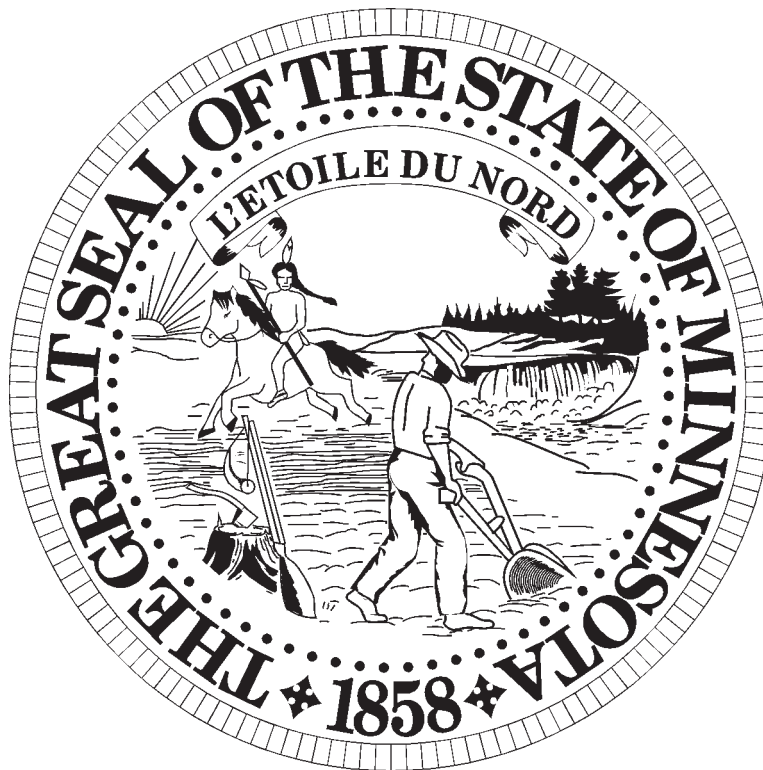


State of Minnesota

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 18 June 2007
Volume 31, Number 51
Pages 1795 - 1824**

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:

- rules of state agencies
- commissioners' orders
- state grants and loans
- executive orders of the governor
- revenue notices
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- appointments
- official notices

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# 51	Monday 18 June	Noon Tuesday 12 June	Noon Wednesday 6 June
# 52	Monday 25 June	Noon Tuesday 19 June	Noon Wednesday 13 June
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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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State Register information is available from Minnesota's Bookstore (651) 297-3000, or (800) 657-3757, Web site: www.minnesotasbookstore.com

Proposed Rules

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

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

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

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

Minnesota Department of Labor and Industry Construction Codes and Licensing Division

NOTICE OF Proposed Permanent Rules Repealing Obsolete Rules

Proposed Repeal of Rules Governing Fallout Shelters, *Minnesota Rules*, Chapter 1330.

Introduction. The Department of Labor and Industry intends to repeal obsolete rules following the procedures set forth in the Administrative Procedures Act, *Minnesota Statutes*, section 14.3895.

Agency Contact Person. Comments or questions on the rule and written requests to proceed with an alternative process must be submitted to Carrie Rohling, Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155, **phone:** (651) 284-5217, **fax:** (651) 284-5725, **e-mail:** dli.rules@state.mn.us. **TTY** users may call the Department at (651) 297-4198.

Subject of Rules and Statutory Authority. The proposed repeal is about obsolete rules that set out the requirements for fallout (Cite 31 SR 1799) *State Register*, Monday 18 June 2007 **Page 1799**

Proposed Rules

shelters located in all state owned buildings, which is defined as buildings and structures financed in whole or in part by state funds and which are under the exclusive jurisdiction and custodial control of one or more state departments or agencies. The statutory authority to repeal the rules is in *Minnesota Statutes*, sections 16B.59, 16B.61, and 16B.64 (2006), and Department of Administration Reorganization Order No. 193. A copy of the proposed repeal is published in the State Register and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Friday, August 17, 2007 to submit written comment in support of or in opposition to the proposed repeal or any part of the repeal. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the rule proposed for repeal involved and the reason for the comment. You are encouraged to propose that any part or subpart not be repealed. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for an Alternative Process. If 25 or more people submit a written request, the agency will have to meet the requirements of sections 14.131 to 14.20 for rules adopted after a public hearing or the requirements of sections 14.22 to 14.28 for rules adopted without a public hearing, including preparation of a statement of need and reasonableness and the opportunity for a hearing. Your request must be in writing and must be received by the agency contact person by 4:30 p.m. on Friday, August 17, 2007. Your written request for an alternative process must include your name and address. You must identify the rule which you feel should not be repealed or state that you oppose the entire repeal. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether an alternative process is necessary. You are also encouraged to state the reason for the request.

Modifications. The proposed repeal may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the agency, but the modifications can only alter which rules or parts are repealed. If the proposed repeal affects you in any way, you are encouraged to participate in the repeal process.

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

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, please contact the agency contact person at the address or telephone number listed above.

Dated: June 5, 2007

M. Scott Brenner, Commissioner
Department of Labor and Industry

Proposed Permanent Rules Relating to Repeal of Obsolete Rules

REPEALER. Minnesota Rules, parts 1330.0100; 1330.0200; 1330.0300; 1330.0400; 1330.0500; 1330.0600; 1330.0700; 1330.0800; 1330.0900; 1330.1000; 1330.1100; 1330.1200; 1330.1300; 1330.1400; 1330.1500; 1330.1600; 1330.1700; 1330.1800; 1330.1900; 1330.2000; and 1330.2100, are repealed.

Adopted Rules

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

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

Department of Revenue

Adopted Permanent Rules Relating to Sales and Use Tax on Soft Water Equipment and Service Dealers

The rules proposed and published at *State Register*, Volume 31, Number 32, pages 983-985, February 5, 2007 (31 SR 983), are adopted as proposed.

Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

Office of the Governor

Emergency Executive Order # 07-07: Providing for Emergency Relief from Regulations to Motor Carriers and Drivers Operating in Minnesota

I, TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and Minnesota Statutes, section 221.0269, do hereby issue this Emergency Executive Order:

WHEREAS, from approximately May 5 through May 19, 2007, a massive forest fire named the Ham Lake Fire raged through areas of Cook County, Minnesota, the Boundary Waters Canoe Area and Canada; and

WHEREAS, portions of the Gunflint Trail and surrounding areas were evacuated and more than 1,000 fire fighters were needed to battle the fire; and

WHEREAS, approximately 75,000 acres were burned and more than 130 structures were totally destroyed by the fire; and

WHEREAS, the fire caused significant damage to structures and the infrastructure, including electrical, telephone and other services to homes, cabins and businesses within Cook County; and

Executive Orders

WHEREAS, efforts to restore infrastructure damaged by the fire is underway, relief from certain motor carrier restrictions is now necessary to restore infrastructure services in a timely manner in the affected area.

NOW, THEREFORE, I hereby declare that:

1. A state of emergency exists in Minnesota that requires relief from regulations incorporated in *Minnesota Statutes*, section 221.0314, subdivision 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles, while engaged in relief efforts to restore telephone service and other infrastructure within Cook County.

2. Nothing herein shall be construed as to relieve motor carriers and drivers from regulations pertaining to qualifications of drivers, driving of commercial motor vehicles, commercial drivers' licenses, drug and alcohol testing and use, or financial responsibility.

3. No motor carrier operating under the terms of this emergency order shall require or allow a fatigued or ill driver to operate a motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be given at least eight consecutive hours off-duty before the driver is required to return to service.

4. Upon the expiration date of this emergency order, or when a driver has been relieved of all duty and responsibility to provide direct assistance to the emergency effort, a driver that has had at least 34 consecutive hours off-duty shall be permitted to start his or her on-duty status hours of service record at zero.

This order shall be effective immediately and shall remain in effect until 12:00 p.m. CDT July 11, 2007, unless superseded or extended under *Minnesota Statutes*, section 221.0269, subdivision 2.

