$5 per day, not to exceed a maximum of \$100, commencing with the ~~eighth 11th~~ day after ~~receiving the notice was sent~~.

F. The reporting lobbyist must indicate the names and registration numbers of any lobbyists who did not provide their lobbying disbursements for inclusion in a report. The board must send notice by certified mail or personal service to a lobbyist who failed to provide the required disbursement information to the reporting lobbyist. The notice must require that the lobbyist file an individual lobbyist disbursement report within ~~seven ten business~~ days of ~~receipt of the mailing of the~~ notice. If a lobbyist fails to file a report within ~~seven ten business~~ days of ~~receiving the mailing of the notice from the board~~, the board may impose a late filing fee of \$5 per day, not to exceed a maximum of \$100, commencing with the ~~eighth 11th~~ day after receiving notice.

[For text of subs 3 to 5, see M.R.]

4511.0600 REPORTING DISBURSEMENTS.

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

Subp. 5. **Specific disbursement categories.** Lobbying disbursements must be reported based on the categories in items A to I.

A. "Lobbying materials" includes the cost of production, purchase, or other acquisition of materials that directly support lobbying.

B. "Media costs" includes the cost of media space or time, including Web site design and maintenance, used for lobbying activities. The cost of preparation of materials for use in the media is reported in the lobbying materials category.

[For text of items C and D, see M.R.]

E. "Fees and allowances" includes fees for consulting, surveys, polls, legal counsel, or other services as well as expenses associated with those services.

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

[For text of subp 6, see M.R.]

4512.0200 GIFTS WHICH MAY NOT BE ACCEPTED.

Subpart 1. Acceptance. An official may not accept a gift given by a lobbyist or lobbyist principal or given as the result of a request by a lobbyist or lobbyist principal.

Subp. 2. Use of gift to metropolitan governmental unit. An official may not use a gift given by a lobbyist or lobbyist principal to a metropolitan governmental unit until the gift has been formally accepted by an official action of the governing body of the metropolitan governmental unit.

4525.0200 COMPLAINTS OF VIOLATIONS.

Subpart 1. **Who may complain.** A person who believes a violation of *Minnesota Statutes*, chapter 10A, or rules of the board has occurred may submit ~~an oral or a~~ written complaint to the board.

[For text of subp 2, see M.R.]

Subp. 3. **See repealer.**

[For text of subs 4 to 6, see M.R.]

4525.0500 INVESTIGATIONS AND AUDITS.

[For text of subs 1 to 3, see M.R.]

Subp. 5. **Board meetings.** Board meetings related to an investigation or audit must be conducted in accordance with part 4525.0200, subparts 3 ~~4~~ to 6.

REPEALER. Minnesota Rules, part 4525.0200, subpart 3, is 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.

State Lottery

Adopted Permanent Rules Relating to the State Lottery

The rules proposed and published at *State Register*, Volume 30, Number 5, pages 87-89, August 1, 2005 (30 SR 87), and Volume 30, Number 11, Page 272, September 12, 2005 (30 SR 272), are adopted with the following modifications:

7856.4010 CONDITIONS OF RETAILER CONTRACT.

Subd. 16. [Withdrawn 30 SR 272]

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 Board of Chiropractic Examiners

REQUEST FOR COMMENTS on Possible amendment to Rules Governing

Acupuncture Registration Requirements: *Minnesota Rules*, 2500.3000, subp 2

Subject of Rules. The Minnesota Board of Chiropractic Examiners requests comments on its possible amendment to rules governing the requirements to maintain an active acupuncture registration. The Board is considering rule amendments to clearly define the basic requirements necessary for a chiropractor to maintain an acupuncture registration.

Persons Affected. The amendment to the rules would likely affect actively licensed chiropractors in Minnesota who wish to obtain an acupuncture registration and agencies offering education programs and testing in acupuncture.

Statutory Authority. *Minnesota Statutes*, section 14.23 and 148.08, authorizes and requires the MBCE to promulgate rules necessary to administer sections 148.01 to 148.105 to protect the health, safety, and welfare of the public, including rules governing the practice of chiropractic, and defining any terms, whether or not used in sections 148.01 to 148.105, if the definitions are not inconsistent with the provisions of 148.01 to 148.105.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that the Board intends to adopt or to withdraw the rules. The Board does not contemplate appointing an advisory committee to comment on the possible rules.

