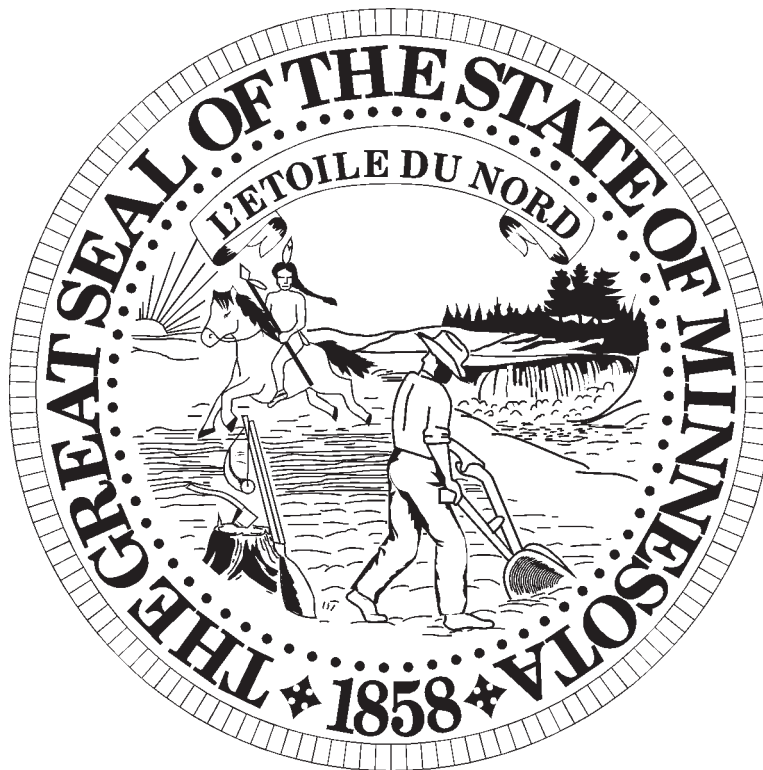


State of Minnesota

State Register



**Rules, Executive Orders, Appointments,
Commissioners' Orders, Revenue Notices, Official Notices, Grants,
State Contracts & Loans, Non-State Bids, Contracts & Grants**
Published every Monday (Tuesday when Monday is a holiday)

**Monday 20 November 2006
Volume 31, Number 21
Pages 659 - 686**

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
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- non-state public bids, contracts and grants
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Printing Schedule and Submission Deadlines

Vol. 31 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Both Adopted and Proposed RULES
# 21	Monday 20 November	Noon Tuesday 14 November	Noon Wednesday 8 November
# 22	Monday 27 November	NOON MONDAY 20 NOVEMBER	Noon Wednesday 15 November
# 23	Monday 4 December	Noon Tuesday 28 November	NOON TUESDAY 21 NOVEMBER
# 24	Monday 11 December	Noon Tuesday 5 November	Noon Wednesday 29 November

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USPS Publication Number: 326-630 (ISSN: 0146-7751)

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

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Mary Kiffmeyer, Secretary of State (651) 296-2079

Department of Administration:
Dana B. Badgerow, Commissioner (651) 296-1424
Communications Media Division:
Mary Mikes, Director (651) 297-3979

State Register:
Robin Panlener, editor (651) 297-7963
John Mikes, assistant editor (651) 297-4616
Cathy Hoekstra, subscriptions (651) 297-8777

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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, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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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.

Department of Health

Public Health Laboratory Division

Proposed Permanent Rules Relating to Governing the Newborn Screening Program

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, And Notice of Hearing If 25 or More Requests For Hearing Are Received

Proposed Amendments to Rules Governing Newborn Screening, *Minnesota Rules*, Chapter 4615

Introduction. The Department of Health 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. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on December 29, 2006, a public hearing will be held in the Freeman Building, Room B145 at the Minnesota Department of Health, 625 Robert Street N, St. Paul, Minnesota 55164, starting at 9:00am on Tuesday, January 23, 2007. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after January 1, 2007 and before January 23, 2007.

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: Patricia Segal Freeman, P.O. Box 64975, St. Paul, MN 55164-0899, **Phone:** (651) 201-5414, 1-877-676-5414, **fax** (651) 201-5501 and NBSRule@health.state.mn.us. TTY users may call MDH at (651) 201-5797.

Subject of Rules and Statutory Authority. The proposed rules govern newborn screening. The statutory authority to adopt the rules is *Minnesota Statutes*, section 144.128. A copy of the proposed rules is published in the *State Register* and on MDH's website at www.health.state.mn.us/divs/phl/newborn/rulechange.html. A free copy of the rules is also available upon request from the agency contact.

Comments. You have until 4:30 p.m. on Friday, December 29, 2006 to submit written comments in support of or in opposition to the proposed rules or any part or subpart of the rules. Our comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. 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 Friday, December 29, 2006. 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

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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/Accommodation. 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 or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing 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.

Cancellation of Hearing. The hearing scheduled for January 23, 2007, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 201-5414 or 1-877-676-5414 after January 1, 2007 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Barbara Neilson is assigned to conduct the hearing. Judge Barbara Neilson can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **telephone:** (612) 341-7604, and **fax:** (612) 349-2665.

Hearing Procedure. If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day rebuttal period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

Statement of Need and Reasonableness. A statement of need and reasonableness (SONAR) 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. The statement may also be reviewed and copies obtained at the cost of reproduction from the agency. A copy of the SONAR is also at the following **website:**

www.health.state.mn.us/divs/phl/newborn/rulechange.html

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 Procedure if No Hearing. 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.

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and the rules are filed with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: October 27, 2006

Dianne M. Mandernach
Commissioner

4615.0300 PURPOSE AND SCOPE.

Parts 4615.0300 to 4615.0700 describe the responsibilities of the hospitals, ~~physicians~~ persons required under *Minnesota Statutes*, section 144.215, to register the birth of the newborn infant, primary medical care providers, and the Minnesota Department of Health to assure that all newborn infants are screened for ~~hemoglobinopathy, phenylketonuria, galactosemia, hypothyroidism, and congenital adrenal hyperplasia~~ the genetic and/or congenital diseases included in the newborn screening panel under *Minnesota Statutes*, section 144.125, subdivision 2.

4615.0400 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of this rule, the following terms have the meanings given them.

Subp. 2. [See repealer.]

Subp. 2a. **Business day.** “Business day” means Monday through Saturday, not including state holidays under *Minnesota Statutes*, section 645.44, subdivision 5.

Subp. 2b. **Commissioner.** “Commissioner” means the commissioner of the Minnesota Department of Health.

Subp. 2c. **Department.** “Department” means the Minnesota Department of Health.

Subp. 2d. **Infant.** “Infant” means a child up to one year of age.

Subp. 3. **Newborn infant.** “Newborn infant” means a child from birth through ~~the first five days~~ one month of life.

Subp. 3a. **Newborn screening panel.** “Newborn screening panel” means the list of genetic and/or congenital diseases that the newborn screening program screens for as determined by the commissioner under *Minnesota Statutes*, section 144.125, subdivision 2.

Subp. 3b. **Parent.** “Parent” means the presumptive biological parent or legal guardian of the newborn infant at the time of testing.

