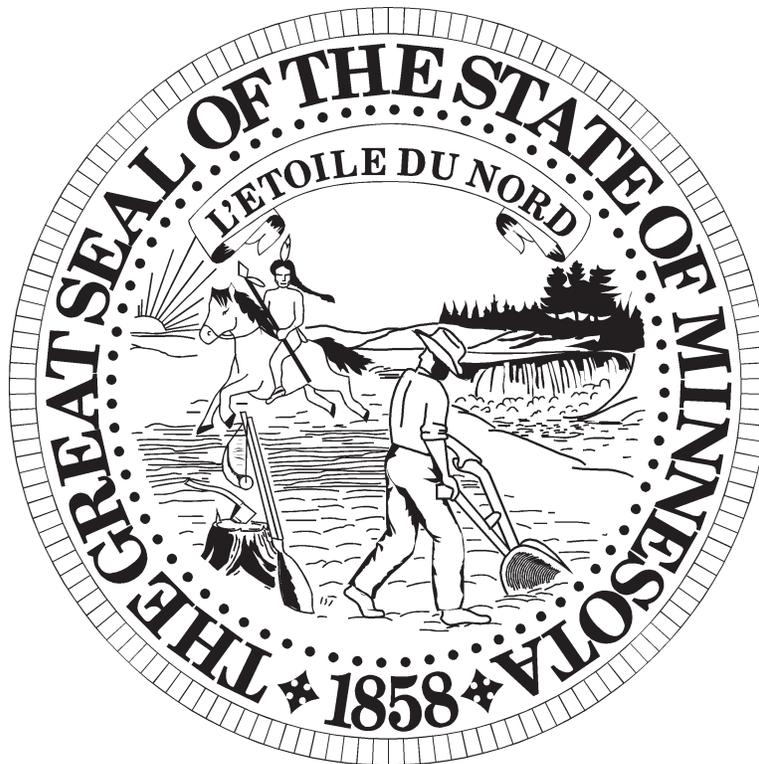


State of Minnesota

# 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 10 November 2008  
Volume 33, Number 19  
Pages 799 - 840**

# 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

### Printing Schedule and Submission Deadlines

Vol. 33 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> 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 Proposed, Adopted and Exempt RULES		
	# 19	Monday	10	November	Noon Tuesday	4	November	Noon Wednesday	29
# 20	Monday	17	November	<b>NOON MONDAY 10 NOVEMBER</b>			Noon Wednesday	5	November
# 21	Monday	24	November	Noon Tuesday	18	November	Noon Wednesday	12	November
# 22	Monday	1	December	<b>NOON MONDAY 25 NOVEMBER</b>			Noon Wednesday	19	November

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

**THE STATE REGISTER IS PUBLISHED** by Materials Management 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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## Minnesota Rules: Amendments & Additions

Rules Index - Vol. 33, # 14-19: Monday 10 November 2008 ..... 802

### Proposed Rules

#### Minnesota Racing Commission

Proposed Permanent Rules Relating to Horse Racing..... 803

### Exempt Rules

#### Labor and Industry Department (DOLI)

Adopted Exempt Permanent Rules Relating to Building Code..... 807

### Appointments

#### Minnesota Housing Finance Agency (MHFA)

Appointment of Commissioner Daniel M. Bartholomay..... 808

### Commissioners' Orders

#### Natural Resources Department (DNR)

Classification of State Forest Lands in North St. Louis County,  
Minnesota with Respect to Motor Vehicle Use..... 809

**Exhibit A:** State Forest Land Classification..... 811

**Exhibit B:** Areas with Motor Vehicle Use Restrictions..... 812

Designation and Undesignation of Forest Roads  
in North St. Louis County, Minnesota..... 813

**Exhibit A:** State Forest Road Designation..... 814

**Exhibit B:** State Forest Road Undesignations..... 815

Designation of Forest Trails in North St. Louis County, Minnesota..... 816

**Exhibit A:** Hunter Walking Trails..... 817

**Exhibit B:** ATV/OHM Trails..... 818

### Official Notices

All you Need from 'Official Notices' ..... 819

### Emergency Medical Services Regulatory Board (EMSRB)

Completed Application in the Matter of the License Application of the  
International Falls Ambulance, International Falls, Minnesota..... 819