IN TESTIMONY WHEREOF, I have set my hand this 11th day of June, 2007.

Signed: **TIM PAWLENTY**
Governor

Filed According to Law:

Signed: **MARK RITCHIE**
Secretary of State

Revenue Notices

The Department of Revenue began issuing Revenue Notices in July of 1991. Revenue Notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue Revenue Notices is found in *Minnesota Statutes*, Section 270C.07.

KEY: Underlining indicates additions to existing language. ~~Strikeouts~~ indicate deletions from existing language.

Department of Revenue

Modification of Revenue Notice # 99-05: Sales and Use Tax – Responsibility for Collection and Remittance of Sales Tax on Tickets Sold at Selling Events

For the purpose of this revenue notice, an “operator” is considered a person who controls the renting or leasing of space to persons desiring to engage or conduct business as a seller at an event.

For the purpose of administering the sales and use tax law, the operator shall be responsible for collecting and remitting sales or use tax on the total sale of tickets at events where tickets, tokens and other similar vouchers are used for purchasing taxable items or taxable admissions.

Tax should be calculated on the gross receipts of all tickets sold, not on the amount redeemed. The operator must also pay sales or use tax on any tickets that are exchanged for consideration, *i.e.*, bartering tickets in exchange for advertising or volunteer help. If tax is included in the ticket price, the operator should reduce the gross receipts by the amount of tax included in the ticket price to determine the amount subject to tax.

When tickets are sold for items taxed at different rates, the operator must have a reasonable verifiable method in place to determine the receipts subject to sales tax at each tax rate. If no distinction can be made, all tickets are subject to tax at the higher rate.

Example 1. Different colored tickets are sold for food, soft drinks or alcoholic beverages from the various vendors at an event. Blue tickets are sold for \$1.00 each and can be used to purchase anything except alcoholic beverages. Orange tickets are \$1.50 each and can only be used to purchase alcoholic beverages. Sales tax is included in the price of each ticket.

The operator must keep track of the number of orange tickets sold and the number of blue tickets sold. To determine the tax due, the operator should divide the gross receipts from the blue tickets by 1.065 to get the amount subject to tax. This amount should then be multiplied by 6.5% to get the state sales tax due on the blue tickets. The gross receipts from the orange tickets should be divided by 1.09 (the combined 6.5% sales tax and 2.5% liquor gross receipts tax rate) and that result multiplied by ~~9%~~ both the sales tax rate and the liquor gross receipts tax rate to determine the state sales tax and the liquor gross receipts tax on the orange tickets. Any local option taxes also apply.

Example 2. An event is held where the same ticket can be used to purchase food, soft drinks and alcoholic beverages from the various vendors. Individual vendors at the event sell both food and alcoholic beverages. The vendors are required to keep track of how many tickets are redeemed for alcoholic beverages and how many are redeemed for food and soft drinks and report that information to the operator.

In this example, the vendors reported that 1,000 tickets were redeemed for alcoholic beverages, and 2,000 tickets were redeemed for food and soft drinks. The total number of tickets sold or exchanged for consideration at the event was 3,500 and each ticket was sold for \$1.00, including sales tax.

To determine the percent of the total ticket sales subject to ~~both the 9 percent~~ 6.5% sales tax rate and the 2.5% liquor gross receipts tax rate, the operator divides the total number of tickets redeemed for alcoholic beverages by the total number of tickets redeemed. Next, multiply the total number of tickets sold or exchanged for consideration by the calculated percentage to determine the number of tickets subject to ~~9 percent~~ the state sales tax and the liquor gross receipts tax and then multiply by the ticket price. Divide the dollar value of those tickets by 1.09 to determine the amount subject to the sales and the liquor gross receipts tax. Then, multiply that amount by ~~9%~~ 6.5% to get the sales tax and by 2.5% to get the liquor gross receipts tax due for the alcoholic beverages. The remaining tickets sold or exchanged for consideration are subject to 6.5% percent state sales tax. All tickets are also subject to applicable local option taxes.

Calculation for this example: $1,000 / 3,000 = 33.3\%$

Revenue Notices

$$\begin{aligned} 3,500 \times 33.3\% &= 1,166 \times \$1.00 = \$1,166.00 \\ \$1,166.00 / 1.09 &= \$1,069.72 \\ \$1,069.72 \times 6.5\% &= \$69.53 \text{ (Sales Tax)} \\ \$1,069.72 \times 2.5\% &= \$26.74 \text{ (Liquor Gross Receipts Tax)} \end{aligned}$$

$$\begin{aligned} 3,500 - 1,166 &= 2,334 \\ 2,334 \times \$1.00 &= \$2,334.00 \\ \$2,334.00 / 1.065 &= \$2,191.55 \\ \$2,191.55 \times 6.5\% &= \$142.45 \end{aligned}$$

Example 3. Assume the same facts as set forth in Example 2, except that the selling event occurs in a city with a .5% local sales tax.

To determine the percent of the total ticket sales subject to the 6.5% state sales tax, the .5% local sales tax and the 2.5% liquor gross receipts tax, the operator divides the total number of tickets redeemed for alcoholic beverages by the total number of tickets redeemed. Next, multiply the total number of tickets sold or exchanged for consideration by the calculated percentage to determine the number of tickets subject to the state sales tax, the local sales tax and the liquor gross receipts tax and then multiply by the ticket price. Divide the dollar value of those tickets by 1.095 to determine the amount subject to the sales taxes and the liquor gross receipts tax. Then, multiply that amount by 6.5% to get the state sales tax, by .5% to get the local sales tax and by 2.5% to get the liquor gross receipts tax due for the alcoholic beverages.

The remaining tickets sold or exchanged for consideration are subject to both the 6.5% percent state sales tax and the .5% local sales tax.

Calculation for this example: $1,000 / 3,000 = 33.3\%$

$$\begin{aligned} 3,500 \times 33.3\% &= 1,166 \times \$1.00 = \$1,166.00 \\ \$1,166.00 / 1.095 &= \$1,064.84 \\ \$1,064.84 \times 6.5\% &= \$69.21 \text{ (State Sales Tax)} \\ \$1,064.84 \times .5\% &= \$5.32 \text{ (Local Sales Tax)} \\ \$1,064.84 \times 2.5\% &= \$26.62 \text{ (Liquor Gross Receipts Tax)} \end{aligned}$$

$$\begin{aligned} 3,500 - 1,166 &= 2,334 \\ 2,334 \times \$1.00 &= \$2,334.00 \\ \$2,334.00 / 1.07 &= \$2,181.31 \\ \$2,181.31 \times 6.5\% &= \$141.79 \text{ (State Sales Tax)} \\ \$2,181.31 \times .5\% &= \$10.91 \text{ (Local Sales Tax)} \end{aligned}$$

Example 34. Food and non-alcoholic beverage tickets are sold for \$1.00 each including sales tax. One thousand tickets are traded for six 30-second advertisements on the radio. Another 2,000 tickets are exchanged for volunteer help.

Since the tickets are exchanged for consideration in the form of advertising and volunteer help, the operator must calculate the tax due as follows:

$$\begin{aligned} \$3,000 / 1.065 &= \$2,816.90 \\ \$2,816.90 \times 6.5\% &= \$183.10 \end{aligned}$$

Dated: 29 March 1999 Terese Koenig, Director
Appeals, Legal Services and Criminal
Investigation Division

Publication Date: June 18, 2007

John H. Mansun, Assistant Commissioner
for Tax Policy and External Relations
Department of Revenue

Commissioners' Orders

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

Minnesota Department of Natural Resources

Decision Record

Official Notice and Order

Approval of the DNR Mille Lacs Uplands Subsection Forest Resource Management Plan Pursuant to *Minnesota Statutes*, Section 89.012

Approval of the DNR Mille Lacs Uplands Subsection Forest Resource Management Plan for 350,000 acres of state forest lands primarily in Aitkin, Carlton, Kanabec, Mille Lacs, and Pine counties in east-central Minnesota.