Rules Drafts. The Board does not anticipate that a draft of the rule amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Micki King at Minnesota Board of Chiropractic Examiners, 2829 University Ave SE, Suite 300, Minneapolis Minnesota 55414, (612) 617-2226, and Micki.king@state.mn.us. TTY users may call the Board at: 1-800-627-3529.

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

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. 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 2, 2005

Larry A. Spicer, DC, Executive Director

Department of Health

Division of Community and Family Health

Notice of Public Meeting Regarding the Minnesota Department of Health Federal Application for Continuation of the Minnesota Education Now And Babies Later (MN ENABL)

The Minnesota Department of Health invites public comment concerning its application to the federal government for the continuation of the MN ENABL program, for the Fiscal Year ending September 30, 2006. Written comments are requested which may be mailed or presented at a public meeting scheduled on Wednesday, November 9th from 9:00 a.m. until 10:30 a.m. in the Minnesota Room at the Minnesota Department of Health, Snelling Office Park Building, 1645 Energy Park Drive, St. Paul. Any person or group may submit written comments to the Department of Health by Tuesday, November 8th. Please send comments to Gary Greenfield by **E-mail:** gary.greenfield@health.state.mn.us or **Fax:** to (651) 215-8953.

The application describes how grantees will implement program components during the next federal fiscal year. The Department intends that input from public comment received in response to this notice, in addition to the experience of local projects, will contribute to an ongoing evaluation process. A draft copy of the application will be available after Monday, November 7th.

Persons planning to attend and/or present comments are requested to register no later than November 8th. Any person needing special accommodations for a disability should so indicate at the time of registration.

To register for the meeting or request a copy of the draft application, please contact Pat Gerbozy at (651) 281-9946 or **e-mail** at patricia.gerbozy@health.state.mn.us

Minnesota Department of Human Services

Licensing Division

REQUEST FOR COMMENTS on Possible Amendment to Rules Relating to Licensing Rules Regarding Syrup of Ipecac Requirement, *Minnesota Rules*, parts 9502.0435, subpart 7; 9503.0090, subpart 1; 9503.0125; 9503.0140, subpart 16; 9555.9720, subpart 1

Subject of Rules. The Minnesota Department of Human Services requests comments on its possible amendment to rules governing syrup of ipecac requirements for licensed child care providers and adult day care providers. Currently, the rules require licensed child care providers and adult day care providers to keep syrup of ipecac in their first aid kits and, for children in care, to obtain permission from parents to administer syrup of ipecac. Medical authorities, however, have determined that syrup of ipecac should no longer be used routinely as a poison treatment strategy. Instead, caregivers should immediately call a poison control hotline when a person has ingested a toxic substance. Medical authorities no longer recommend the use of syrup of ipecac because its effectiveness in preventing drug absorption has been demonstrated for only a few substances and clinical trials have not shown that administration of syrup of ipecac positively affects patient outcome. In addition, syrup of ipecac is an unpleasant therapy that causes persistent vomiting, which can delay or complicate the delivery of other proper therapies and/or create an increased risk of harm to the patient. Because the potential harm related to the use of syrup of ipecac outweighs the benefits of this treatment, medical authorities now recommend that syrup of ipecac no longer be used by caregivers, that caregivers dispose of existing supplies of syrup of ipecac when the expiration date is reached, and that caregivers refrain from buying new supplies of syrup of ipecac. To bring the requirements for licensed child care providers and adult day care providers into compliance with current medical recommendations regarding the availability and use of syrup of ipecac, the Department is considering the following rule amendments that repeal the requirement that licensed providers keep and obtain permission to administer syrup of ipecac.

Official Notices

1. Part 9502.0435, subpart 7: Sanitation and Health for licensed family child care.

Subpt. 7. **First aid kit.** The provider shall have a first aid kit that contains bandages, sterile compresses, ~~ipecae syrup~~, scissors, an ice bag or cold pack, an oral or surface thermometer, mild liquid soap, and adhesive tape. A first aid manual must be included. The kit and manual must be accessible and taken on field trips.