### Executive Council

#### State Board of Investment

#### Land Exchange Board

#### Investment Advisory Council

Official Notice of Meeting of the Investment Advisory Council  
November 21, 2008 and the Executive Council, State Board of  
Investment and Land Exchange Board on December 10, 2008..... 820

### Human Services Department (DHS)

#### Health Care Purchasing and Delivery Systems Division, Health Care Administration:

Public Notice of Maximum Allowable Costs of  
Medical Assistance Outpatient Prescribed Drugs..... 820

#### Managed Care and Payment Policy Division:

Request for Information for Statewide Procurement of the Minnesota  
Senior Health Options (MSHO) Program and Procurement of  
Special Needs Basic Care (SNBC) for Specific Counties..... 821

### Labor and Industry Department (DOLI)

#### Labor Standards Unit

Correction to Commercial Prevailing Wage Rates for  
Labor Code 404, Carpenters in Blue Earth County..... 822

### Public Utilities Commission (PUC)

Request for Comments on Possible Amendments to Rules  
Governing the Telephone Assistance Plan, *Minnesota Rules*,  
Chapter 7817, Docket No. P-999/R-08-1126..... 822

### State Contracts

How to Work with Contracts..... 829

### Department of Administration (Admin)

#### Risk Management Division:

Request for Proposals for a Comprehensive Property and Casualty Risk  
Management Information System for the Risk Management Division..... 829

### Colleges and Universities, Minnesota State (MnSCU)

#### Minneapolis Community & Technical College:

Intent to Request Proposals for Multi-year Contract to Provide  
Sign Language Interpreting Services to School Students,  
Employees and Guests..... 830

#### Minneapolis Community & Technical College:

Request Proposals for Maintenance of Firearms Inventory  
Used for Training Purposes..... 830

#### St. Cloud State University:

Advertisement for Bid for Professional/Technical Services  
Executive Search Firm..... 831

#### St. Cloud Technical College:

Sealed Bids Sought for G Wing Elevator Modernization..... 831

### Minnesota Historical Society (MHS)

Request for Proposals for Wall Demolition and Construction Services..... 832

### Legislative Coordinating Commission

Request for Proposals to Offer Harassment & Discrimination / Respect  
in the Workplace Training to the MN Legislature..... 832

### Department of Natural Resources (DNR)

Availability of Contract for conducting Fire in the Classroom Program..... 833

### Natural Resources Department (DNR)

#### Division of Forestry:

Request for Information on Forest Management in  
Northern Minnesota Counties..... 833

### Public Safety Department (DPS)

#### Division of Emergency Communication Networks:

Request for Proposals (RFP) for Public Safety  
Interoperable Wireless Data Feasibility Study..... 834

#### Office of Traffic Safety:

Request for Proposals for Community Health Liaisons for  
Promoting Traffic Safety Issues..... 835

### Transportation Department (Mn/DOT)

#### Engineering Services Division:

Contracting Opportunities for a Variety of Highway Related  
Technical Activities ("Consultant Pre-Qualification Program")..... 835

#### Engineering Services Division:

Professional/Technical Contract Opportunities and  
Taxpayers' Transportation Accountability Act Notices..... 836

### Non-State Bids, Contracts & Grants

#### Metropolitan Council

Request for Proposals (RFP) for a Vehicle GPS System..... 837

Request for Proposals (RFP) for Master Contracts –  
Engineering Services for Plant Projects..... 837

Request for Proposals (RFP) for MWWTP Settling Tank  
Collector Systems Planning and Design..... 838

#### Minnehaha Creek Watershed District

Request for Qualifications for Computer (Technology) Support  
and Quotes for Purchase of Computer Equipment and Software..... 838

#### University of Minnesota (U of M)

Subscribe to Bid Information Service (BIS)..... 838

### Minnesota's Bookstore

..... 839

Contracts information is available from the Materials Management Helpline  
(651) 296-2600, or Web site: [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us)

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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.