Notice Published: June 18, 2007

Effective Date: May 3, 2007

NOTICE IS HEREBY GIVEN that the Commissioner of the Minnesota Department of Natural Resources has approved the DNR Mille Lacs Uplands Subsection Forest Resource Management Plan that will direct vegetation management on state lands in the Mille Lacs Uplands, Glacial Lake Superior Plain, and St. Croix Moraines subsections landscape (see *Exhibit A*, attached hereto and incorporated herein).

WHEREAS:

1. *Minnesota Statutes*, Section 89.012 provides that the commissioner shall approve unit forest resource plans by written order published in the *State Register*.
2. The agency held public meetings and solicited and received written comments and submissions regarding the proposed vegetation management of state forest lands within the Mille Lacs Uplands subsection landscape region.
3. All notice and procedural requirements in *Minnesota Statutes*, and other applicable rules and law have been complied with.
4. The DNR Mille Lacs Uplands Subsection Forest Resource Management Plan is both needed and reasonable.

NOW THEREFORE, IT IS ORDERED that the DNR Mille Lacs Uplands Subsection Forest Resource Management Plan is approved for implementation on state forest lands in the Mille Lacs Uplands, Glacial Lake Superior Plain, and St. Croix Moraines subsections landscape (see *Exhibit A*, attached hereto and incorporated herein) pursuant to authority vested in me by Minnesota law.

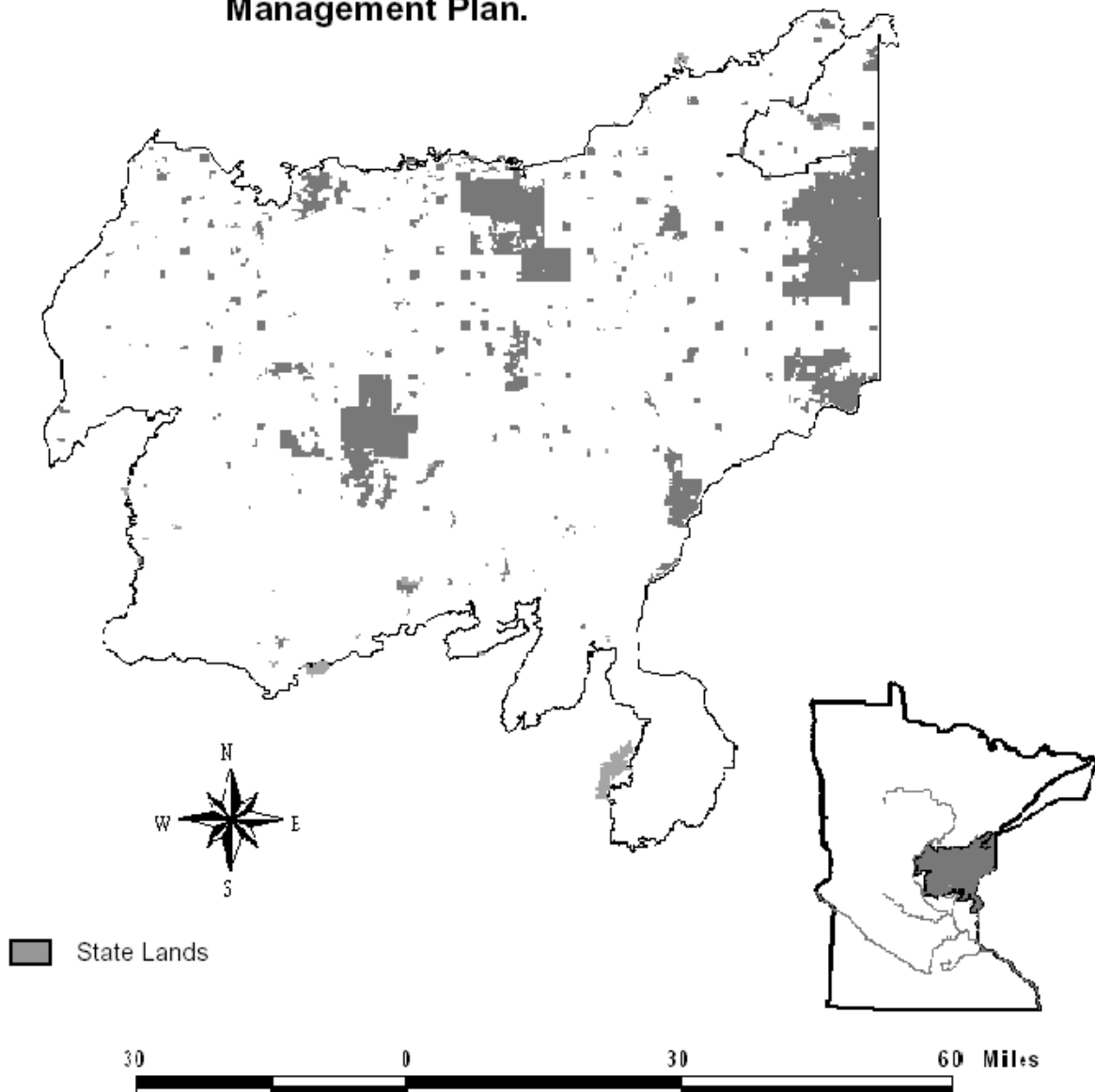
IT IS FURTHER ORDERED that the approval of the DNR Mille Lacs Uplands Subsection Forest Resource Management Plan is effective on May 3, 2007.

Dated: May 3, 2007

Mark Holsten, Commissioner
Department of Natural Resources

Exhibit A

**State Lands Included in the
Mille Lacs Uplands
Subsection Forest Resource
Management Plan.**



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.

Ignition Interlock Performance Standards Certification

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Minnesota Environmental Quality Board (EQB) REQUEST FOR COMMENTS on Proposed Amendments to Rules Governing the Environmental Review Program, *Minnesota Rules*, chapter 4410

Subject of Rules. The Minnesota Environmental Quality Board (EQB) is considering making revisions to the existing rules governing the Environmental Review Program. These are the rules under which Environmental Assessment Worksheets (EAWs), Environmental Impact Statements (EISs), and other environmental review documents are prepared. This rulemaking is required by legislation passed in the last legislative session that directs the Environmental Quality Board to adopt rules requiring an **environmental impact statement be prepared for a proposed release and a permit for a release of genetically engineered wild rice.**

The EQB proposes to add a mandatory category at *Minnesota Rules*, chapter 4410.4400 to address this statutory requirement.

Persons Affected. The proposed amendment may specifically affect all persons with an interest in wild rice cultivation, production, harvesting, marketing and use. The proposed amendment may specifically affect Native American tribes, other wild rice harvest permit holders, and commercial enterprises engaged in producing and marketing wild rice products. However, changes to the rules governing the Environmental Review Program may directly or indirectly affect all citizens of the state.

Statutory Authority. *Minnesota Statutes*, sections 116D.04 & 116D.045, establish the Environmental Review Program and authorize the EQB to adopt administrative rules governing its operation. Laws, 2007, chapter 57, article 1, section 140 authorizes the EQB to adopt rules relative to genetically engineered wild rice.

Public Comment. Interested persons or groups may submit comments or information on possible rule amendments in writing or orally until 4:30 p.m. on Monday, July 16, 2007.

Other Rulemaking. It should be noted that the EQB has recently requested comments for other changes to the state environmental review rules relative to **cumulative impacts**, and also **mandatory categories**, including those for projects affecting **shoreland** areas. It is anticipated that all of the proposed rule changes will be incorporated into a single request to the EQB board to authorize rulemaking, in order to deal with all currently proposed changes concurrently. It is likely that a series of public hearings around Minnesota will be scheduled later. Please check the EQB website for details as they become available www.eqb.state.mn.us.

Official Notices

Rule Drafts. A description of the amendments being considered by EQB is available at the EQB website, www.eqb.state.mn.us, and from the EQB contact person noted below.