Subp. 4. **Positive screening results.** “Positive screening results” means that laboratory tests test results clearly indicate that the child infant has a high risk for ~~developing~~ of having one or more of the diseases covered by parts 4615.0300 to 4615.0700 genetic or congenital diseases included in the newborn screening panel under *Minnesota Statutes*, section 144.125, subdivision 2.

Subp. 4a. **Primary medical care provider.** “Primary medical care provider” means:

A. the physician or clinic identified by the parent as the entity that will be providing the infant’s medical care after the infant is discharged from the hospital or from care of the birth attendant; or

B. the hospitalbased physician or nurse practitioner in cases of longterm infant hospitalization.

Subp. 5. **Responsible party.** “Responsible party” means the administrative officer or other person in charge of the hospital where the child is born, and the physician or other person operating under the supervision of a physician in attendance at the birth, or if not so attended, one of the parents each institution caring for newborn infants one month or less of age or the person required by *Minnesota Statutes*, section 144.215, to register the birth of the newborn infant.

Subp. 6. **Screen.** “Screen” means to carry out a series of laboratory tests on a dried capillary blood specimen which will identify those newborn infants who may develop hemoglobinopathy, phenylketonuria, galactosemia, hypothyroidism, and/or congenital adrenal hyperplasia to identify those infants who are at risk for having one or more of the genetic or congenital diseases included in the newborn screening panel as determined by *Minnesota Statutes*, section 144.125, subdivision 2.

Subp. 7. **Specimen.** “Specimen” means a specimen sample of dried blood from the newborn infant collected on a specimen card.

Subp. 8. **Specimen card.** “Specimen card” means a filter paper card ~~provided by~~ purchased from the Minnesota Department of Health and that is used to collect the infant’s blood specimen.

Subp. 9. **Unsatisfactory specimen.** “Unsatisfactory specimen” means that the blood sample submitted is unable to be analyzed due to problems with the specimen collected, the processing of the specimen, or the circumstances of the specimen collection.

4615.0550 DUTIES OF RESPONSIBLE PARTIES INVOLVED IN NEWBORN SCREENING PROGRAM.

The responsible party shall do all of the following:

A. adopt policies or practices within their institutions to ensure that all newborn infants born in or transferred to their care have newborn screening specimens collected and submitted to the department prior to discharge or before 48 hours of life, unless the parents opt-out of the screening;

B. adopt a policy to ensure the parents are informed verbally and in writing about newborn screening prior to specimen collection. This includes:

(1) providing the parents of a newborn infant written materials made available by the department’s newborn screening program or approved by the program; and

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(2) informing the parents that their newborn infant will be screened for the genetic and/or congenital diseases included on the Minnesota newborn screening panel under *Minnesota Statutes*, section 144.125, subdivision 2. This information shall include an explanation for the reasons for the screening, the parent's right to refuse the screening, and the information designated in *Minnesota Statutes*, section 144.125, subdivision 3;

C. require a parent who refuses newborn screening to sign a waiver form provided by the department. The responsible party shall retain a copy of the signed form, include a copy of the signed form in the infant's medical record, and send a copy of the signed form to the commissioner within one week from the time the parents sign the form;

D. require a parent who requests the destruction of their infant's blood sample and results to sign a department waiver form. The responsible party shall retain a copy of the signed form, include a copy of the signed form in the infant's medical record, and send a copy of the signed form to the commissioner;

E. if the specimen is taken prior to 24 hours after birth, the responsible party shall use best efforts to collect a second blood sample from the newborn infant by five days of life, or the responsible party may delegate the responsibility for repeat blood collection to the newborn infant's primary medical care provider;

F. use best efforts to collect any repeat specimens requested by the department due to initial unsatisfactory specimens;

G. accurately complete all fields on the newborn screening card including demographic information and primary medical care provider information as provided by the parent;

H. prior to discharge, the responsible party shall verify that the newborn screening specimen has been collected from every newborn infant born in their care or transferred to their care;

I. record the date and time the specimen is collected on the newborn infant's medical chart;

J. send the completed specimen card with blood, via courier, overnight delivery, or other expedited service, to the department so that it arrives there by 4:30 p.m. on the next business day following collection;

K. if the newborn infant is transferred to a second health care facility before the specimen is collected, the responsible party shall inform the second facility of this fact and may delegate to it the responsibility for collecting and transmitting the specimen. The responsible party shall document this in the newborn infant's medical chart;

L. alert the department's newborn screening program and the newborn infant's primary medical care provider as designated by the parent about any newborn infant who did not have a newborn screening specimen collected and sent to the department prior to discharge;

M. forward a copy of the newborn screening results to the infant's primary medical care provider, as designated by the parent, within two weeks of receiving the results from the department; and

N. facilitate the collection and transport of newborn screening specimens for infants whom the department identifies as having no submitted specimens on record.

4615.0600 DUTIES OF DEPARTMENT OF HEALTH.

The Minnesota Department of Health shall do all of the following:

A. develop and procure specimen cards and make them available for sale to the responsible party;

B. maintain a record of all cases of hemoglobinopathy, phenylketonuria, galactosemia, hypothyroidism, and congenital adrenal hyperplasia reported to it; and infants diagnosed with a genetic and/or congenital disease included in the Minnesota newborn screening panel who were reported to the department;

C. notify the attending physician within 24 hours of obtaining the results, verbally and in writing by deposition in first class mail, of positive screening results and provide consultation on diagnostic and treatment sources available; infant's primary medical care provider of positive screening results to allow early diagnostic testing and treatment, based on the disorder. The Minnesota Department of Health shall notify by telephone and facsimile transmission, or by any other method that the commissioner determines is necessary to get the information to the provider;

D. provide contact information on available diagnostic and treatment sources to primary medical care providers of infants with positive results;

E. develop and make available forms for parents to decline newborn screening;

F. provide forms a parent can use to indicate that they want their infant's blood sample and test results destroyed after two years from the time of screening;

G. notify the responsible party when the department identifies infants as not having been screened by the Minnesota Department of Health; and

H. track and use best efforts to obtain needed repeat testing for up to 60 days on all infants who require repeat testing.

4615.0700 DUTIES OF ATTENDING PHYSICIAN PRIMARY MEDICAL CARE PROVIDER.

Subpart 1. **Provider requirements.** The attending physician primary medical care provider shall do all of the following:

A. The provider shall report, in writing, results of diagnostic evaluation of all instances of infants with positive

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newborn screening results of hemoglobinopathy, phenylketonuria, galactosemia, hypothyroidism, and congenital adrenal hyperplasia to: ~~Human Genetics Unit, Minnesota Department of Health, 717 SE Delaware Street, P.O. Box 9441, Minneapolis, MN 554409441; to the~~ newborn screening program at the Minnesota Department of Health. The report must be in writing and must be submitted within 30 days after the provider receives the diagnostic results.

B. The provider shall obtain and submit repeat specimens from infants in their care at the request of the department.

C. The provider shall provide the parents of an infant with a positive newborn screening, the results of the screening test and educational materials about the disorder for which the infant has tested positive, as provided by the department.

D. The provider shall document in the medical record the complete results of the newborn screening or the decision to waive screening on every infant admitted to their practice.

E. The provider shall assist a parent with completion of the forms provided by the department in the event that a parent wants their infant's specimen and results destroyed.

B. ~~However, Subp. 2.~~ **Authority to delegate.** If the ~~attending physician~~ primary medical care provider refers a patient with positive screening results to a medical specialist for diagnosis and/or treatment, the ~~attending physician~~ primary medical care provider may delegate the responsibility for reporting a confirmed diagnosis to the medical specialist.