## Rules Index: Vol. 33 - #14 - 19:

Monday 6 October 2008 - Monday 10 November 2008

### Human Services Department (DHS)

3400.0020; .0035; .0040; .0060; .0080; .0090; .0100; .0110;  
.0120; .0130; .0140; .0170; .0180; .0183; .0185; .0187;  
.0200; .0230; .0235 (adopted)..... 695  
3400.0020 s. 32a; .0080 s. 1; .0090 s. 7; .0110 s. 4; .0120 s. 1b;  
.0140 s. 5a, 19; .0183 s. 3, 4; .0187 s. 1a, 5; .0210;  
.0230 s. 1, 2; .0235 s. 7 (repealed)..... 695

### Education Department

3505.1000; .1100; .1150; .1200; .1300; .1400; .1500; .1600;  
.1700; .1900; .2000; .2200; .2300; .2400; .2500; .2600; .4300;  
.4800; .4900; .5200; .5300; .5400; .5500; .5600; .5700; .5800;  
.5900 (proposed)..... 647  
3505.1000 s. 37, 43, 45, 46, 47, 48; .5000; .5700, s. 3,  
(proposed repealer)..... 647

### Board of School Administrators

3512.0200; .0300; .0510; .0700; .1200; .1300 (adopted)..... 658

### Health Department

4620.3100; .3200; .3250; .3300; .3310; .3330; .3340; .3350;  
.3410; .3415; .3580 (adopted)..... 739

### Labor and Industry Department

5205.0720; .1310; 5207.1100; 5208.1500 (adopted  
exempt rules)..... 771

### Natural Resources Department (DNR)

6264.0050 (adopted exempt).....708

### Pollution Control Agency (MPCA)

7001.0170; .0190; .1080; .1090; .1150; 7049 (adopted)..... 696

### Public Utilities Commission (PUC)

7831.0100; .0200; .0300; .0800 (adopted exempt)..... 712  
7831.0100 s. 18 (repealed)..... 712

### Revenue Department

8130.5800 (adopted)..... 771  
8130.5800 s. 7 (repealed)..... 771

# 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 Racing Commission

### Proposed Permanent Rules Relating to Horse Racing

**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 Amendment to Rules Governing Horse Racing, *Minnesota Rules, 7878.0120 Fees, Minnesota Rules, 7878.0120 Licensing of Security Officers, Minnesota Rules, 7891.0110 Postmortem Examination, Minnesota Rules, 7892.0120 Taking of Samples, Minnesota Rules, 7895.0275 Standardbred Registration***

**Introduction.** The Racing Commission intends to adopt rules without a public hearing following the procedures 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 10, 2008, the Commission will hold a public hearing in the Paddock Gardens Conference Room, Canterbury Park, 1100 Canterbury Road, Shakopee, Minnesota 55379, starting at 1:00 p.m. on Friday, December 19, 2008. To find out whether the Commission will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after December 10, 2008 and before December 19, 2008.

**Agency Contact Person.** Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Richard Krueger at Minnesota Racing Commission, P. O. Box 630, Shakopee, MN 55379, phone 952-496-7950, FAX 952-496-7954, and **e-mail:** [richard.krueger@state.mn.us](mailto:richard.krueger@state.mn.us). TTY users may call the Racing Commission at 800-627-3529.

**Subject of Rules and Statutory Authority.** The proposed rules are about aligning license fees for association employees and increasing the fees for the multiple license type of Owner/Trainer/Driver to a level that is more consistent with the fees associated with those individual occupational types. The Commission is also proposing amendments that would identify specifically that the University of Minnesota, Veterinary Diagnostic Laboratory shall conduct postmortem examinations of horses and that the Class B licensee (race-track) bear the cost of transportation, redefine that blood and/or urine testing of horses can be ordered by the Stewards at any time while horses are on the grounds of a licensed racetracks, and identify regulatory guidelines for split sample testing for TCO2 which is the bicarbonate level of a horse caused by the administration of alkalinizing agents to the horse ("milkshaking" using industry jargon). The Commission is also proposing to identify guidelines and set late fees for late registration of standardbred foals. The statutory authority to adopt the rules is *Minnesota Statutes*, section 240.23. Further statutory rulemaking authority relating to the amendments contained

# Proposed Rules

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herein include Minnesota Statutes 240.08, subd. 1(h), Occupational Licenses, Minnesota Statutes 240.10, License Fees, Minnesota Statutes 240.18, subd. 4, Breeders' Fund, and Minnesota Statutes 240.24, subd. 1, Medication. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed and posted on the Commission's website at: [www.mrc.state.mn.us](http://www.mrc.state.mn.us).

**Comments.** You have until 4:30 p.m. on Wednesday, December 10, 2008, 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 portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. You must also make any comments about the legality of the proposed rules during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that the Commission hold a hearing on the rules. You must make your request for a public hearing in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday, December 10, 2008. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. 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, the Commission will hold a public hearing unless a sufficient number of persons 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, the Commission can make this Notice 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 Commission may modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Commission follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Commission encourages you to participate in the rulemaking process.