Agency Contact Person. Written or oral comments, questions, requests to be appointed to any advisory group on rule changes including wild rice, requests to receive the preliminary draft of the proposed amendments, or requests for more information on these possible amendments to rules should be directed to:

Jon Larsen
Environmental Quality Board
300 Centennial Building
658 Cedar Street
St. Paul, MN 55155
Telephone: (651) 201-2477
Fax: (651) 296-3698
E-mail: jon.larsen@state.mn.us
TTY users may call the Board at 1-800-627-3529.

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

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

Dated: June 8, 2007

Gene Hugoson, Chair
Environmental Quality Board

Minnesota Departments of Human Services and Corrections REVISED REQUEST FOR COMMENTS on Possible Amendments to Rules and Repeal of Rules Governing Chemical Dependency Treatment and Funding, *Minnesota Rules*, Chapters 9530 and 2960

Subject of Rules. The departments of Human Services and Corrections request comments on possible amendments to and repeal of rules governing chemical dependency treatment and funding and licensure of programs that provide chemical dependency treatment and detoxification services, *Minnesota Rules*, Chapters 9530 and 2960. The Minnesota Department of Human Services previously published a Request for Comments dated October 13, 2003 [Cite 28 SR 506] requesting comments on Possible Amendments to Rules Governing Chemical Dependency Care for Public Assistance Recipients; *Minnesota Rules*, Parts 9530.6600 to 9530.6655 [also known as Rule 25]. During the course of developing the Amendments to Rules Governing Chemical Dependency Care for Public Assistance Recipients; *Minnesota Rules*, Parts 9530.6600 to 9530.6655, the departments determined the need to modify related rules governing the Consolidated Chemical Dependency Treatment Fund and rules governing the licensure of adult and juvenile chemical dependency treatment programs and detoxification programs. The licensure and Consolidated Chemical Dependency Treatment Fund rules will be modified to be consistent with the changes that are being considered for parts 9530.6600 to 9530.6655. The Department is considering rule amendments and repealing parts of the following rules:

- *Minnesota Rules*, Chapter 2960 [also known as the “Children’s Residential Facility Rule”], that govern licensure of residential programs that serve children and juveniles, specifically those rule parts that regulate chemical dependency assessment and treatment;
- *Minnesota Rules*, Parts 9530.6800 to 9530.7031 [also known as “Rule 24”], that govern the Consolidated Chemical Dependency Treatment Fund;

- *Minnesota Rules*, Parts 9530.6405 to 9530.6505 [also known as “Rule 31”], that govern licensure of chemical dependency treatment programs;
- *Minnesota Rules*, Parts 9530.6510 to 9530.6590 [also known as “Rule 32”], that govern licensure of detoxification programs; and
- the department will continue to pursue amendments to *Minnesota Rules*, Parts 9530.6600 to 9530.6660 [also known as “Rule 25”], governing chemical dependency care for public assistance recipients .

Persons Affected. The amendments to and repeal of the rules would likely affect

- persons who seek chemical dependency assessment or treatment and their families;
- counties and tribes that have employees and designees who provide chemical dependency assessment or treatment; and
- health plans, individuals and public funding sources that pay for or provide assessment and treatment.

Statutory Authority.

Minnesota Statutes, section 241.021, subdivisions 2, requires that the Department of Corrections license residential programs that care for delinquent youth.

Minnesota Statutes, section 245A.03, subdivision 1, requires that persons who operate residential or nonresidential treatment programs be licensed by the Department of Human Services;

Minnesota Statutes, section 245A.09, requires the Commissioner of Human Services to adopt rules governing licensure of residential and nonresidential treatment programs.

Minnesota Statutes, section 254A.03, subdivision 3, requires the Department of Human Services to adopt rules which establish criteria used to determine appropriate chemical dependency treatment care for recipients of public assistance.

Minnesota Statutes, section 254B.03, subdivision 5 requires the Commissioner of Human Services to adopt rules governing the use of money for chemical dependency treatment and the appeals process used by recipients to appeal disputed services.

Minnesota Statutes, section 254B.04, subdivision 3, requires the commissioner to adopt rules regarding fee scales to determine the amount of contribution that will be required from recipients.

Laws of Minnesota, 1995, chapter 226, article 3, section 60, requires the Departments of Human Services and Corrections to jointly adopt rules for residential treatment programs that serve children and juveniles.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The Department has used a task force to provide advice on chemical dependency treatment practices and the draft of parts 9530.6600 to 9530.6655, but the department does not contemplate appointing an advisory committee to comment on the conforming amendments to all the rules covered by this notice.

Rules Drafts. The Department has prepared a draft of the possible rules amendments and repeal that is available to the public.

Agency Contact Person. Written or oral comments, questions, requests to receive a draft of the rules, and requests for more information on these possible rules should be directed to: Jeffrey Hunsberger, regarding chemical health policy at the Minnesota Department of Human Service, Chemical Health Division, PO Box 64977, Saint Paul, MN 55164-0977, **telephone:** (651) 431-2471, **Fax:** (651) 431-7449, **e-mail** at: Jeffrey.Hunsberger@state.mn.us ; or Robert Klukas regarding rulemaking at the Minnesota Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3816, **telephone** (651) 431-3613, **fax:** (651) 431-7523, **e-mail** at: robert.klukas@state.mn.us . **TTY** users may contact the Department at (651) 296-5705.

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

Official Notices

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

Joan Fabian
Commissioner Department of Corrections

Cal Ludeman,
Commissioner Department of Human Services

Department of Human Services Children and Family Services Updated Child Care Fund Sliding Fee Copayment Schedule

Pursuant to *Minnesota Statutes* section 119B, and *Minnesota Rules*, part 3400.0100, Subp. 5 (Publication of state median income and fee schedule in *State Register*), the Department of Human Services hereby gives notice of the updated Sliding Fee Monthly Copayment Schedule. This schedule is based on the FFY 2007 federal poverty guidelines as published in the January 24, 2007 *Federal Register*. The schedule published is for family sizes of two through six and is effective July 1, 2007 until further notice. Please contact the Child Care Assistance Program for the schedule for larger families or for the biweekly copayment schedule for all family sizes. This fee schedule replaces the schedule published June 19, 2006.

Any questions about the updated schedule should be directed to:

Child Care Assistance Program
Department of Human Services
Children and Family Services
P. O. Box 64951
St. Paul, MN 55164-0951
Telephone: (651) 431-4051

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

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

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

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

On January 13, 2003 at 27 SR 1117-1130, the Department published the MAC list, listing the federal and state MACs. Additional

Official Notices

changes to the state MAC list were published on February 18, 2003 (27 SR 1331-1334), March 3, 2003 (27 SR 1386-1393), April 21, 2003 (27 SR 1583-1584), August 4, 2003 (28 SR 102-103), October 13, 2003 (28 SR 505-506), October 20, 2003 (28 SR 528-529), December 15, 2003 (28 SR 784-785), January 26, 2004 (28 SR 934-935), March 8, 2004 (28 SR 1089-1090), April 5, 2004 (28 SR 1232), April 19, 2004 (28 SR 1313-1314), May 3, 2004 (28 SR 1367-1368), August 9, 2004 (29 SR 173), August 23, 2004 (29 SR 224-225), November 8, 2004 (29 SR 510), November 15, 2004 (29 SR 534-535), February 7, 2005 (29 SR 923-924), February 14, 2005 (29 SR 951-952), March 7, 2005 (29 SR 1038-1039), April 11, 2005 (29 SR 1174-1175), June 27, 2005 (29 SR 1607), July 18, 2005 (30 SR 49-50), August 15, 2005 (30 SR 147), August 29, 2005 (30 SR 226-227), October 17, 2005 (30 SR 402-403), November 14, 2005 (30 SR 511-512), December 12, 2005 (30 SR 617-618), January 9, 2006 (30 SR 770-771), January 30, 2006 (30 SR 833), February 13, 2006 (30 SR 884), February 27, 2006 (30 SR 926-927), March 20, 2006 (30 SR 1006-1007), April 10, 2006 (30 SR 1109), May 30, 2006 (30 SR 1249-1250), July 31, 2006 (31 SR 138-139), August 21, 2006 (31 SR 268), September 18, 2006 (31 SR 380 - 381), October 2, 2006 (31 SR 474-477), October 16, 2006 (31 SR 519-520), November 6, 2006 (31 SR 614), January 2, 2007 (31 SR 867-868), January 29, 2007 (31 SR 958-959), February 26, 2007 (31 SR 1169-1170), April 23, 2007 (31SR 1444-1445) and April 30, 2007 (31 SR 1523).