Subp. 3. **Information on newborn screening.** If the primary medical care provider provides care to an infant whose birth was not attended by one of the parties listed in this part or part 4615.0550 or 4615.0600, the primary medical care provider shall give parents of an infant written materials on newborn screening made available by the department's newborn screening program or approved by the program.

4615.0750 PURPOSE AND SCOPE.

The purpose and scope of parts 4615.0750 to 4615.0760 is to describe the responsibilities of the Minnesota Department of Health to assure that persons diagnosed as having ~~hemoglobinopathy, phenylketonuria, galactosemia, hypothyroidism, and/or congenital adrenal hyperplasia~~ one of the genetic and/or congenital diseases tested for by the newborn screening program under *Minnesota Statutes*, section 144.125, subdivision 2, will:

(1) ~~have access to approved laboratory treatment control tests when available;~~ (2) ~~have necessary~~ be provided information about available financial assistance for treatment of diagnosed cases when indicated; and (3) (2) be included in a registry of cases for the purpose of coordinating follow-up services.

4615.0755 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of parts 4615.0750 to 4615.0760 the following terms have the meaning given them.

Subp. 2. **Department.** "Department" means the Minnesota Department of Health.

Subp. 3. **Follow-up services.** "Follow-up services" means assisting the patient in accessing appropriate treatment and other services.

Subp. 5. **Patient.** "Patient" means the person who has been diagnosed with ~~hemoglobinopathy, phenylketonuria, galactosemia, hypothyroidism, and/or congenital adrenal hyperplasia~~ or the person's parents or legal guardian one of the genetic and/or congenital diseases tested for by the newborn screening program under *Minnesota Statutes*, section 144.125, subdivision 2.

Subp. 6. [See repealer.]

Subp. 6a. **Primary medical care provider.** "Primary medical care provider" means the physician or clinic identified by the parent or guardian as the entity that will be providing the infant's medical care after the infant is discharged from the hospital or from care of the birth attendant.

Subp. 8. **Registry.** "Registry" means a permanent record maintained by the department on each patient ~~diagnosed by a physician and who is reported to the department as having hemoglobinopathy, phenylketonuria, galactosemia, hypothyroidism, and/or congenital adrenal hyperplasia~~ one of the genetic and/or congenital diseases tested for by the newborn screening program under *Minnesota Statutes*, section 144.125, subdivision 2.

Subp. 9. [See repealer.]

Subp. 10. [See repealer.]

Subp. 11. [See repealer.]

4615.0760 RESPONSIBILITIES OF DEPARTMENT OF HEALTH.

Subpart 1. [See repealer.]

Subp. 2. [See repealer.]

Subp. 3. **Assistance in obtaining treatment.** The department shall ~~make~~ assist in making arrangements for the medically indicated treatment of the metabolic defect in diagnosed cases of ~~hemoglobinopathy, phenylketonuria, galactosemia, hypothyroidism, and/or congenital adrenal hyperplasia~~ genetic and/or congenital diseases tested for by the newborn screening panel under *Minnesota Statutes*, section 144.125, subdivision 2, when the patient is uninsured or is unable to pay the cost of treatment ~~because of a lack of available income.~~

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The arrangements include referral to appropriate agencies ~~which~~ that have financial resources to pay for medically indicated treatment such as private health insurance companies, medical assistance, MinnesotaCare, and ~~Services for Children with Handicaps~~ other available services.

Subp. 4. **Registry of cases.** The department shall maintain a registry of all ~~patients diagnosed cases of hemoglobinopathy, phenylketonuria, galactosemia, hypothyroidism, and congenital adrenal hyperplasia with the genetic and/or congenital diseases tested for by the newborn screening program under Minnesota Statutes, section 144.125, subdivision 2,~~ reported to the department. The registry shall be updated not more often than annually by direct contact with the patient ~~or parent of a patient who is less than 21 years of age~~ to determine their address and their need for medical treatment services, educational materials, and counseling related to their ~~metabolic~~ disease. The registry shall include the following minimum data on each patient:

- A. name of patient;
- B. gender;
- C. date of birth;
- D. place of birth;
- E. parents' names;
- F. current address of patient;
- G. diagnosis;
- H. name and address of ~~physician~~ primary medical care provider; and
- I. other data the commissioner deems necessary for follow-up services.

Subp. 5. **Classification of data.** The department shall treat all data in the registry as private pursuant to *Minnesota Statutes*, section 13.3805, the Minnesota Government Data Practices Act.

REPEALER. *Minnesota Rules*, parts 4615.0400, subpart 2; 4615.0500; 4615.0755, subparts 6, 9, 10, and 11; and 4615.0760, subparts 1 and 2, are repealed.

Minnesota Racing Commission

Proposed Permanent Rules Relating to Horse Racing; Quarter Horse Breeders' Fund

DUAL NOTICE of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for a Hearing Are Received Proposed Amendment to Rules Governing: *Minnesota Rules* 7895.0300 Quarter Horse Breeders' Fund, and *Minnesota Rules* 7895.0250 Quarter Horse Registration

Introduction. The Racing Commission intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedures Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules* parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:00 PM on December 20, 2006, a public hearing will be held at the Canterbury Park Presidents' Suite, Canterbury Park, 1100 Canterbury Road, Shakopee, Minnesota, starting at 9:00 AM on Friday, December 29, 2006. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after December 20, 2006 and before December 29, 2006.

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 Richard G. Krueger, at Minnesota Racing Commission, P.O. Box 630, Shakopee, Minnesota 55379; **telephone:** (952) 496-7950, **fax:** (952) 496-7954 and **e-mail:** richard.krueger@state.mn.us. **TTY** users may call the Racing Commission at 1-800-627-3529.

Subject of Rules, Summary, and Statutory Authority. The proposed rule amendments of the Minnesota Racing Commission are intended to modify definitions as required in the Minnesota Quarter Horse Breeders' Fund rules. The changes to subpart 1 of M.R. 7895.0300, will incorporate definitions needed for proposed new rules dealing with artificial insemination and embryo transfer for Quarter Horses participating in Minnesota's Breeder's Fund Program. Existing definitions for the various categories of Minnesota-bred Quarter Horses are also being amended to allow for these newly permitted methods of breeding. The proposed changes in *Minnesota Rules* 7895.0350, deal with the registration of Quarter Horses that are conceived by artificial insemination, or resulting from embryo transfer between mares. The Commission's statutory authority to adopt the rules is set forth in *Minnesota Statutes* section 240.18. In addition, the Commission's rulemaking authority in *Minnesota Statutes* section 240.23(j), empowers the Commission to promulgate rules over any aspect of horse racing or pari-mutuel betting which in its opinion affects the integrity of racing or the public health, welfare, or safety.

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Under these statutes, the Commission has the necessary statutory authority to adopt the proposed rules.

Comments. You have until 4:30 p.m. on Wednesday, December 20, 2006 to submit written comment in support of or in opposition to the proposed rules or 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 comments should identify the proposed portion of the rules addressed, the reason for the comment, and any change proposed. You are also 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 made in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday, December 20, 2006. Your written request for a public hearing must include your name and address. You must identify the proposed 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 written valid 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/Accommodation. 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, or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified, either as a result of public comment, or as a result of the rules hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Cancellation of Hearing. The hearing scheduled for December 29, 2006 will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing date whether or not the hearing will be held. You may also call the agency contact person at (952) 496-7950 after December 20, 2006 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have heard. Administrative Law Judge Kathleen D. Sheehy is assigned to conduct the hearing. Judge Sheehy can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138; **telephone:** (612) 341-7602, and **fax:** (612) 349-2665.