**Cancellation of Hearing.** The Commission will cancel the hearing scheduled for December 19, 2008, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at 952-496-7950 after December 10, 2008 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, the Commission will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Commission will hold the hearing 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 Beverly Jones Heydinger is assigned to conduct the hearing. Judge Heydinger can be reached at the Office of Administrative Hearings, 600 North Robert Street, P. O. Box 64620, St. Paul, MN 55164-0620, telephone: (651) 361-7838, and fax: (651) 361-7936.

**Hearing Procedure.** If the Commission holds a hearing, 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 hearing record closes. 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. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the agency and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge 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. You may direct questions about the procedure to the Administrative Law Judge.

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# Proposed Rules

The agency requests that any person submitting written views or data to the Administrative Law Judge before 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.** The statement of need and reasonableness 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. It is now available from the agency contact person or on the Commission's website at [www.mrc.state.mn.us](http://www.mrc.state.mn.us).

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of 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 Commission will submit the rules and supporting documents 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 either to receive notice of this, to receive a copy of the adopted rules, or 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 that 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 that the agency adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by 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 4, 2008

Richard G. Krueger, Executive Director

## 7877.0120 FEES.

Subpart 1. **License fees.** Each application for a Class C license, or its renewal, shall be accompanied by the payment of an annual fee according to the following schedule:

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

- P. ~~pari-mutuel~~ clerk, \$15;
- Q. ~~P.~~ pony rider, \$15;
- R. ~~Q.~~ racing official, \$35;
- S. ~~R.~~ stable supervisor, \$10;
- T. ~~S.~~ trainer, \$50;
- U. ~~T.~~ trainer, assistant, \$25;
- V. ~~U.~~ valet, \$10;
- W. ~~V.~~ veterinarian, \$100;
- X. ~~W.~~ veterinary assistant, \$50;
- Y. ~~X.~~ association employees, part time or temporary full time, \$15;
- Z. ~~Y.~~ association staff, permanent full time, \$35;
- AA. ~~Z.~~ stable name registration, \$25;
- BB. ~~AA.~~ authorized agent, \$5;
- CC. ~~BB.~~ owner/trainer/driver, \$30 ~~\$100~~; and
- DD. ~~CC.~~ with the exception of owner/trainer/driver, all applicants to participate at a Class B or D licensed facility where the meet to be conducted is seven or fewer days, \$10.

[For text of subs 2 to 4, see M.R.]

## 7878.0120 LICENSING OF SECURITY OFFICERS.

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

Subp. 2. **Applicant shall apply for Class C license.** If the prospective appointee does not already possess a Class C license as a security officer, he or she shall apply for such a license on a form prescribed by the commission. The applicant and the appointing authority shall affirm that the individual is eligible to be licensed as a security officer. The applicant shall also submit the license fee required

# Proposed Rules

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by subpart 4 in part 7877.0120, subpart 1, item X or Y.

Subp. 3. [Repealed, 11 SR 2201]

Subp. 4. [See repealer.]

## 7891.0110 POSTMORTEM EXAMINATION.

Subpart 1. **Horses that must undergo postmortem examination.** Every horse which suffers a breakdown at a licensed racetrack under the jurisdiction of the commission, in training or in competition, and which is euthanized, and every horse which expires while stabled at a licensed racetrack under the jurisdiction of the commission, shall undergo a postmortem examination to be conducted by the ~~commission veterinarian or the veterinarian's designee~~ University of Minnesota Veterinary Diagnostic Laboratory to determine the injury or illness which resulted in euthanasia or natural death. A Class B or D license holder ~~or the licensed trainer at a Class B license facility~~ is responsible for furnishing transportation, within six hours of death, to deliver a horse to ~~a postmortem site to be determined by the commission veterinarian~~ the University of Minnesota Veterinary Diagnostic Laboratory.

[For text of subs 2 to 4, see M.R.]

## 7892.0120 TAKING OF SAMPLES.

Subpart 1. **Horses tested.**

[For text of item A, see M.R.]

B. Blood and/or urine test samples may be taken from randomly selected horses ~~during each racing program, from horses designated by the stewards or the commission veterinarian at any time upon suspicion that a violation of chapter 7890 has occurred, or for testing the quantitative levels of furosemide in the plasma or urine and the level of urine creatinine of treated horses.~~

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

[For text of subs 2 to 5, see M.R.]