Effective June 12, 2007 the Department will add the following outpatient prescribed drugs to the state MAC list:

<u>Drug Name</u>	<u>Strength</u>	<u>MAC Price</u>
AMLODIPINE BESYLATE	2.5MG	\$1.11
AMLODIPINE BESYLATE	10MG	\$1.45
AMLODIPINE BESYLATE	5MG	\$1.11
AMLODIPINE BESYLATE/BENAZEPRIL	2.5/10MG	\$2.07
AMLODIPINE BESYLATE/BENAZEPRIL	5/10MG	\$2.12
AMLODIPINE BESYLATE/BENAZEPRIL	5/20MG	\$2.22
AMLODIPINE BESYLATE/BENAZEPRIL	10/20MG	\$2.57

These additions are made to bring Medical Assistance reimbursement to pharmacists more closely in line with the actual acquisition cost of the drugs listed above. The Department estimates that there will be a state savings of \$70,000 for State Fiscal Year 2006 (July 1, 2006 through June 30, 2007).

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

Written comments and requests for information may be sent to Kristin Young, Pharmacy and Program Manager, Health Care Purchasing and Delivery Systems Division, Health Care Administration, Minnesota Department of Human Services, P.O. Box 64984, St. Paul, Minnesota 55164-0984; **phone:** (651) 431-2504 or **e-mail:** kristen.c.young@state.mn.us

Minnesota Pollution Control Agency

Municipal Division

Notice of Intent to Issue State Disposal System (SDS) Permit MNG820000 Water Treatment Plant Subsurface Water Discharge General Permit

Description of Permitted Facility

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) intends to reissue a General State Disposal System (SDS) Permit (general permit) for Water Treatment Plants with surface discharges to waters of the state. The general permit will be issued for a term of approximately five years. **The public comment period begins June 18, 2007, and ends at 4:30 on July 18, 2007.** Subject to the restrictions of this general permit and after receiving a written Notice of Coverage from the MPCA, facilities are authorized to discharge the pollutants as set out in the applicable chapters of this general permit.

Media Filters – Water treatment plant backwash discharges from iron filters and granular media filters. All of the facilities covered under this general permit use media filters for the treatment of source water.

Filtration is used to remove suspended particles in the source water. Media filters remove suspended solids by adsorption and straining.
(Cite 31 SR 1811) *State Register*, Monday 18 June 2007 Page 1811

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Single media beds or multi-media beds may be used. The most common type of filter is a rapid sand filter. Water moves vertically through sand which often has a layer of *activated carbon* or *anthracite coal* above the sand. The top layer removes organic compounds, which contribute to taste and odor. The space between sand particles is larger than the smallest suspended particles, so simple filtration is not enough. Most particles pass through surface layers but are trapped in pore spaces or adhere to sand particles. Effective filtration extends into the depth of the filter. To clean the filter, water is passed quickly upward through the filter, opposite the normal direction (called backwashing) to remove embedded particles. Prior to this, compressed air may be blown up through the bottom of the filter to break up the compacted filter media to aid the backwashing process; this is known as air scouring. Some water treatment plants employ pressure filters. These work on the same principle as rapid gravity filters differing in that the filter medium is enclosed in a steel vessel and the water is forced through it under pressure.

Under this general permit, filter backwash is not discharged to surface water. Filter backwash water is discharged to settling basins including seepage basins/ponds and rapid infiltration basins.

Water filter backwash solids (WFBS) settled out in the basins are periodically cleaned out and disposed. Disposal of WFBS is regulated under this general permit. There are four options for disposal: wastewater treatment facility, landfilling, use as non-residential construction fill, and land application. The requirements for each of these options is listed in a guidance document titled, "Guidelines – Disposal Methods for Water Filter Backwash Solids," included in Appendix B of the permit.

Facilities that do not meet all of the specific requirements for this Permit and facilities that fail or have failed to comply with a regulation, permit schedule, or compliance order issued by the MPCA are excluded from coverage under this Permit. They will be required to apply for coverage under an individual National Pollutant Discharge Elimination System (NPDES)/SDS permit.

The authority to develop and issue a general permit is based on the 1979 Environmental Protection Agency (EPA) promulgated revisions to the NPDES program regulations, which created a class of permits called general permits. The general permits are issued under 40 *Code of Federal Regulations* section 122.28 and *Minnesota Rule* 7001.0210. General permits can be issued in NPDES approved states if the approved state program includes general permit activities. EPA approved General Permit Program of the MPCA on December 15, 1987.

The MPCA Commissioner has made a preliminary determination to issue this NPDES/SDS permit for a term of approximately five years. A draft general permit, fact sheet and public notice are available for review at the MPCA office at the St. Paul address listed below [Locate address for outstate office at the following link] <http://www.pca.state.mn.us/about/regions/index.html>. A copy of the draft permit and fact sheet will be mailed to you if the MPCA receives your written or oral request. If you have questions about this draft permit or the Commissioner's preliminary determination, please contact Emily Schnick at (651) 297-8502.

Comments, petitions, and/or requests must be submitted in writing on or before the end date of the public comment period identified on page 1 of this notice to: Emily Schnick, Municipal Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

Minnesota Pollution Control Agency Municipal Division

Notice of Intent to Reissue National Pollutant Discharge Elimination System (NPDES) and State Disposal System (SDS) Permit MNG640000 Water Treatment Plant Surface Water Discharge General Permit

Description of Permitted Facility

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) intends to reissue a General National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Permit (general permit) for Water Treatment Plants with surface discharges to waters of the state. The general permit will be issued for a term of approximately five years. **The public comment period begins June 18, 2007, and ends at 4:30 on July 18, 2007.** Subject to the restrictions of this general permit and after receiving a written Notice of Coverage (NOC) from the MPCA, facilities in the following categories of discharges are authorized to discharge the pollutants

as set out in the applicable chapters of this general permit:

1. Category 1 – Media Filters – Water treatment plant backwash discharges from iron filters and granular media filters. Filtration is used to remove suspended particles in the source water. Media filters remove suspended solids by adsorption and straining. Single media beds or multi-media beds may be used. The most common type of filter is a rapid sand filter. Water moves vertically through sand which often has a layer of *activated carbon* or *anthracite coal* above the sand. The top layer removes organic compounds, which contribute to taste and odor. The space between sand particles is larger than the smallest suspended particles, so simple filtration is not enough. Most particles pass through surface layers but are trapped in pore spaces or adhere to sand particles. Effective filtration extends into the depth of the filter. To clean the filter, water is passed quickly upward through the filter, opposite the normal direction (called backwashing) to remove embedded particles. Prior to this, compressed air may be blown up through the bottom of the filter to break up the compacted filter media to aid the backwashing process; this is known as air scouring. Some water treatment plants employ pressure filters. These work on the same principle as rapid gravity filters differing in that the filter medium is enclosed in a steel vessel and the water is forced through it under pressure.

Under this general permit, filter backwash is not discharged directly to surface water. Filter backwash water is required to undergo at least 24 hours of detention time prior to discharging to the environment. Detention time allows for settling of the suspended solids. Detention time is typically accomplished through holding ponds or holding tanks.

Water filter backwash solids (WFBS) settled out in holding ponds or tanks are periodically cleaned out and disposed. Disposal of WFBS is regulated under this general permit. There are four options for disposal: wastewater treatment facility, landfilling, use as non-residential construction fill, and land application. The requirements for each of these options is listed in a guidance document titled, “Guidelines – Disposal Methods for Water Filter Backwash Solids,” included in Appendix B of the permit.