2. Part 9503.0090, subpart 1: Information for parents using child care centers.

Subpart 1. **Policies given to parents.** At the time of a child's enrollment, the parent must be provided with written notification of the . . . center's policies on the administration of medicine ~~and permission requirement for the administration of ipecae syrup~~;

3. Part 9503.0125: Children's records in a child care center.

At the time of enrollment in the center, the license holder must ensure that a record is maintained on each child. The record must contain: . . . ~~written authorization, if granted, for the license holder to administer ipecae syrup according to part 9503.0140~~;

4. Part 9503.0140, subpart 16: Health requirements for child care centers.

Subpt. 16. **First aid kit.** The license holder must ensure that a first aid kit is available within the center. The kit must contain sterile bandages and band-aids, sterile compresses, ~~ipecae syrup~~, scissors, an ice bag or cold pack, an oral or surface thermometer, mild liquid soap, and adhesive tape. A current first aid manual must be included. The first aid kit and manual must be accessible to the staff in the center and taken on field trips. ~~The ipecae syrup must be labeled with instructions to call and number for the local poison control center. The license holder must ensure that ipecae syrup is administered according to the instructions of the poison control center.~~

5. Part 9555.9720, subpart 1: Safety requirements for adult day care centers

Subpart 1. **First aid kit.** The center shall have a first aid kit that contains a first aid manual, sterile bandages and band-aids, sterile compresses, ~~ipecae syrup~~, scissors, an ice bag or cold pack, an oral or topical thermometer, liquid soap, adhesive tape, and money for phone calls. The first aid kit and manual must be accessible to the staff in the center and must be taken on field trips. ~~The Ipecae syrup must be labeled with instructions to telephone the poison control center, or 911, or the participant's emergency medical care source before administering.~~

Persons Affected. The amendment to the rules would likely affect the Department, county licensing agencies, licensed child care providers, licensed adult day care providers, and people using those providers.

Statutory Authority. *Minnesota Statutes*, section 245A.09, authorizes the Department to adopt rules governing licensed programs.

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 January 6, 2006. The Department does not contemplate appointing an advisory committee to comment on the possible rules.

Rules Drafts. The Department has prepared a draft of the proposed rules amendments and has included those amendments in this notice.

Agency Contact Person. Written or oral comments, questions about the rulemaking process, and requests to receive a draft of the rules should be directed to: Jodi Pope at the Department of Human Services, 444 Lafayette Road, St. Paul, Minnesota 55155-3813; (651) 284-4204; **Fax:** (651) 297-3173; **E-mail:** jodi.pope@state.mn.us. Questions about the substance of the rules should be directed to Peggy Cunningham at the Department of Human Services, 444 Pine Street; St. Paul, Minnesota 55155-3842; (651) 296-4144; peggy.cunningham@state.mn.us. TDD users can call the Minnesota Relay Service at 711 or (800) 627-3529. For the Speech to Speech Relay, call (877) 627-3848.

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 7, 2005

Kevin Goodno, Commissioner
Department of Human Services

Metropolitan Council

Public Hearing on Elko-New Market Interceptor Facility Plan

EUREKATOWN HALL

Cedar Avenue & 250th Street, Eureka Township, MN

December 8, 2005, 7:00 p.m.

The Metropolitan Council will hold a public hearing on the Elko-New Market Interceptor Facility Plan, MCES Project No. 801610. The Draft Facility Plan for this project, prepared by the Metropolitan Council's Environmental Services Division, reviews alternatives and recommends a solution for providing wastewater service to the Elko-New Market area of southeast Scott County.

The proposed project includes a gravity interceptor from CSAH2 and Natchez Avenue (Elko/New Market border) east along CSAH2 for two miles, north along I-35 to 250th Street, east to Dupont Avenue, north to 245th Street, east to Dodd Boulevard, and north along Dodd Boulevard to a lift station at 235th Street. The gravity sewer portion of the project is designed for long-term wastewater service capacity for the cities of Elko and New Market. By 2030, this gravity interceptor will be extended east to the Empire Plant. In the interim, wastewater will be pumped north from the lift station at Dodd Boulevard and 235th Street, then flow by gravity across southern Lakeville connecting to the existing MCES interceptor by Air Lake Industrial Park. The interim capacity for Elko-New Market is limited to the 2030 population identified in the 2005 Southeast Scott County Comprehensive Plan Update.

Copies of the Draft Facility Plan will be available for review after November 7, 2005 at:

- Eureka Town Hall, Cedar Avenue & 250th Street, Eureka, MN
- City of Elko, 26518 France Avenue, Elko, MN 55020
- City of New Market, 601 Main Street, New Market, MN 55054
- New Market Township, 23765 Texas Avenue, Lakeville, MN 55044
- City of Lakeville, 20195 Holyoke Avenue, Lakeville, MN 55044
- Metropolitan Council's Data Center, 230 E. Fifth St., St. Paul, MN 55101

All interested persons are encouraged to attend the public hearing on December 8, 2005 and provide comments.

You also may submit comments, which must be received by the Metropolitan Council no later than December 19, 2005.