**Subp. 5a. Split sample testing for TC02 (subpart 5 does not apply).**

A. Provisions for split sample testing shall be made prior to or at the time of the taking of the original sample.

B. The trainer or designee is responsible for requesting a split sample prior to or at the time of the original sampling and for arranging payment.

C. The sample shall be sent to the Minnesota Racing Commission contract laboratory as a separate and blinded sample.

D. No further provisions for split sample testing shall be available.

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

## 7895.0275 STANDARD BRED REGISTRATION.

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

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

[For text of item A, see M.R.]

B. Failure to have the foal registered with the Racing Commission by December 31 of the year of its birth ~~shall disqualify any claim will require a late fee to qualify for any subsequent claims~~ to enter the horse in a restricted race or to earn any breeders' fund payments.

C. Late fees for foal registration will be imposed as follows:

(1) \$50 will be imposed for foal registrations received January 1 to January 30 (excluding Saturday and Sunday) of the year after the foaling year.

(2) \$100 will be imposed for foal registrations received January 31 to March 31 (excluding Saturday and Sunday) of the year after the foaling year.

(3) \$300 will be imposed for foal registrations received after March 31 of the year after the foaling year (excluding Saturday and Sunday).

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

# Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* Sections 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only. The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

**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 Labor and Industry Adopted Exempt Permanent Rules Relating to Building Code

### 1309.0311SECTION R311, MEANS OF EGRESS.

**R311.4.3 Landings at doors.** Except as provided in this section, there shall be a floor or landing on each side of each exterior door. The width of the landing shall not be less than the door served. The landing shall have a minimum dimension of 36 inches (914 mm) measured in the direction of travel.

#### **R311.4.3.1 Landings at the exterior exit door required by Section R311.4.1.**

1. The floor or landing at the exit door required by Section R311.4.1 shall not be more than 1.5 inches (38 mm) below the top of the threshold, regardless of door swing.
2. The exterior landing shall be up to 7-3/4 inches (196 mm) below the top of the threshold, provided the door, other than an exterior storm or screen door, does not swing over the exterior landing.

#### **R311.4.3.2 Landings or floors at exterior doors other than those required by Section R311.4.1.**

1. The exterior landing or floors shall be permitted to be no greater than 7-3/4 inches (196 mm) below the top of the threshold, provided the door, other than an exterior storm or screen door, does not swing over the exterior landing.
2. Landings in this subsection are not required for the exterior side of a door when a stairway that is less than 30 inches (762 mm) in height is located on the exterior side of the door. The stairway height shall be measured vertically from the interior floor surface to the finished grade.
3. An exterior landing is not required at a doorway when only a storm or screen door is installed which does not swing over the exterior landing.

# Appointments

*Minnesota Statutes*, Section 15.06, Subd. 5. requires notice of the designation of a commissioner or acting commissioner, or the assumption of office by a temporary commissioner, shall be filed with the president of the senate and the speaker of the house with a copy delivered to the secretary of state and published in the next available edition of the *State Register*.

## Minnesota Housing Finance Agency Notice of Appointment of Commissioner Daniel M. Bartholomay

**NOTICE IS HEREBY GIVEN**, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Tim Pawlenty appointed Daniel M. Bartholomay to the office of Commissioner of the Minnesota Housing Finance Agency effective November 10, 2008. He succeeds Commissioner Timothy Marx, who was appointed June 9, 2003 to replace Commissioner Katherine G. Hadley. This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled.

The laws and rules governing the Housing Finance Agency are:

- *Minnesota Statutes*, Chapters 462A
- *Minnesota Rules* 4900-4999

Commissioner Bartholomay resides at 5153 Beard Avenue South, Minneapolis, Minnesota 55410 in Hennepin County, Congressional District Five. He can be reached at the Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, MN 55101. Telephone (651) 296-7608. Web page: <http://www.mnhousing.gov>

# 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 Classification of State Forest Lands in North St. Louis County, Minnesota with Respect to Motor Vehicle Use

**NOTICE IS HEREBY GIVEN** that the Commissioner of Natural Resources orders the classification of state forest lands described below with respect to motor vehicle use. These classifications of state forest lands with respect to motor vehicle use are pursuant to *Minnesota Laws 2003*, Chapter 128, Article 1, Section 167, (as amended in 2005 and 2007) and *Minnesota Rules* Part 6100.1950.