Hearing Procedure. If a hearing is held, you and all interested persons or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing, or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. The five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five working day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:00 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

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. The statement may also be reviewed and copies obtained at the cost of reproduction from the agency.

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

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Adoption Procedure if no Hearing. 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.

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and files them with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

Order. I order that the rulemaking hearing be held at the date, time, and location, listed above.

Dated: November 1, 2006

Richard G. Krueger
Executive Director

7895.0300 QUARTER HORSE BREEDERS' FUND.

Subpart 1. **Definitions.** For purposes of this part, the following terms have the meaning given them unless another intention clearly appears:

A. "Artificial insemination" means the introduction of semen, either fresh, cooled, or frozen, into the vagina or uterus of the mare without sexual contact.

~~A. B.~~ "Breeder" means the owner or lessee of the dam at the time of conception in Minnesota.

C. "Embryo" means an egg that has been fertilized by sperm and undergone one or more divisions.

D. "Embryo transfer" means the transfer of an embryo from a donor horse into the uterus of a recipient mare for the duration of the pregnancy.

E. "Fertilized egg" means intercytoplasmic sperm injection and conventional in vitro fertilization. The fertilized egg is generally transferred to the uterus of a recipient mare.

F. "Minnesota-bred" shall be defined in three different and distinct categories:

(1) "Minnesota-bred sired and foaled" means a horse that is:

(a) sired by a registered Minnesotasire who stood his entire breeding season in Minnesota; and

(b) Minnesota-foaled.

(2) "Minnesota-bred foaled" means a Minnesota-foaled horse.

(3) "Minnesotabred sired" means a Minnesota-sired horse.

~~B. G.~~ "Minnesota-foaled" means a horse foaled in Minnesota, and registered with the Racing Commission.

~~C. H.~~ "Minnesota-sire" means a stallion owned at least 50 percent by residents of Minnesota or leased entirely by Minnesota residents, and which has stood the entire breeding season, from January 31 through July 31, in Minnesota.

~~D. I.~~ "Minnesota-sired" means a horse sired by a registered Minnesota-sire and registered with the commission. Horses can be sired by natural cover, artificial insemination, or by transfer of an embryo, oocyte, or fertilized egg.

~~E.~~ "Minnesota-bred" shall be defined in three different and distinct categories:

(1) "Minnesota-bred sired and foaled" means a horse that is:

(a) sired by a registered Minnesotasire who stood his entire breeding season in Minnesota; and

(b) Minnesota-foaled.

(2) "Minnesota-bred foaled" means a Minnesota-foaled horse.

(3) "Minnesota-bred sired" means a Minnesota-sired horse.

J. "Natural cover" means natural breeding occurring between a mare and stallion.

K. "Oocyte" means an egg or female reproductive cells.

L. "Oocyte transfer" means the transfer of a retrieved, unfertilized egg(s) from a donor mare into a recipient mare and then the mare is bred.

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

7895.0350 QUARTER HORSE REGISTRATION.

Subpart 1. **Broodmare registration, Minnesota-bred sired and foaled.** To be eligible to receive any breeders' award payments and to make a mare's foal eligible for restricted races, the following requirements must be met:

[For text of items A and B, see M.R.]

C. In the event that a broodmare is in foal to a Minnesota-bred sire by means of artificial insemination or transfer of an embryo, oocyte,

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or fertilized egg both the donor mare(s) and the recipient mare(s) must be in Minnesota prior to foaling. The recipient mare(s) must be identified on the registration form of the donor mare(s) that is submitted to the Racing Commission on or before January 31 of the year in which the recipient mare will foal. If there are multiple foals from each mare/stallion combination, only one of these foals from each breeding season may be registered as Minnesota-bred. The breeder retains the right to decide which foal is Minnesota-bred if this event occurs. The registration must be made according to subpart 3 or 4.

Subp. 1a. **Broodmare registration, Minnesota-bred foaled.** To make a mare's foal eligible for restricted races (but not eligible for breeders' awards), the following requirements must be met:

[For text of items A and B, see M.R.]

C. Both the donor mare and the recipient mare must be in Minnesota prior to foaling, except in case of the death of the donor mare prior to foaling. The recipient mare must be identified on the registration form of the donor mare that is submitted to the Racing Commission on or before January 31 of the year in which the recipient mare will foal. If there are multiple foals from each mare/stallion combination, only one of these foals from each breeding season may be registered as Minnesota-bred. The breeder retains the right to decide which foal is Minnesota-bred registered if this event occurs. The registration must be made according to subpart 3 or 4.

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

Subp. 3. **Foal registration and certification, Minnesota-bred sired and foaled and Minnesota-bred foaled.** For a horse foaled in Minnesota to be registered and subsequently certified as a Minnesota-bred sired and foaled horse or a Minnesota-bred foaled horse, the following requirements must be met:

A. Within 30 days of the date a horse is foaled in Minnesota, the foal must be registered with the Racing Commission or official registering agency. The registration must include the following information: the date, the name of the owner or lessee of the dam at time of conception, the date that the foal was born, an owner's or lessee's statement that the foal was born in Minnesota, and the signature and veterinary license number of the attending veterinarian. Failure to submit the veterinarian's report will disqualify any subsequent claim to register the foal as a Minnesota-bred or Minnesota-foaled horse. If there are multiple foals from each mare/stallion combination, only one of these foals from each breeding season may be registered as Minnesota-bred. The breeder retains the right to decide which foal is Minnesota-bred registered if this event occurs.

[For text of items B to E, see M.R.]

Subp. 4. **Foal registration and certification, Minnesota-bred sired.** For a horse sired by a Minnesota-sire, but not foaled in Minnesota, to be registered and subsequently certified as a Minnesota-bred sired horse, the following requirements must be met:

A. Within 30 days of the date a horse is foaled, the foal must be registered with the Racing Commission or official registering agency. The registration must include the following information: the date, the name of the owner or lessee of the dam at the time of conception, the date the foal was born, an owner's or lessee's statement as to which state the foal was born in, and the signature and veterinary license number of the attending veterinarian. Failure to submit the veterinarian's report will disqualify any subsequent claim to register the foal as a Minnesota-sired horse. If there are multiple foals from each mare/stallion combination, only one of these foals from each breeding season may be registered as Minnesota-bred. The breeder retains the right to decide which foal is Minnesota-bred registered if this event occurs.

[For text of items B to E, see M.R.]

Minnesota Racing Commission

Proposed Permanent Rules Relating to Horse Racing; Standardbred Breeders' Fund DUAL NOTICE of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for a Hearing are Received Proposed Amendment to Rules Governing: *Minnesota Rules 7895.0250* Standardbred Breeders Fund, and *Minnesota Rules 7895.0275* Standardbred Registration

Introduction. The Racing Commission intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedures Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 PM on December 20, 2006, a public hearing will be held at the Canterbury Park Presidents' Suite, Canterbury Park, 1100 Canterbury Road, Shakopee, Minnesota, starting at 1:00 PM on Friday, December 29, 2006. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after December 20, 2006 and before December 29, 2006.