- Send written comments to: Pat Schultz at Metropolitan Council Environmental Services, 230 E. Fifth St., St. Paul, MN 55101
- Fax comments to: Pat Schultz at (651) 602-1477
- Record comments on: Metropolitan Council Public Comment Line at (651) 602-1500
- E-mail comments to: data.center@metc.state.mn.us
- Sent TTY comments to (651) 291-0904

Upon request, the Council will provide reasonable accommodations to persons with disabilities. Please submit such requests to Pat Schultz via mail or fax (see above) or by phone at (651) 602-1096 before December 1, 2005.

Metropolitan Council

Public Information Meetings on the Inflow and Infiltration (I/I) Surcharge Program November 15, 18 and 22

The Metropolitan Council will hold three public information meetings regarding a proposed Inflow and Infiltration (I/I) Surcharge Program. I/I is the inflow and infiltration of clear water into the sanitary sewer system. The Proposed I/I Surcharge Program includes surcharges for the years 2007 – 2011 for cities and townships participating in the metropolitan wastewater disposal system that have excessive I/I and a financial assistance program to provide funds to these communities to address the I/I problem.

The program consists of criteria for identifying and notifying communities that have excessive I/I, a formula for charging communities for excessive I/I, the financial assistance program and options for communities.

More information about I/I and copies of the proposed surcharge program will be available for review at the three meetings listed below, the Metropolitan Council's Data Center, 230 E. Fifth St., St. Paul, MN 55101 and on the Council's **web site** at:

www.metrocouncil.org/planning/environment/inflow_infiltration.htm

The meetings are:

- **November 15**, 2:30 - 4:00 p.m., AMM/LMC offices, 145 University Ave. W., St. Paul
- **November 18**, 9:30 - 11:00 a.m., Minnetonka City Hall, 14600 Minnetonka Blvd., Minnetonka
- **November 22**, 9:30 - 11:00 a.m., Brooklyn Park City Hall, 5200 85th Ave. N., Brooklyn Park

Interested parties may also submit comments, which must be received by the Metropolitan Council no later than December 2, 2005.

Official Notices

- Send written comments to: Deborah Rose, MCES, 230 E. Fifth St., St. Paul, MN 55101
- Fax comments to: Deborah Rose at (651) 602-1477
- Record comments on: Metropolitan Council Public Comment Line at (651) 602-1500
- E-mail comments to: data.center@metc.state.mn.us
- Send TTY comments to (651) 291-0904

Upon request, the Council will provide reasonable accommodations to persons with disabilities. Please submit such requests to Deborah Rose via mail or fax (see above) or by telephone at (651) 602-1096 before November 15, 2005.

Public Employees Retirement Association (PERA) 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 Thursday, November 10, 2005, 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 8, 2005, at 2:00 p.m. in Room 112 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. The proposed modifications will include the establishment of a new sentencing grid and sentencing procedures for sex offenses, as well as, technical modifications to the guidelines and commentary.

Copies of the proposed modifications will be available free of charge on the agency's **website** at www.msgc.state.mn.us on November 8, 2005 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 15, 2005, 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, 2006.

State Grants & Loans

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

Minnesota Department of Health Office of Rural Health and Primary Care Minnesota Rural Flex Grant Program Notice of Grant Availability

The Office of Rural Health and Primary Care, Minnesota Department of Health, is seeking grant applications from qualifying applicants for the Minnesota Rural Flex Grant Program. Activities that promote regionalization of health care services, improve access to quality health care services, and provide for the development and/or enhancement of rural health networks are eligible under this grant program. A special category of funds is also available under this notice for activities that improve the performance of Critical Access Hospitals (CAH).

Eligible applicants for regular Flex grant funds are: Critical Access Hospitals, rural hospitals with 50 or fewer beds, rural health networks (applicants must be nonprofit or local government entities), and rural EMS organizations. Only Critical Access Hospitals may apply for the performance improvement fund category. Appropriate activities for the regular Flex grant funds include:

- Establishing community and regional collaboration or networking partnerships,
- Assessing and implementing health system needs and improvements such as: integrating mental health services, addressing disparities in access or outcomes, healthy aging interventions, discharge planning or other continuum of care projects, workforce projects, adding new services, telemedicine systems, or establishing a Rural Health Clinic/Federally Qualified Health Center.
- Strengthening and integrating local EMS systems,
- Quality improvement initiatives
- Community development efforts such as implementing Rural Health Works

Appropriate activities for CAH Performance Improvement grant funds include:

- Structured performance improvement projects such as Balanced Scorecard
- Performance improvement information and technology system development
- Best practices in revenue management, cost reporting implementation or other business systems
- Physician and workforce retention and performance projects
- Benchmarking projects to assure CAHs are meeting key elements of quality healthcare
- Other business or patient services improvement activities.