2. Category 2 – Lime Softening – Lime softening is the reduction of hardness by the application of hydrated lime $[\text{Ca}(\text{OH})_2]$ to water to precipitate CaCO_3 and $\text{Mg}(\text{OH})_2$. The wastewater discharge from lime softening includes dewatering of sludge and clarifier blow-off, drainage, and washwater. These wastewaters may require additional clarification prior to discharge.

Sludge from the lime softening process can have beneficial amendment properties for certain soils that are acidic and/or low in calcium. For this reason most lime softener sludges are land applied to agricultural sites. The requirements for land application of lime by-product are listed in a guidance document titled, “Guidelines – Land Application of By-Product Limes,” included in Appendix C of the permit.

The written NOC from the MPCA will include: (1) The category designation (Category 1 or 2) for the facility, (2) a description of the facility, (3) any concentration-based limitations applicable to the facility, (4) the frequency at which to monitor effluent.

Facilities that do not meet all of the specific requirements for this Permit and facilities that fail or have failed to comply with a regulation, permit schedule, or compliance order issued by the MPCA are excluded from coverage under this Permit. They will be required to apply for coverage under an individual NPDES/SDS Permit.

The authority to develop and issue a general permit is based on the 1979 Environmental Protection Agency (EPA) promulgated revisions to the NPDES program regulations, which created a class of permits called general permits. The general permits are issued under 40 *Code of Federal Regulations* section 122.28 and *Minnesota Rule* 7001.0210. General permits can be issued in NPDES approved states if the approved state program includes general permit activities. EPA approved General Permit Program of the MPCA on December 15, 1987.

The MPCA Commissioner has made a preliminary determination to issue this NPDES/SDS Permit for a term of approximately five years. A draft general permit, fact sheet and public notice are available for review at the MPCA office at the St. Paul address listed below [Locate address for outstate office at the following link] <http://www.pca.state.mn.us/about/regions/index.html>. A copy of the draft permit and fact sheet will be mailed to you if the MPCA receives your written or oral request. If you have questions about this draft permit or the Commissioner’s preliminary determination, please contact Emily Schnick at (651) 297-8502.

Comments, petitions, and/or requests must be submitted in writing on or before the end date of the public comment period identified on page 1 of this notice to: Emily Schnick, Municipal Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

Official Notices

Department of Public Safety

Bureau of Criminal Apprehension - CriMNet

Technology Working Group Meeting June 22, 2007

The Minnesota Bureau of Criminal Apprehension, CriMNet Program, will host a technical working group meeting from 9:30 a.m. to 11:30 a.m. on Friday, June 22 at BCA Headquarters, 1430 Maryland Ave. E., St. Paul. Technical staff – such as IT directors, developers and architects – in Minnesota criminal justice agencies and vendors who work with criminal justice agencies are encouraged to attend. Please RSVP. For more information or to RSVP, contact Michelle Fure, Information Officer, at (651) 201-7572 or michelle.fure@state.mn.us.

Department of Public Safety

Office of Traffic Safety

Notice of Certification of Ignition Interlock Performance Standards

Pursuant to *Minnesota Statute* 171.305, subd. 3 and *Minnesota Statute* Section 171.306 subd. 2. (2007 supp)¹ the Commissioner of Public Safety has certified Performance Standards for ignition interlock devices in Minnesota. These Performance Standards include a procedure for the approval, suspension and/or revocation process, installation, support, and removal of ignition interlock devices in the State of Minnesota.

A copy of these Performance Standards may be obtained by accessing the Department of Public Safety's website at:

www.dps.state.mn.us/ots

or by emailing a request to Jean Ryan at jean.m.ryan@state.mn.us.

All questions concerning these Performance Standards should be emailed to Jean Ryan at jean.m.ryan@state.mn.us.

Footnotes:

¹ Act of May 7, 2007, Chap.54, Art. 3, Sec 5, Sub. 2 (*Minnesota laws 2007*)

State Register Binders

Specially designed binders with the State Register logo for storing your State Registers. Two binders typically hold one-year's subscription. Order Stock # 91-8, \$12.00 + tax

State Grants & Loans

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

Minnesota Department of Commerce

Notice of Availability of a Grant for E85 Cost Share Grant Administration

The Minnesota Department of Commerce is requesting proposals for the purpose of selecting a contractor to assist the Department in the operation of the E85 Cost Share Grant Program and in the statewide promotion of E85.

Work is proposed to start after July 1, 2007.

A Request for Proposals will be available by mail from this office through June 27, 2007. A written request (by direct mail or fax) is required to receive the Request for Proposal. After June 25, 2007, the Request for Proposal must be picked up in person.

The Request for Proposals can be obtained from:

Amy Bicek
Minnesota Department of Commerce
85 Seventh Place E, Suite 500
Saint Paul, MN 55101
Fax: (651) 297-7891

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than June 27, 2007 at 4:00 p.m. CST. **Late proposals will not be considered.** Fax or e-mailed proposals will **NOT** be considered.

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

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.

Requirements: There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements:

\$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600
\$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days;
\$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and
anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days

Investment Management Firms Sought

See page 1818. Obtain MORE and FASTER information with a SUBSCRIPTION to the *State Register*. Subscribe and receive LINKS to the *State Register*. Open the *State Register* and click on Bookmarks in the upper right corner. You will also receive ALL the current rules, with an INDEX, and previous years' indices. You also receive a summarized "Contracts & Grants" section to review. Subscriptions cost \$180 a year (an \$80 savings). Here's what you receive via e-mail:

- Word Search Capability
- LINKS, LINKS, LINKS
- Easy Access to *State Register* Archives
- Updates to Index to Vol. 31
- "Contracts & Grants" Open for Bid
- Early delivery, on Friday
- E-mailed to you . . . its so easy
- Indexes to Vols. 30, 29, 28 and 27

State Contracts

It's all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Cathy Hoekstra, our subscriptions manager, at (651) 297-8777, or **Fax:** (651) 297-8260, or **E-mail:** cathy.hoekstra@state.mn.us

Minnesota State Colleges and Universities (MnSCU)

Anoka-Ramsey Community College

Request for Media Purchasing Agent Proposals

NOTICE IS HEARBY GIVEN that Anoka-Ramsey Community College will receive proposals for a "Media Purchasing Agent for '2007-'2010." Specifications are available on the website <http://www.anokaramsey.edu/IT/proposal.cfm>. Copies of the specifications can also be obtained from Kally Ormson at (763) 433-1628 or kally.ormson@anokaramsey.edu.

Sealed proposals must be received by the Business Office of Anoka-Ramsey Community College, 11200 Mississippi Blvd., Coon Rapids, MN 55433 by 10 a.m. on July 10, 2007.

Bid openings will be in the Mississippi Room of Anoka-Ramsey Community College at 10 a.m. on July 10, 2007.

Anoka-Ramsey Community College reserves the right to reject any or all proposals, or portions thereof, or to waive any irregularities or informalities, in proposals received.

Minnesota State Colleges and Universities (MnSCU)

Normandale Community College

Request for Proposals for Child Care Services for the College

Normandale Community College is seeking proposals for Child Care Services for the College. Pre-award vendor conference scheduled for July 10th, 2007 from 2:00 - 4:00 P.M. CDT, in the Courtyard Conference Room S2312 at Normandale Community College, 9700 France Ave South, Bloomington, Minnesota 55431

NCC's Community College's agent for purposes of getting a copy of this RFP and responding to inquiries about the RFP is:

Name: Gail Anderson Cywinski

Title: Associate Dean of Students

Address: Normandale Community College,

9700 France Ave South,

Bloomington, MN 55431

Telephone: (952) 487-8283

Fax: (952) 487-8101

E-mail address: gail.cywinski@normandale.edu

Sealed proposals must be received at the following address not later than 4:00 P.M. CDT Friday, July 20th, 2007.