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 Richard G. Krueger at Minnesota Racing Commission, P.O. Box 630,

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Shakopee, Minnesota 55379; **telephone:** (952) 496-7950, **fax:** (952) 496-7954 and **e-mail:** richard.krueger@state.mn.us. TTY users may call the Racing Commission at 800-627-3529.

Subject of Rules, Summary, and Statutory Authority. The proposed rule amendments of the Minnesota Racing Commission are intended to modify definitions as needed in the Minnesota Standardbred Breeders' Fund Rules. The rules have not been changed for over twenty years. With the licensing of a second racetrack in Minnesota, where Standardbred racing will be conducted, it is necessary to modify the rules and bring them up-to-date. The Commission is proposing to modify the registration rules to allow for horses conceived by artificial insemination to be included in the Breeders' program, if they meet the requirements set forth in rules of the United States Trotting Association. The rule amendments will delete obsolete dates and definitions relative to standardbred horses participating in Minnesota's breeding program.

The Commission's statutory authority to adopt the rules is set forth in *Minnesota Statutes* section 240.18. In addition, the Commission's rulemaking authority in *Minnesota Statutes* section 240.23(j) empowers the Commission to promulgate rules over any aspect of horse racing or pari-mutuel betting which in its opinion affects the integrity of racing or the public health, welfare, or safety. Under these statutes, the Commission has the necessary statutory authority to adopt the proposed rules.

Comments. You have until 4:30 p.m. on Wednesday, 20, 2006 to submit written comment in support of or in opposition to the proposed rules or 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 comments should identify the proposed portion of the rules addressed, the reason for the comment, and any change proposed. You are also 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 made in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday, December 20, 2006. 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 written valid 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/Accommodation. 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, or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified, either as a result of public comment or as a result of the rules hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Cancellation of Hearing. The hearing scheduled for December 29, 2006 will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing date whether or not the hearing will be held. You may also call the agency contact person at (952) 496-7950 after December 20, 2006 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Kathleen D. Sheehy is assigned to conduct the hearing. Judge Sheehy can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota, 55401-2138; **telephone:** (612) 341-7602 and **fax:** (612) 349-2665.

Hearing Procedure. If a hearing is held, you and all interested persons or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing, or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. The five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:00 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings.

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This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

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. The statement may also be reviewed and copies obtained at the cost of reproduction from the agency.

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

Adoption Procedure if No Hearing. 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.

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and files them with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: November 1, 2006

Richard G. Krueger
Executive Director

7895.0250 STANDARD BRED BREEDERS' FUND.

Subpart 1. **Definitions.** For purposes of this part, the following terms have the meaning given them unless another intention clearly appears.

A. "Breeder" means the owner or lessee of the dam ~~at the time of conception in Minnesota~~ as reflected on the United States Trotting Association (USTA) certificate of registration.

B. "Minnesota-bred" means:

(1) ~~In the case of a horse foaled prior to 1987, either:~~

~~(a) the United States Trotting Association (USTA) foal certificate reflects the breeder to be a Minnesota resident;~~

~~(b) the horse was sired by a stallion standing in the state of Minnesota as reflected on the USTA stallion report;~~

~~(c) at the time the horse was foaled in Minnesota the owner of the foal was a Minnesota resident; or~~

(2) foals ~~born on or after January 1, 1987, must have been sired by a stallion registered with the Racing Commission or official registering agency that stood in the state of Minnesota for the entire breeding season and is registered pursuant to part 7895.0275, subpart 1.~~

C. ~~"Minnesota-foaled" means:~~

~~(1) In the case of a horse foaled prior to 1987, either:~~

~~(a) the USTA foal certificate reflects the breeder to be a Minnesota resident;~~

~~(b) the horse was sired by a stallion standing in the state of Minnesota as reflected on the USTA stallion report; or~~

~~(c) at the time the horse was foaled in Minnesota the owner of the foal was a Minnesota resident.~~

~~(2) Foals born on or after January 1, 1987, must have been sired by a stallion registered with the Racing Commission or official registering agency that stood in the state of Minnesota for the entire breeding season.~~

D. ~~"Minnesota sire" means a stallion owned at least 50 percent by residents of Minnesota or leased entirely by Minnesota residents, and which has stood the entire breeding season, from January 31 to July 31 in Minnesota.~~

Subp. 2. **Division of money.** The money available from the breeders' fund for the standardbred breed category shall be divided as follows:

A. 25 percent shall be set aside and paid to breeders as breeders' awards; and

B. 75 percent shall be paid to supplement purses in races which are restricted to horses that are Minnesota-bred ~~or Minnesota-foaled.~~

Subp. 3. **Distribution of money.** The money available from the standardbred breeders' fund shall be distributed as breeders' awards and paid to the breeder, as reflected on the USTA foal certificate, of a Minnesota-bred ~~or Minnesota-foaled~~ horse that finishes fifth or better

Proposed Rules

in any pari-mutuel or sanctioned USTA non-pari-mutuel race in Minnesota.

Subp. 4. **Methods of payment.** The amount of money distributed for breeders' awards or purse supplements pursuant to subpart 3, shall be paid out in the same percentage as the purse money in the race. ~~Purse supplements earned shall not be included in determining breeders' or stallion awards.~~

[For text of subp. 5, see M.R.]

Subp. 6. **Time of payment.** Purse supplements are part of the purse and shall be credited to owners' accounts at the time the purses are earned. All money allocated for breeders' awards and stallion awards shall be distributed within 45 days of the end of the standardbred race ~~meeting season~~.

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

7895.0275 STANDARDBRED REGISTRATION.

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

Subp. 2. **Foal certification.** In order for a horse bred ~~or foaled~~ in Minnesota to be registered and subsequently certified as Minnesota-bred ~~or Minnesota-foaled~~, the following requirements must be met:

A. The ~~original foal~~ USTA certificate of registration must be embossed by the Racing Commission or official registering agency prior to entry into any restricted race.

B. Failure to have the foal ~~certificate embossed~~ registered with the Racing Commission by December 31 of the year of its birth shall disqualify any claim to enter the horse in a restricted race or to earn any breeders' fund payments.

Subp. 3. **Artificial insemination.** Beginning with the 2006 breeding season, foals conceived by transported semen (including semen shipped out of Minnesota) shall be considered Minnesota-bred as long as they meet the requirements of Rule 26, Section 6, of the United States Trotting Association rules for artificial insemination. The stallion must still meet the requirements in part 7895.0275 for stallion registration in Minnesota.

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.

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Department of Agriculture Rural Finance Authority

Notice of Meeting Schedule for 2007, Meetings Via Conference Call

Future monthly meetings of the Rural Finance Authority Board are scheduled for 1:00 P.M. at 625 Robert Street North on the following dates in 2007: January 3; February 7; March 7; April 4; May 2; June 6; July 11; August 1; September 5; October 3; November 7; December 5.

Some members may participate in certain of these meetings by electronic means. In accordance with *Minnesota Statutes*, Section 471.705 (1997), the Agency, to the extent practicable, will allow a person to monitor those certain meetings electronically from a remote location. If such monitoring shall occur, the Agency may require the person making such a connection to pay for documented marginal costs that the Agency incurs as a result of the additional connection. If you wish to attend, sign in at the front desk; you will be issued a badge and call (651) 201-6610 for an escort to the meeting.