The total amount available for regular flex grants is \$200,000. The maximum for any grant is \$25,000. The total amount available under the CAH performance improvement category is \$25,000. The maximum performance improvement grant is \$5,000. All applications are due December 16, 2004. Applications are available on the Office of Rural Health and Primary Care web site at

<http://www.health.state.mn.us/divs/chs/grants.htm>.

Prospective applicants who have questions or would like a hard copy of the application guidelines should contact:

Pam Hayes,
Office of Rural Health and Primary Care,
Minnesota Department of Health
Phone: (651) 282-6304
E-mail: Pamela.hayes@health.state.mn.us
By mail: P.O. Box 64882, St. Paul, Minnesota 55164-0882
By courier: 85 E. Seventh Place, Suite 220, St. Paul, Minnesota 55101

State Grants & Loans

Department of Human Services

Request for Proposals to Fund Support Services for Persons Experiencing Long-term Homelessness and Living in Supportive Housing

In accordance with *Minnesota Section Laws 2005*, 1st Special Session, Chapter 4, Article 3, Section 16, the Minnesota Department of Human Services, through its Community Living Supports Division (“State”), is seeking Proposals from qualified County Responders (“Responders” or “Applicants”) to fund supportive services in permanent supportive housing programs that serve individuals, unaccompanied youth, and families with children experiencing long-term homelessness. This legislation is part of the strategy to increase permanent supportive housing for persons experiencing long-term homelessness as recommended in the “Ending Long-Term Homelessness Report and Business Plan”.

Minnesota counties are eligible for funding under this legislation. \$10 million has been appropriated for the biennium (July 1, 2005 – June 30, 2007) or \$5 million a year to the Long-Term Homeless Supportive Services Fund for this purpose. To be eligible for this funding; applicants must have the capacity to deliver supportive services and a realistic plan for implementation.

The nature of this legislation requires strong partnerships with non-profit service providers and counties to integrate housing and services. Priority will be given to proposals submitted on behalf of multi-county partnerships that maximize resources for supportive services and target supportive housing projects funded through the Minnesota Housing Finance Agency. The State encourages a regional approach to service delivery.

The objective of this RFP is to contract with up to five (5) qualified Responder(s) to perform the tasks and services set forth in this RFP. The term of any resulting contract is anticipated to be from **early 2006 until June 30, 2007**, when funds must be expended. **Projects must begin working with clients by May 1, 2006.**

A letter of intent (Form 1) must be submitted to the State by **December 1, 2005**. Receipt of the letter of intent will be acknowledged. No proposal will be accepted unless a letter of intent has been filed. Proposals must be submitted by **4:00 p.m. Central Time on January 24, 2006**. This RFP does not obligate the State to award a contract or complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest. All costs incurred in responding to this RFP will be borne by the Responder.

A Responders’ Conference will be held on **December 6, 2005, at 9:00 a.m. Central Time** at the Minnesota Department of Human Services, 444 Lafayette Rd. N. in St. Paul, Minnesota. Video conferencing will be available to County staff that cannot attend in person (contact the State contact for this RFP for more information about attending by video conferencing). The conference will serve as an opportunity for Responders to ask specific questions of State staff concerning the RFP. Attendance at the Responders’ Conference is not mandatory but is recommended. Oral answers given at the conference will be non-binding. Written responses to questions asked at the conference will be sent to all identified prospective Responders after the conference.

All submissions, questions, concerns or communications regarding this RFP must be addressed to:

Attention: Jane Lawrenz
Minnesota Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3837
Phone: (651) 297-1216
Fax: (651) 215-1818

Questions may also be **e-mailed** to: jane.m.lawrenz@state.mn.us

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

Department of Administration

Risk Management Division

Notice of Availability of a Request for Proposals for Provision of Insurance Agency and Risk Management Services to all State Departments and Agencies

The Department of Administration, Risk Management Division, herein gives notice of the availability of a Request for Proposals on provision of insurance agency and risk management services to all state departments and agencies. In fiscal year 2005, the State spent \$2.6 million on reinsurance.

The Risk Management Division is seeking to contract with an insurance agent(s) or insurance company(ies) in the interests of: (1) minimizing the total cost of risk to the State; (2) development of a comprehensive risk management approach to the handling of the State's risk; (3) effective procurement of insurance; and, (4) the availability of comprehensive risk management services to help the State to address their risk management issues.