Name: Craig Erickson

Title: Director of Fiscal Services

Address: Room C1090, 9700 France Ave South,

Bloomington MN 55431

This request for proposals does not obligate the State of Minnesota to complete the proposed contract project, and the State of Minnesota reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota State Colleges and Universities (MnSCU)

North Hennepin Community College

DEADLINE EXTENSION: Remodeling of Toilets and Classrooms

Sealed Bids for: Fine Arts Center 2007 Summer Projects
North Hennepin Community College
7411 85th Avenue North
Brooklyn Park, Minnesota 55445

will be received by: Dean Collins, Facilities Use & Construction Coordinator
Educational Services Building, ES12 Reception Area
North Hennepin Community College
7411 85th Avenue North
Brooklyn Park, Minnesota 55445

until 2 PM, local time, Tuesday, June 26, 2007 at which time the bids will be opened and publicly read aloud.

Project Scope: Remodeling of toilets and classrooms within the Fine Arts Center over a total of approximately 6000 SF of space. Demolition and construction include cast-in-place concrete, unit masonry, doors and hardware, glazed aluminum curtainwall systems, gypsum board, tiling, painting, signage, millwork, plumbing, piping, HVAC, and electrical.

A Pre-Bid Meeting will be held at 2 PM Thursday, June 7, 2007, in the Fine Arts Building (center corridor at the theater entrance) of North Hennepin Community College. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, **Bidding Documents** and other conditions with interested Bidders and answer questions.

Bidding Documents as prepared by the Project Architect/Engineer; DLR Group, Inc., are on file at:

- 1) McGraw Hill Construction Plan Room
- 2) Builder's Exchanges: Minneapolis and St. Paul
- 3) Reed Construction Data Plan Room
- 4) MEDA Minority Contractors Plan Room
- 5) National Association of Minority Contractors of Upper Midwest

Complete sets only of Bidding Documents for use by Bidders in submitting a bid may be obtained through **Engineering Repro Systems** at (763) 694-5910. A deposit of \$100.00 is required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable payment (check made out to the Architect) for \$25.00 per set for shipping & handling (in addition to the deposit amount) to the Architect. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid which totals over \$15,000.00 shall be accompanied by a certified check, payable to Minnesota State Colleges and Universities, in the sum of not less than 5% of the total base bid; or a corporate surety bond of a surety company duly authorized to do business in the state of Minnesota in the same amount; which is submitted as bid security, conditioned upon the Bidder entering into a contract with Minnesota State Colleges and Universities in accordance with the terms of the bid.

Minnesota Department of Human Services HealthMatch

Notice of Extension of Time for Response and Extension of Time for Questions Answered

The RFP for Independent Verification and Validation of the DHS HealthMatch automated eligibility program requested questions to be submitted to DHS on Friday, June 15th. The RFP also stated that answers would be sent to proposers on Thursday, June 15th. That should have read Thursday, June 21st.

The RFP response date following receipt of answers to questions did not give sufficient time for responders to complete their RFPS following receipt of answers to questions. The new response date is Monday, July 2, 2007.

Proposals submitted in response to the Request for Proposals in this advertisement must be received no later than 2:30 pm CDST, Monday, July 2, 2007.

Proposals should be delivered to:

Tom Trant
Health Care Operations
540 Cedar Street
Saint Paul, Minnesota 55164-0994
Fax number: (651) 431-7439
E-mail: *Thomas.F.Trant@state.mn.us*

State Contracts

Minnesota Department of Human Services

Child Safety & Permanency Division

Request for Proposals and Proposal Instructions-Minnesota Family Investment Program (MFIP) Family Connections Evaluation

NOTICE IS HEREBY GIVEN that The Department of Human Services (DHS), with the support of a grant from The Bush Foundation, is seeking proposals for the evaluation of the Minnesota Family Investment Program (MFIP) & Child Welfare collaborative called MFIP Family Connections.

The Department of Human Services is interested in obtaining answers to the following broad evaluation questions:

- Can county social service agencies and community-based providers successfully engage families in receipt of MFIP supports in the voluntary provision of family support services?
- What impact will the provision of services have on preventing subsequent child maltreatment, increasing protective factors (nurturing and attachment, knowledge of parenting and child and youth development, parental resilience, social connections and concrete supports for children) and improving a broad set of family and child wellbeing indicators?
- Are the cross program systems for case planning and service delivery developed by the pilot programs effective in coordinating and integrating services to families and improving outcomes?

DHS is implementing a pilot program, MFIP Family Connections, which will intervene early with MFIP families by providing voluntary case management and family support services. Research has found a strong association between poverty and poor outcomes for children. The goal of this program is to prevent child maltreatment and other negative developmental outcomes and promote protective factors, child well being and family stability.

In order to answer the evaluation questions, the evaluation will need to address both program process and client outcomes. The project design requires a random selection process to determine assignment of eligible families to treatment and control groups. Grantees are expected to work with a project evaluator and have the capacity to provide specific client and service related data.

If you are interested in applying or want additional information concerning this RFP please contact:

David Thompson, Program Manager
(651) 431-4701

or

Brenda Lockwood, Social Services Program Consultant
(651) 431-4699

The postmark deadline for submitting proposals is July 27, 2007.

State Board of Investment

Notice to Institutional Investment Management Firms for Consideration to Potentially Manage a Portion of the Pension Assets and Other Accounts

The Minnesota State Board of Investment (MSBI) retains institutional investment management firms to manage a portion of the pension assets and other accounts under its control. Periodically, the MSBI will conduct a search for institutional investment management firms on an as needed basis. For additional information on the domestic stock, international stock, or domestic bond portfolio programs for the MSBI, firms are asked to write to the following address for additional information:

External Manager Program
Minnesota State Board of Investment
60 Empire Drive, Suite 355
St. Paul, MN 55103-3555
Telephone: (651) 296-3328
Fax: (651) 296-9572
E-mail: minn.sbi@state.mn.us

Please refer to this notice in your written request.

Department of Transportation (Mn/DOT)**Engineering Services Division****Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities ("Consultant Pre-Qualification Program")**

This document is available in alternative formats for persons with disabilities by calling Brad Hamilton at (651) 366-4626 for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop 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 awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to 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 for application. Applications are 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 applications forms are available on Mn/DOT's Consultant Services web site at: <http://www.dot.state.mn.us/consult>.

Send completed application material to:

Brad Hamilton
Consultant Services
Office of Technical Support
Minnesota Department of Transportation
395 John Ireland Blvd. Mail Stop 680
St. Paul Minnesota 55155

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

Department of Transportation (Mn/DOT)**Engineering Services Division****Notice Concerning Professional/Technical Contract Opportunities**

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

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

Non-State 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.

Metropolitan Airports Commission (MAC) Public Notice for Qualifications Statements for Legal Services

The Metropolitan Airports Commission (MAC) is requesting qualifications statements from firms interested in representing MAC as general legal services outside counsel as set forth in the Request for Qualifications, which is available for review at the Commission's General Office.

To obtain a copy of the "Request for Qualifications for General Legal Services" which outlines the selection process, refer to MAC's website, www.msairport.com or contact the Legal Department of the MAC at (612) 726-8192. The qualifications statements are due on or before 4:00 p.m. on Friday, July 13, 2007.

Metropolitan Council Notice of Invitation for Bids (IFB) for Baghouse Bag Replacement Reference Number 07P063

The Metropolitan Council is requesting bids for Baghouse Bag Replacement with high temperature rated cartridge type filters for the Metropolitan Wastewater Treatment Plant.

The tentative schedule for this procurement is as follows:

<i>Issue Invitation for Bids</i>	June 18, 2007
<i>Bids Due</i>	July 9, 2007
<i>Award Contract</i>	July 25, 2007

All firms interested in submitting bids for this contract and desiring to receive an IFB package are invited to make a request by e-mail, fax, mail or phone to:

Sunny Jo Emerson
Metropolitan Council
390 N Robert Street
St Paul, MN 55101-1805
Phone: (651) 602-1499
Fax: (651) 602-1083
E-mail: sunnyjo.emerson@metc.state.mn.us

Metropolitan Council Notice of Invitation for Bids (IFB) for Courier Services for Laboratory Samples Contract Number 06P114

The Metropolitan Council is requesting bids for the purpose of establishing a contract for courier services for the Metro Plant Laboratory. Services will be required on a scheduled basis for delivery of samples from the Council's outlying wastewater treatment plants to the Lab, and for the return of empty sample coolers and bottle racks to the plants. The term of the contract will be three years, from October 1, 2007 to September 30, 2010.