For additional information, contact James Boerboom, Minnesota Department of Agriculture, 625 Robert Street North, St. Paul, MN 55155-2538 or call (651) 201-6395.

James A. Boerboom
Agricultural Finance Division Executive Director

Minnesota Comprehensive Health Association

Notice of Meeting of the Finance Committee November 30, 2006

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Finance Committee will be held at 9:00 a.m. on Thursday, November 30, 2006. The meeting will take place at the MCHA executive office located at 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

For additional information, please call Lynn Gruber at (952) 593-9609.

Department of Natural Resources

Notice of Conveyance to Establish Boundary Lines Relating to Certain State Land-Holdings

NOTICE IS HEREBY GIVEN that pursuant to *Minnesota Statutes*, section 84.0273, the State of Minnesota proposes to convey by an agreement and conveyance document and quit claim deed such rights, titles and interests in state lands located in Section 22, Township 60 North, Range 24 West, Itasca County, to Gregory L. and Lesley K. Vezina, husband and wife, who in return proposes to convey by the same agreement and quit claim deed such right titles and interests in its adjacent lands as are necessary for the purpose of establishing boundaries.

The reason for this conveyance is that the location of the line between Government Lot 3 and Government Lot 4 is unknown between the Government Meander Line of 1883 and the County Road #340.

The parties wish to establish a correct description of the common boundary line between their properties that is acceptable to both properties.

Additional information about this conveyance or a copy of the proposed conveyance can be obtained by contacting:

John Walker, Project Surveyor
Minnesota Department of Natural Resources
Division of Lands and Minerals
1601 Minnesota Drive
Brainerd, Minnesota 56401
Telephone: (218) 828-2445
E-mail: john.walker@dnr.state.mn.us

Official Notices

Department of Natural Resources

Notice of Proposed Non-Motorized Areas and Trails on State Forest Lands and County Lands in Hubbard County

NOTICE IS HEREBY GIVEN that the Commissioner of the Minnesota Department of Natural Resources (DNR) proposes to designate select Non-Motorized Areas and Trails in the Badoura State Forest, Paul Bunyan State Forest and County lands in Hubbard County, Minnesota with respect to non-motorized travel. The proposal is a continuation of the approved Hubbard County OHV plan, which was signed into law by the Commissioner of DNR on March 17, 2006.

The Department of Natural Resources has developed a plan that designates which Non-Motorized Areas and Trails on State Forest lands in Hubbard County will be open only to non-motorized use. The plan also includes Non-Motorized Areas and Hunter Walking Trails that are outside State Forest lands but within Hubbard County.

The Badoura State Forest is located in southeastern Hubbard County and includes about 4,500 acres of DNR administered land. The Paul Bunyan State Forest includes about 60,600 acres of DNR administered land. There are about 11,700 acres of Forest Land under the Authority of the Commissioner outside of State Forest boundaries in Hubbard County. There are about 138,000 acres of county administered forestlands in Hubbard County.

Within Hubbard County, the DNR proposes the designation of 5 Non-Motorized Areas including Gulch Lakes, Mantrap Lake, Crooked Lakes, Soaring Eagles and Crocus Hill. Three of the proposed non-motorized areas are within the Paul Bunyan State Forest (PBSF) boundaries and two of the proposed non-motorized areas are outside the boundaries of the PBSF but within Hubbard County. Together the five proposed areas comprise 8,658 acres. By designating these areas as 'closed', the hunting exemption will **NOT** apply, thereby making these areas totally non-motorized.

The DNR proposes the designation of 20 miles of the North Country Scenic Hiking Trail, 19 miles of Non-Motorized Trails, 68 miles of Hunter Walking Trails and 63 miles of Unit Snowmobile Trails within Hubbard County.

Hubbard County proposes the designation of 19.4 miles of Hunter Walking Trails within the County but outside the State Forest boundaries.

There will be a public meeting on the proposed Non-Motorized Areas and Trail designations from 6:00 pm to 8:00 pm on Wednesday January 17, 2007 at the Park Rapids Area High School, 401 Huntsinger Avenue, Park Rapids, MN. The department will present information and receive public comments on the proposal.

The Non-Motorized Areas and Trails with related maps can be found on the DNR website at:

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

Copies of the document are also available from:

Helen Cozzetto, Regional Planner
Minnesota Department of Natural Resources
2115 Birchmont Beach Road NE
Bemidji, MN 56601
Telephone: (218) 755-3954
E-mail: *Helen.cozzetto@dnr.state.mn.us*

Written comments on the proposal can be submitted to the above address until 4:30 pm on January 31, 2007.

Mark Holsten, Deputy Commissioner
Minnesota Department of Natural Resources

State Grants & Loans

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

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

The Minnesota Job Skills Partnership (MJSP) Board solicits grant proposals for incumbent worker and new worker training programs. Proposals will be accepted for the following: Job Skills Partnership Grant Program, Pathways Program, MJSP Pre-Development Program, Healthcare and Human Service Training Program, HELP Loan Program, and MJSP Short Form. Specific program information can be found on the MJSP website at <http://www.deed.state.mn.us/mjsp>

A participating business is limited to one active grant in each grant program at any given time, with the exception of businesses that have multiple locations or businesses engaged in projects that involve a consortium of businesses.

The deadline for submission of proposals is 4:30 p.m. on Tuesday, January 16, 2007, with the exception of HELP Loan and Short Form applications, which must be submitted by 4:30 p.m. on Monday, February 5, 2007. Proposals must be delivered to DEED, Workforce Partnerships Division, MJSP, 1st National Bank Building, 332 Minnesota Street, Suite E200, St. Paul, MN 55101-1351. No late proposals will be considered. Ten final copies must be submitted at that time for consideration at the MJSP Board meeting to be held on Monday, February 26, 2007. You must also e-mail your proposal to mjsp@deed.state.mn.us. It is important to use the current application forms that are available on the web at <http://www.deed.state.mn.us/mjsp/forms.htm> or by calling the Job Skills Partnership at (651) 297-3154.

Department of Human Services Request for Grant Proposals for Providing Enhanced Mental Health Crisis / Access Services for Adults

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals from qualified parties interested in providing enhanced mental health crisis/access services for adults. These enhanced services will improve response for adults who are experiencing a mental health crisis or emergency, provide diversions from hospitalization and improve follow-up for adults who need mental health services following their crisis or emergency situation. All projects must meet all guidelines outlined in the instructions, be newly developed and instituted, and seek to measure outcomes. A total of \$1,010,000 is available to fund several projects for a two year period from January 2007 through December 2008.

The Request for Grant Proposal (RFP) instructions can be obtained from:

Lorraine Pierce, Mental Health Program Consultant
Mental and Chemical Health Administration
Department of Human Services
P.O. Box 64981
St. Paul, MN 55164- 64981
Telephone: (651) 431-2243
E-mail: lorraine.pierce@state.mn.us

Proposals submitted in response to the Request for Proposals in this notice must be received at the address above no later than 4:00 p.m., Central Time, Monday December 20, 2006. Late proposals will not be considered. E-mailed or faxed 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.

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.