An information meeting for all potential proposers will be held on Friday, November 18, 2005, 9:00-10:30 a.m., in Conference Room 116B of the State Administration Building, 50 Sherburne Avenue, St. Paul, Minnesota. This meeting will provide an opportunity for proposers to ask questions regarding the Request for Proposals.

A free-of-charge copy of the Request for Proposals can be requested through the mail, by calling the Risk Management Division at (651) 201-2591, by **e-mail** to Marlys.Williamson@state.mn.us, or picked up at the Department of Administration, Risk Management Division, 309 Administration Building, 50 Sherburne Avenue, St. Paul, Minnesota 55155.

The proposal due date is 4:00 p.m. (Central Standard Time), December 12, 2005. Late proposals will not be considered.

Department of Administration

Notice of Intent to Obtain Bids for Flood Damage at the Centennial Office Building

The state intends to obtain bids in the near future for flood damage at the Centennial Office Building at 658 Cedar Street in St. Paul. Repairs will include drywall, wallpaper, painting, carpet and other trades common to water damage losses. The agency contact is Gordy Specht, (651) 201-2328, **Fax:** (651) 297-5158, **E-mail:** gordy.specht@state.mn.us.

Department of Administration

Win Contracts

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**
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- **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

State Contracts

Colleges and Universities, Minnesota State (MnSCU)

Office of the Chancellor

Request for Proposal for Higher Education Federal Legislative Liaison/Consultant

NOTICE IS HEREBY GIVEN that proposals are being solicited to select a liaison/consultant to work on funding acquisitions and promote identified federal policy issues consistent with the Minnesota State Colleges and Universities system and its Board of Trustees' mission and goals. For additional information, or to request a copy of the complete Request for Proposal, please contact:

Dr. Mary Jacquart, Director of Government Relations
Minnesota State Colleges and Universities
Wells Fargo Place
30 7th Street East, Suite 350
St. Paul, MN 55101-7804
Telephone: (651) 296-0664
Fax: (651) 296-4217
E-mail: *Mary.Jacquart@so.mnscu.edu*

Proposals will be due by 4:00 p.m. Central Time on Friday, November 28, 2005.

This notice and the Request for Proposal does not obligate the State of Minnesota, Minnesota State Colleges and Universities or the Office of the Chancellor to award a contract and each reserves the right to cancel this solicitation or RFP if it is considered to be in its best interest.

Colleges and Universities, Minnesota State (MnSCU)

Century College

Notice of Request for Proposals (RFP) for Owner's Representative

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Century College, is soliciting proposals for experienced consulting services known as the Owner's Representative. The project consists of the design and new building construction of approximately 72,000 gross square feet to be located on the East Campus southwest area. This building will consist of Science and Learning Resource classrooms, library and offices.

Proposals must be delivered to Dona K. Bettinger, 3300 Century Ave. N., White Bear Lake, MN 55110 no later than November 21, 2005 at 3:00 p.m. CST. 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.

For RFP document, contact Dona K. Bettinger at *dona.bettinger@century.edu* (651) 773-1714.

Minnesota State Colleges and Universities

Minneapolis Community & Technical College

NOTICE OF INTENT to Request Bids for Replacement of Boilers for Main Campus Location

Project Description: Remove existing boilers, water heaters, pumps, controls and accessories and replace with new equipment including two new 600 HP boilers, two new 75HP condensing boilers and two new gas-fired water heaters with heat exchangers.

Sealed Bids to: Mary Prozeller / Facilities Dept.
Minneapolis Community & Technical College
Room T0600 / T Building Lower Level
1415 Hennepin Avenue South
Minneapolis, MN 55403

Pre-bid Meeting: 3:00 PM Tuesday November 22, 2005
Room T2100 in the T Building at Minneapolis Community & Technical College.

Due Date & Time: **3:00 PM Thursday December 8, 2005**
All proposals will be opened and publicly read aloud in Room T2100.