Non-State Bids, Contracts & Grants

The anticipated schedule for this procurement is:

Issue Invitation for Bids

June 18, 2007

Bids Due

July 18, 2007

Award Contract

July or August 2007

All firms interested in receiving an IFB package are invited to submit an e-mail or written request to:

Sunny Jo Emerson, Administrative Assistant
Contracts and Procurement Unit
Metropolitan Council
390 Robert Street N.
St. Paul, MN 55101-1805
Phone: (651) 602-1499
Fax: (651) 602-1083
E-mail: sunnyjo.emerson@metc.state.mn.us

Note: The IFB is **not** available in electronic form.

Metropolitan Council

Public Land Sale by Sealed Bid

Lake Street at Hiawatha (0.58 Acres)
and
38th Street at Hiawatha (0.85 Acres)
Hennepin County

Sealed bids for the sale of land located at Lake Street at Hiawatha and 38th Street at Hiawatha in Minneapolis, Minnesota will be received at the:

Office of the Metropolitan Council
390 N. Robert Street
St. Paul, MN 55101
until 2:00 p.m. on Tuesday, July 17, 2007,

at which time they will be publicly opened and read.

An Invitation for Bids packet may be obtained by contacting:

Sunny Jo Emerson
Telephone: (651) 602-1499
fax: (651) 602-1083
E-mail: sunnyjo.emerson@metc.state.mn.us

Metropolitan Council - Metro Transit

REQUEST FOR PROPOSALS for Master Contracts for Design Services

Procurement No. 7450

Metro Transit, a division of the Metropolitan Council, is seeking proposals for professional design services to support Metro Transit in completing smaller projects on an as-needed basis. These services include:

- Facility plan studies for bus-related facilities; LRT-related facilities; BRT-related facilities; and commuter rail-related facilities.
- Preparation of concept plans and sketches for bus-related facilities; LRT-related facilities; BRT-related facilities; and commuter rail-related facilities.
- Design services bus-related facilities; LRT-related facilities; BRT-related facilities; and commuter rail-related facilities.

Non-State Bids, Contracts & Grants

- Design services shall be in the fields of architecture, landscape architecture, civil engineering, mechanical engineering, electrical engineering, HVAC engineering, structural engineering, and surveying

The Council intends to award ten to twelve Master Contracts for professional design services to firms that are able to provide one or more of the design services in the four types of projects (bus, LRT, BRT, and commuter rail). Each contract will range in value from \$100,000 to \$400,000 and have a term of three years. Metro Transit will request contract services by individual work order, generally valued at less than \$50,000, on an as-needed basis. Each work order will include a specified scope of work, deliverables, schedule of completion, and cost for the services.

Proposals are due no later than 2 PM on July 9, 2007.

Firms interested in receiving the Request for Proposals document should contact:

Candace Osiecki
Metro Transit
515 N. Cleveland Avenue
St. Paul, MN 55114
Phone: (612) 349-5070
Fax: (612) 349-5069
E-mail: candace.osiecki@metc.state.mn.us

Metropolitan Council - Metro Transit Selaed Bids Sought for Replacement of the South Garage Boiler Feedwater System

Metro Transit a division of the Metropolitan Council is soliciting sealed bids for the removal and replacement of a boiler feedwater system at the South Garage located at 2100 MTC Road, Minneapolis, MN 55450. A Pre-Bid Conference will held June 28, 2007 at 10:00 AM at the following location: Metro Transit South Garage, 2100 MTC Road, Minneapolis, MN 55450, meeting at the main entrance. Bidders are encouraged to attend and participate in the Pre-Bid Conference. Bids are due at 2:00 PM on July 12, 2007. Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
Attn: Candace Osiecki
515 N. Cleveland Avenue
St. Paul, MN 55114
Phone: (612) 349-5070
E-mail: candace.osiecki@metc.state.mn.us

University of Minnesota Request for Proposal to Provide Testing and Inspection Services for the Proposed TCF Banks Stadium on the Twin Cities Campus Project #297-05-1773D

I. NOTICE OF REQUEST FOR PROPOSAL

The University of Minnesota is soliciting qualifications for a firm or firms to provide testing and inspection services for the proposed TCF Banks Stadium on the Twin Cities Campus. The University is proposing to construct a new 50,000-seat open-air football stadium on the East Bank of the Twin Cities campus. The plan is to locate the stadium on the existing Huron Boulevard parking complex, in close proximity to Mariucci Arena and the Williams Arena/Sports Pavilion complex. The total project cost is estimated at \$288.5 million.

The scope of the overall stadium project will include, but is not limited to: site environmental remediation work, district and Stadium

Non-State Bids, Contracts & Grants

specific utility work; transportation, roadways, transit, parking and way finding work both on and around campus; urban design, landscape and other work required to integrate the Stadium development into the campus; and such other work as may result from the Stadium project. The overall Project is divided into three major subprojects, the Site Project, the District Project, and the Stadium Project. The Scope of Work contemplated by this RFP relates to the testing and inspection of the Stadium Project construction. The Stadium Project testing and inspection firm will provide testing and inspection services including but not limited to earthwork and backfill testing, cast-in-place concrete testing, masonry and stone inspections and testing, precast concrete fabrication inspection and on-site installation testing, structural steel fabrication and erection, waterproofing and roof inspections, curtainwall inspection and other specified inspection and testing requirements necessary to ensure Owner of the general quality of construction with reasonable conformance with the Contract Documents.

E-mail your request for the full RFP, which will be sent free of charge to interested vendors or download the RFQ from:

<http://www.cppm.umn.edu/rfp.html>

II. CONTACT FOR RFP INQUIRIES:

Lawrence Peszek	or	David Spillman
E-mail: Larry_Peszek@hines.com	or	David_Spillman@hines.com

Project Manager, TCF Bank Stadium
Hines – TCF Bank Stadium Project Office
2001 University Ave S.E., Suite 50
Minneapolis, MN 55414
Phone: (612) 379-1000
Fax: (612) 379-9560

III. TENTATIVE SCHEDULE OF EVENTS

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

State Register Advertisement	June 11, 2007 – Monday
RFP Document Available	June 12, 2007 – Tuesday
Pre-proposal Meeting	June 19, 2007 – Tuesday
Deadline for All Questions / Inquiries at Noon	June 22, 2007 – Friday
Deadline for RFP Response – Due at 1:00 PM	June 26, 2007 – Tuesday
Evaluation & Selection of Short-listed Finalists	June 27, 2007 – Wednesday
Respondent Presentations & Negotiations, if necessary	June 28, 2007 – Thursday
Selection & Award	July 10, 2007 – Tues

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

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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Shipping Charges

Subtotal	Add:
Up to \$25.00	\$3.00
\$25.01 - \$50.00	\$5.00
\$50.01 - \$100.00	\$7.00
\$100.01 - \$1,000.00	\$10.00



Prices subject to change without notice.

Please allow about 6 weeks for delivery.

In a hurry? Stop by our Bookstore.

Bookstore hours: 8:00-5:00 Monday-Friday

For Your Convenience, photocopy this order blank

Code No.	Quantity	Description	Item Price	Total
Name or Company			Subtotal	
Attention		6½ % tax MN residents 7% St. Paul residents		
Address				
City	State	Zip	Add Shipping Charges from chart at left.	
American Express/VISA/MasterCard/Discover No.			TOTAL	
Signature		Expiration Date	Telephone (During Day)	

If tax exempt, please provide ES number or send completed exemption form.

Source Code SR007