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Minnesota State Colleges and Universities Central Lakes College Advertisement for Bids for Heavy Equipment Maintenance Facility

Sealed Bids for: Central Lakes College
Staples Heavy Equipment
Minnesota State Colleges and Universities
Staples, Minnesota

will be received by: Kari Christiansen
Central Lakes College, 501 West College Drive
Room C212
Brainerd, Minnesota

Until **2:00 PM, Tuesday, December 12th, 2006** at which time the bids will be opened and publicly read aloud in room E208.

Project Scope: An approximately 24,000 square foot Heavy Equipment Maintenance Facility with meeting room and office space. Construction consists of insulated precast concrete exterior walls, masonry interior walls, built-up roofing on steel deck with steel bar joist roof structure and galvanized metal exterior canopies. The building contains 4 overhead bridge cranes, air, water and overhead sectional doors and aluminum windows. It is heated by a gas fired hydronic underfloor heating system.

A pre-bid meeting will be held at **1:00 PM, Tuesday, November 28th, 2006**, at Central Lakes College, Staples West Campus. The Architect/Engineer and Owner Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bid Forms, Contract Documents, Drawings and Specifications as prepared by the Project Architect/Engineer, Architecture One, are on file at the offices of the:

- 1.) above named Project Architect/Engineer.
- 2.) following Builders Exchanges: St. Paul, Minneapolis, St. Cloud, Duluth, Fargo-Moorhead

- 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:

Architecture One
311 South 8th Street
Brainerd, MN 56401

A refundable deposit of **\$125.00** and a separate non-refundable printing, handling and mailing fee of **\$25.00** is required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send their deposits to the Architect. Such deposits and payments may be sent after November 13, the date documents will be available. 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.

Minnesota State Colleges and Universities (MnSCU) Dakota County Technical College

Request for Bids for a Chiller Replacement Project

NOTICE IS HEREBY GIVEN that Dakota County Technical College will receive bids for a Chiller Replacement Project. Bidding documents are available by contacting the Plan Room at TKDA Inc. **Phone:** (651) 292-4550.

A pre-bid meeting will be held at 10:00 AM on Friday, Nov 17, 2006 in Room 2-143 at Dakota County Technical College. Sealed bids must be received by Paul Demuth at Dakota County Technical College, 1300 145th St. East, Rosemount, MN 55068 by 2:00 PM, Nov 30, 2006, at which time the bids will be opened and publicly read aloud.

Minnesota State Colleges and Universities Minneapolis Community & Technical College

Request for Proposals for Exclusive Multi-year Contract for Specific Food Services at the Minneapolis Campus

NOTICE OF INTENT to publish Request for Proposals (RFP) for an exclusive multi-year contract for specific food services to students, staff and faculty of Minneapolis Community and Technical College and Metropolitan State University (Minneapolis campus). There will be a mandatory pre-proposal conference on Thursday November 16, 2006 (details in RFP).

Deadline for Proposals: Monday December 4, 2006

Contact: Michael Noble-Olson – Purchasing Manager
Minneapolis Community & Technical College
1501 Hennepin Avenue – Business Office T2700
Minneapolis, MN 55403
Telephone: (612) 659-6866
E-mail: *Michael.Noble-Olson@minneapolis.edu*

State Contracts

Minnesota State Colleges and Universities (MnSCU)

Rochester Community and Technical College

Notice of Request for Bid for the Upgrading of the Student Training Boiler to Electronic Controls

NOTICE IS HEREBY GIVEN that Rochester Community and Technical College Request for Proposal to upgrade the student training boiler to electronic controls.

To receive a copy of the RFB, send an e-mail to: june.meitzner@roch.edu or fax your request to (507) 285-7104.

Bids are due back by Monday, December 4, 2006 4:00 P.M. CDT and are to be addressed to June Meitzner, Rochester Community and Technical College, 851 30th Ave. S.E., Rochester, MN 55904; Room EA 134.

Late responses will not be considered.

Any questions should be directed to June Meitzner: june.meitzner@roch.edu

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation.

Minnesota State Colleges and Universities (MnSCU)

Saint Cloud State University

Advertisement for Bids for Commissioning Services

Sealed proposals for items hereinafter described will be received by St. Cloud State University at the Business Office, St. Cloud State University, St. Cloud Minnesota until **3:00 P.M. on December 19, 2006** and will then be publicly opened and read aloud. The right is reserved to accept or reject any or all bids or parts of bids and to waive informalities therein.

Bids are requested for the **Commissioning Services** as per plans and specifications available in the Business Office, St. Cloud State University.

For Further information contact:

Lisa Sparks
Director of Purchasing
St. Cloud State University
720 4th Ave. S.
St. Cloud, MN 56301-4498
Telephone: (320) 308-4788

Dated: November 20, 2006

Minnesota State Colleges and Universities

Southwest Minnesota State University

Notice of Availability of Request for Proposal (RFP) for Designer Selection for Science Labs, Hotel & Restaurant Industry Remodeling (State Project No. 06-17)

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Southwest Minnesota State University, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

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

A **MANDATORY** informational meeting is scheduled for **1:00 PM, Tuesday, November 28, 2006** in Charter Hall, Room 225 at Southwest Minnesota State University, 1501 State Street, Marshall, MN, 56258. All firms interested in this meeting should contact Cyndi Holm, holmcm@southwestmsu.edu, (507) 537-6577 to sign up to attend the meeting.

Proposals must be delivered to Mary Golike, Executive Secretary, State Designer Selection Board, in the State Architect's Office, 301 Centennial Building, 658 Cedar St., St. Paul, MN 55155-1625 not later than **1:00 P.M., Monday, December 4, 2006**. 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.

Department of Health

Infectious Disease Epidemiology, Prevention and Control

Notice of Availability of Contract for Development of an Ethical Framework for Resource Allocation During an Influenza Pandemic

The Minnesota Department of Health is requesting proposals for the purpose of creating an ethical framework for emergency, state officials that will need to make difficult choices about how to allocate limited resources for the greatest benefit of the people of Minnesota. The guidance that decision-makers will use must be broadly understood and established through a participatory and transparent process involving a variety of experts and the general public. Proposals are sought to create an ethics panel to recommend a framework for decision-making during an influenza pandemic. The scope of work will be to accomplish the following tasks:

1. Review existing literature, policies, and plans relating to decision-making and ethical guidelines relating to scarce resource allocation in preparing for and responding to pandemic influenza, and provide a summary report of findings. Assessment should encompass any current guidance developed or in development at the international, national, regional, state, and local levels.
2. In conjunction with MDH staff, identify, solicit and assemble a panel comprising health ethicists, leaders from Minnesota faith-based communities, hospitals, health care providers and associations, racial and ethnic minority communities, special needs populations, government, business, and other important population segments to review existing information on this subject.
3. Lead a process by which the panel will recommend an ethical framework upon which Minnesota state government officials and emergency managers can prioritize the allocation of scarce resources, including but not limited to antiviral drugs, vaccines, personal protective equipment, and other critical medical supplies, as well as water and food. The framework should take into account Minnesota's unique needs while addressing alignment with other ongoing planning efforts being undertaken by the federal government and neighboring states / provinces.
4. Provide comprehensive protocols for the implementation of any recommended measures, and identification of any known procedural, legal, or other obstacles to any recommendations.
5. Recommend a process for obtaining wider public review on the recommendations for the ethical framework that will ensure broad participation, transparency, and engender citizen trust. This process should include recommendations for sharing the draft framework with the public and soliciting comments, as well as a public information campaign to broadly share the finalized framework with Minnesota citizens in order to establish public expectations prior to an emergency.
6. Recommend a procedure for providing expedited ethical consultation for Minnesota state government officials during a pandemic.
7. Recommend a process for determining whether modifications of the ethical framework and/or protocols are necessary when and if federal or other recommendations on the allocation of scarce resources change.
8. Comment on the applicability of the ethical framework and/or protocols to other health-related emergencies.