Bid Documents: Bid Forms, Contract Documents, Drawings and Specifications as prepared by the Project Engineer, **Nelson-Rudie & Associates, Inc.**, are on file at the offices of the:

- 1.) Above named Project Architect/Engineer.
- 2.) Builders Exchanges: **St. Paul and Minneapolis, MN**
- 3.) Construction Market Data Plan Room.
- 4.) Dodge Plan Room.
- 5.) National Association of Minority Contractors of Upper Midwest

Complete sets only of bid forms and Drawings and Specifications for use by Bidders in submitting a bid may be obtained at the following address:

Nelson-Rudie & Associates, Inc.
2575 University Avenue West, Suite 135
St. Paul, MN 55114
(651) 644-2400

A deposit of **\$100.00** is required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable payment (check made out to the Engineer) for **\$50.00** per set for shipping & handling (in addition to the **\$100.00** deposit) to the Engineer. Such deposits and payments may be sent prior to **November 29, 2005**. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid which totals over \$15,000.00 must be accompanied by a bid bond or other security described here as a proposal guarantee that the bidder will enter into a contract if its bid is accepted. This security may be either a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than five percent (5%) of the total base bid or a corporate surety bond for the same amount by a surety company authorized to do business in the State of Minnesota.

Department of Natural Resources

Division of Ecological Services

Environmental Policy and Review

Notice of Availability of Request for Proposal for Preparation of an Environmental Impact Statement for the Minnesota Steel Industries Taconite Mine, Concentrator, Pellet Plant, Direct Reduced Iron Plant, and Steel Mill Project in Itasca County, Minnesota

NOTICE IS HEREBY GIVEN that the Minnesota Department of Natural Resources, a state agency, seeks the services of a professional consultant to assist in preparing an environmental impact statement for the Minnesota Steel project near Nashwauk in Itasca County, Minnesota. The EIS will analyze impacts associated with construction and operation of a new concentrator, pellet plant, direct reduced iron plant, steel mill, and open pit taconite mine.

The DNR seeks the services of a consultant with expertise in: preparing joint state and federal EISs and other environmental review documents; metal mining operations and engineering; metallurgical and mineral processing; mineland reclamation; wastewater treatment; mercury methylation; waste management and spill prevention; municipal/domestic drinking water wells/operations; land use management/planning (shoreland zoning, variances, land use plans); infrastructure issues (gas, water/sewer, and electric transmission line routing); erosion and sedimentation issues; geological and geotechnical evaluations; transportation and traffic analysis; archaeological, historical, and cultural resources; socioeconomics; visual impact evaluations; blasting & noise modeling analysis; air emission impact analysis & control technology assessment (Class I & II, Human Health & Ecological Risk Assessments, BACT, MACT); hydrology/hydrogeology; water quality analysis/modeling; lake level and lake nutrient studies; water budgets and watershed yield models; stream ecology and geomorphology assessments (Rosgen analysis); wetland delineation, functional analysis, and mitigation; state and federal threatened and endangered species; aquatic ecology (biological monitoring studies); wildlife biology; and cumulative impact analysis. The consultant must conduct necessary data collection and analysis and prepare draft and final EISs that fulfill the requirements of *Minnesota Rules* parts 4410.0200 to 4410.6500.

State Contracts

The Request for Proposal can be obtained from:

Scott Ek
Minnesota Department of Natural Resources
Division of Ecological Services
500 Lafayette Rd., Box 25
St. Paul, MN 55155-4025
(651) 296-8396

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:30 PM on November 28, 2005. **Late proposals will not be considered.** Fax or e-mailed proposals will **not** be considered.

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

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.

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.

Anoka County

Notice of Request for Proposals for the Provision of Professional Services to Develop a Five-year Technology Plan

NOTICE IS HEREBY GIVEN Anoka County is seeking proposals for professional services to assist with the development of a five-year technology plan, and a performance measurement metrics system.

Proposals shall be submitted in exact accordance with the Request for Proposals (RFP) Package. The Request for Proposals Package may be obtained at the Anoka County **web site:** <http://www.co.anoka.mn.us/bids>.

Proposal due date: November 28th, 2005 at 4:00 pm Central Daylight Saving Time.

If one needs an accommodation, such as an interpreter or printed material in an alternate format (i.e. Braille, large print, or audio), contact John Sullivan, Risk & Procurement Manager at (763) 323-5370, TDD/TTY (763) 323-5289.

Metropolitan Council

Notice of Request for Proposals (RFP) on Blue Lake Plant Improvements & Seneca Disinfection and Phosphorus Design and Construction Support Contract Number 05P118

The Metropolitan Council is requesting proposals for Blue Lake Plant Improvements & Seneca Disinfection and Phosphorus Design and Construction Support.

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

November 1, 2005
December 16, 2005
February, 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
Telephone: (651) 602-1086
Fax: (651) 602-1083
E-mail: harriet.simmons@metc.state.mn.us

Metropolitan Council

Notice of Request for Proposals (RFP) for Investigative Services Reference Number 05P062

The Metropolitan Council is soliciting proposals to provide Investigative Services. The successful proposer will provide Investigative Services for internal and external discrimination, harassment and inappropriate behavior complaints.

Issue Request for Proposals
Questions Due

October 31, 2005
November 15, 2005

Non-State Contracts & Grants

Proposals Due
Award Contract

November 29, 2005
January 2006

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

Elizabeth Sund
Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
230 East Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1169
Fax: (651) 602-1083
E-mail: *elizabeth.sund@metc.state.mn.us*

Metropolitan Council

Notice of Request for Proposals (RFP) for Recycling Treated Wastewater for Industrial Reuse

Contract Number 05P088

The Metropolitan Council is requesting proposals for: Recycling Treated Wastewater for Industrial Reuse.

Issue Request for Proposals

November 7, 2005

Pre-proposal Meeting

November 17, 2005

Receive Proposals

December 5, 2005

Contract negotiated, executed, NTP

February, 2006

Period of performance

February, 2006 to June, 2007

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
Telephone: (651) 602-1086
Fax: (651) 602-1083
E-mail: *harriet.simmons@metc.state.mn.us*

Metropolitan Council - Metro Transit

Sealed Bids Sought for Foley Park and Ride Snow Removal Services

The Metropolitan Council is soliciting sealed bids for Snow Plowing and Snow Removal Services at the Metro Transit Foley Park and Ride Facility. Bids are due at 2:00 PM on December 6, 2005. Bids must be submitted in accordance with the Invitation for Bids document available from:

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

Non-State Contracts & Grants

University of Minnesota

Request for Bids on Asbestos Abatement – UMD Life Science Building

Project No. 544-04-1086

1110 Kirby Drive
Duluth Campus
Duluth, Minnesota 55812

Work performed under this contract will include the removal of asbestos-containing materials.

The Work shall be complete by March 24, 2006.

Prebid access to the work site is limited to specific times and dates. A **mandatory** pre-bid tour of the work site is scheduled for 10:00 a.m., November 18, 2005. Interested parties are to meet in room 231 of the Life Science Building located at 1110 Kirby Drive in Duluth Minnesota. Contact Dave Klaustermeier, **e-mail:** klaus003@tc.umn.edu **phone** (612) 624-6027 if you are interested in attending.

Last day for questions is Noon December 1, 2005. Please submit questions in writing to Dave Klaustermeier at klaus003@tc.umn.edu or **fax** to (612) 624-1189.

Prime contract bidding will close 2:00 p.m., local time, Thursday December 8, 2005.

Sealed bids will be received by the Regents of the University of Minnesota at Facilities Management Purchasing Services, 400 Donhowe Building, 319 - 15th Avenue SE, Minneapolis, Minnesota 55455, until the stated times, when they will be publicly opened and read aloud.

Bidding Documents will be distributed at the mandatory walkthrough on November 18, 2005.

Direct communications regarding this project to the Facilities Management Asbestos Project Manager, **Dave Klaustermeier**, e-mail: klaus003@tc.umn.edu, phone **(612) 624-6027**.

Each prime and subcontract bid shall be accompanied by a bid security of 5% of the maximum amount of the bid in the form of a Surety Bond, certified check, cashier's check.

The successful prime contract bidder shall furnish Performance and Payment Bonds in the full amount of the contract.

The University reserves the right to reject any and all bids, accept any bid, waive informalities in bids submitted, and waive minor discrepancies in bidding procedures, as it deems to be in its best interest.

The University of Minnesota complies with Equal Employment Opportunity and Affirmative Action Policies for contractors and suppliers.

Bid result information may be obtained via fax by faxing a request to (612) 624-5796.

REGENTS OF THE UNIVERSITY OF MINNESOTA
Chip Foster, Facilities Management Principal Buyer

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 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.

Minnesota Workers' Compensation Assigned Risk Plan

Notice of Request for Proposals for Accounting Services

The Minnesota Workers' Compensation Assigned Risk Plan intends to contract with an entity qualified to provide accounting services. The contract period will commence on January 1st, 2005. Interested parties may obtain the complete Request for Proposals at the **website** www.mwcarp.org or by sending a written request by mail or fax to:

MWCARP Administrative Office
4500 Park Glen Road, Suite 410
Minneapolis, MN 55416
Fax: (952) 922-5424

Please provide an email address if you wish to receive the proposal via email. Deadline for proposals is Friday, December 2nd, 2005 at 4:00 p.m.