Work is proposed to start after January 01, 2007.

A Request for Proposals will be available by mail from this office through December 1, 2006. A written request (by direct mail or fax) is required to receive the Request for Proposal. After December 1, 2006, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Patricia Bloomgren, Director
625 Robert St. N.
St. Paul, MN. 55155-2538

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than

State Contracts

2:30 p.m. Central Time, December 8, 2006. **Late proposals will not be considered.** Faxed 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.

Supreme Court

Guardian ad Litem Program

Request for Proposals for INDIAN CHILD WELFARE CULTURAL TRAINING

Guardians ad Litem are appointed in Minnesota's district and tribal courts to advocate for the best interests of children involved in child protection cases, including Indian Child Welfare Act (ICWA) cases, in accordance with state and federal law, Juvenile and Guardian ad Litem Rules, and relevant GAL program standards. To ensure that Guardians ad Litem have adequate knowledge of, and sensitivity to, the prevailing social and cultural standards of Minnesota's Indian communities, Dakota and Ojibwe, especially with respect to culturally specific child rearing practices, the State Guardian ad Litem Program is seeking a qualified individual or group to develop an American Indian Child Welfare Cultural Training Curriculum for Guardians ad Litem (GAL).

Proposals must be postmarked no later than December 30, 2006, and if not sent by U.S. mail, must be received no later than 4:00 p.m. on December 31, 2006. No electronic or facsimile submissions will be accepted.

Questions about the RFP or the selection process **MUST** be in writing and directed to Mark Toogood at 25 Rev. Dr. Martin Luther King Jr. Blvd., Suite 105, St. Paul, MN 55155 or by **e-mail** to: *mark.toogood@courts.state.mn.us*

Mark Toogood
State Program manager
Guardian ad Litem program
Supreme Court
25 MLKing Blvd.
St. Paul, MN 55155
Telephone: (651) 215-9467

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 Ron Bisek at (651) 296-1361 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:

Ron Bisek
Consultant Services
Office of Technical Support
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.

Department of Transportation Office of Transit Request for Proposal (RFP) for ArriveMN Implementation Project

Notice of availability of a contract for consultant services to assist in developing a web site and plans and execution of three statewide events to build public awareness of ArriveMN. This site when launched will provide access to actual trip providers and/or TMO organizations' web sites so that the public can actually avail themselves of the alternative travel mode options that include public transit (bus and rail), car/van pools, bicycling and walking. In addition the contract calls for the development and execution of three (two outside the Twin Cities metropolitan area and one within the Twin Cities) coordinated launch events that will build public awareness of ArriveMN.

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.

The Minnesota Department of Transportation is requesting proposals to provide consultant services for the following scope of work:

Tasks

There are two major tasks that Mn/DOT wants accomplished. The first is the website development and implementation, the second is planning and executing public awareness launch events.

I. Development and Implementation of the Website

- A. Develop additional themes and support messages (campaign messages) for "Arrive Minnesota" which may include, but are not be limited to: cost savings, reduced commuter stress, increased physical activity.
- B. Make a cost effective recommendation for the purchasing of .net .org .gov .info etc, domain names eg for *www.ArriveMN*, *www.arrive*, and *www.arriveminnesota*.
- C. Establish key word "metatags" as id for positive connections to *www.ArriveMN.org*.
- D. Create a mockup of the entire site for review with Mn/DOT staff.
- E. Test website with single occupancy vehicle (SOV) drivers and people with disabilities for user friendly qualities that include:
 - ease of use,
 - information provided is of practical use,
 - all modal options supported.
- F. Produce actual complete website in an "under construction" status four weeks prior to scheduled launch event. Event anticipated on or about mid-May 2007.
- G. Provide, as may be required, technical assistance to Mn/DOT for corrections and adjustments to the website as may be needed for two months after the launch date event.

II. Planning, Creating and Executing the Launch Event

- A. Develop at least three event scenarios that may be successful in building statewide awareness of the "ArriveMN."

State Contracts

- B. Work with Mn/DOT and the Modal Options Steering Committee to adopt a concept that holds the greatest potential for creating statewide awareness.
- C. Arrange for the site use approvals, public safety provisions, staging, and on stage talent to carry out the event.
- D. Create a communications and marketing plan that will generate broad media coverage of the event including the key provisions of "ArriveMN". The communications and marketing plan will include recommendations to create "ArriveMN" awareness and publicize the accessibility of "ArriveMN" through venues like the public libraries, social service agencies, community centers and coffee shops.
- E. On-site event management of all aspects of the launch.

RFP's are available by mail, email or in person. **Please submit, in writing, a request for the RFP: Arrive Implementation Project.** Requests for the RFP may be mailed, emailed or faxed to:

Robert M. Works
Office of Transit
Bicycle and Pedestrian Section
MN Dept. of Transportation
Mail Stop 315
395 John Ireland Blvd.
St. Paul, MN 55155
Telephone: (651) 296-2533
Fax: (651) 297-7252
E-mail: bob.works@dot.state.mn.us

Note: PROPOSALS WILL BE DUE ON December 20, 2006 at 3:00 p.m. CENTRAL TIME.

Non-State Bids, 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.

Independent School District No. 709

Duluth Public Schools

Request for Proposals (RFP-247) for Program Evaluation Services - Safe Schools Healthy Students Grant

NOTICE IS HEREBY GIVEN that Requests for Proposals will be received at the Office of the Supervisor of Purchasing for Independent School District No. 709, 215 N. First Avenue E., Duluth, MN. 55802, for the following:

Due Date: November 29, 2006

Time: 2:00 P.M.

Non-State Bids, Contracts & Grants

For: RFP-247 Program Evaluation Services - Safe Schools Healthy Students Grant
Historic Old Central High School - 215 N. First Avenue E.
Duluth, Minnesota 55802-2069
Telephone: (218) 336-8738

The evaluator will be responsible for meeting Federal guidelines for reporting using GPRA indicators, collecting data, analyzing and reporting data in a timely manner, administering pre and post evaluations, developing evaluations and procedures, work closely with project director, attend required meetings, report data to appropriate groups and maintain data privacy regulations. Data required will be both qualitative and quantitative.

Specifications for the above request for proposals can be obtained from the office of the Supervisor of Purchasing for Independent School District No. 709, in Room 317, 215 N. First Avenue E., Duluth, MN. 55802.

Each proposal must be enclosed in a sealed envelope, appropriately marked to indicate the proposal and must be addressed to Patrick J. Devlin, Supervisor of Purchasing, Historic Old Central High School, Room 317, 215 N. First Avenue E., Duluth, MN 55802.

All proposals are to be in strict accordance with the proposal documents prepared by the School District and filed in the office of the Supervisor of Purchasing.

The right is reserved to reject any or all proposals or parts of proposals and to waive informalities. No vendor may withdraw their proposal for at least forty-five (45) days from the scheduled closing time for the receipt of proposals.

INDEPENDENT SCHOOL DISTRICT NO. 709
Patrick J. Devlin, Supervisor of Purchasing

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.



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