### WHEREAS

1. *Minnesota Laws 2003*, Chapter 128, Article 1, Section 167, (as amended in 2005 and 2007) and *Minnesota Rules* Part 6100.1950 require the Commissioner of Natural Resources to classify all state forest lands with respect to motor vehicle use.
2. The Department of Natural Resources published its proposed motor vehicle use classifications and proposed forest road and trail designations for state forest lands in North St. Louis county in a draft plan in May 2008. The agency held public meetings and solicited and received written comments and submissions regarding the public's use of forest lands, roads, and trails in North St. Louis County.
3. All notice and procedural requirements in *Minnesota Statutes*, and other applicable laws and rules have been met.

**NOW THEREFORE, IT IS ORDERED** that the following state forest lands be classified as 'closed' with respect to motor vehicle use, pursuant to authority vested in me by Minnesota law:

- Approximately 32,746 acres of state forest lands outside of statutory state forest boundaries in northern St. Louis County; including all State forest lands located within the federal Boundary Waters Canoe Area Wilderness (BWCAW); and
- State forest lands located within the following named sites: (all except the *McNiven Site* are located within the statutory boundaries of the Kabetogama State Forest)

**Ash River East** – Approx. 69 acres. This site is located in Section 32 of T69N R19W at the end of the Ash River Trail and County Road 129. It is bounded by Voyageur's National Park.

**Black Bay Trails** – Approx. 1,054 acres. This site in Section 11 of T63N R18W is located on a peninsula that lies between Black Bay and Norwegian Bay on Lake Vermilion.

**Echo Lake** – Approx. 1,798 acres. This site is located in Section 36 of T66N R17W and is bounded on the north by the Echo Trail; on the east by Picket Creek; on the west by a USFS Road; and on the south by the state land ownership boundary.

**Elephant Lake** – Approx. 3,587 acres. This site just southwest of Elephant Lake is located in Section 34 of T66N R19W and is bounded on east by Co. Road 180; on the north by the Clover Road; and, on the south and west by an established snowmobile trail.

**Gheen Hill** – Approx. 630 acres. This site is located in Section 36 of T64N R20W just west of State Hwy 53 and north of Gheen Corner. It is bounded by a large swamp on the southwest. A Minimum Maintenance State Forest Road forms the site's northern boundary.

**Willow Valley** – Approx. 1,460 acres. This site is located in Section 17 of T63N R21W. It is bounded on the north by Willow River and private property lines; on the east by a township road; on the south by property lines and wetlands; and, on the west by private property lines.

# Commissioner's Orders

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*McNiven* – Approx. 3,741 acres. This site is located in Section 16 of T19N R19W. It is bounded on the west, north and east (partially) by Slow Creek, and on the south by County Road 469. County Road 25 bisects the area running north-south through the center of the parcel.

These state forest lands are depicted as 'closed' on the maps in *Exhibit B*, attached hereto and incorporated herein.

**IT IS FURTHER ORDERED** that the following state forest lands be classified as 'limited' with respect to motor vehicle use, pursuant to authority vested in me by Minnesota law:

- State forest lands in the Bear Island State Forest;
- State forest lands in the Burntside and Lake Jeanette State Forests; except for those lands located within the BWCAW; lands within the BWCAW are 'closed' to motor vehicle use.
- Approximately 3,944 acres of land termed the 'Ash River West Site' located within the Kabetogama State Forest. This site is located in T68-69N R20-21W. It lies east of Highway 53, north of County Road 129, and north of the Ash River Trail. It is bounded by Voyageur's National Park on the north, by snowmobile and hiking trails on the south, and by streams on the east and west.
- Approximately 91,868 acres of state forest lands outside of statutory state forest boundaries in northern St. Louis County;

and

These state forest lands are depicted as 'limited' on the maps in *Exhibit A*, attached hereto and incorporated herein.

**IT IS FURTHER ORDERED** that the following state forest lands be classified as 'managed' with respect to motor vehicle use, pursuant to authority vested in me by Minnesota law:

- State forest lands in the Kabetogama State Forest; except for the 3,944 acre 'Ash River West Site' (above).
- Approximately 142,824 acres of state forest lands outside of statutory state forest boundaries in Northern St. Louis County;

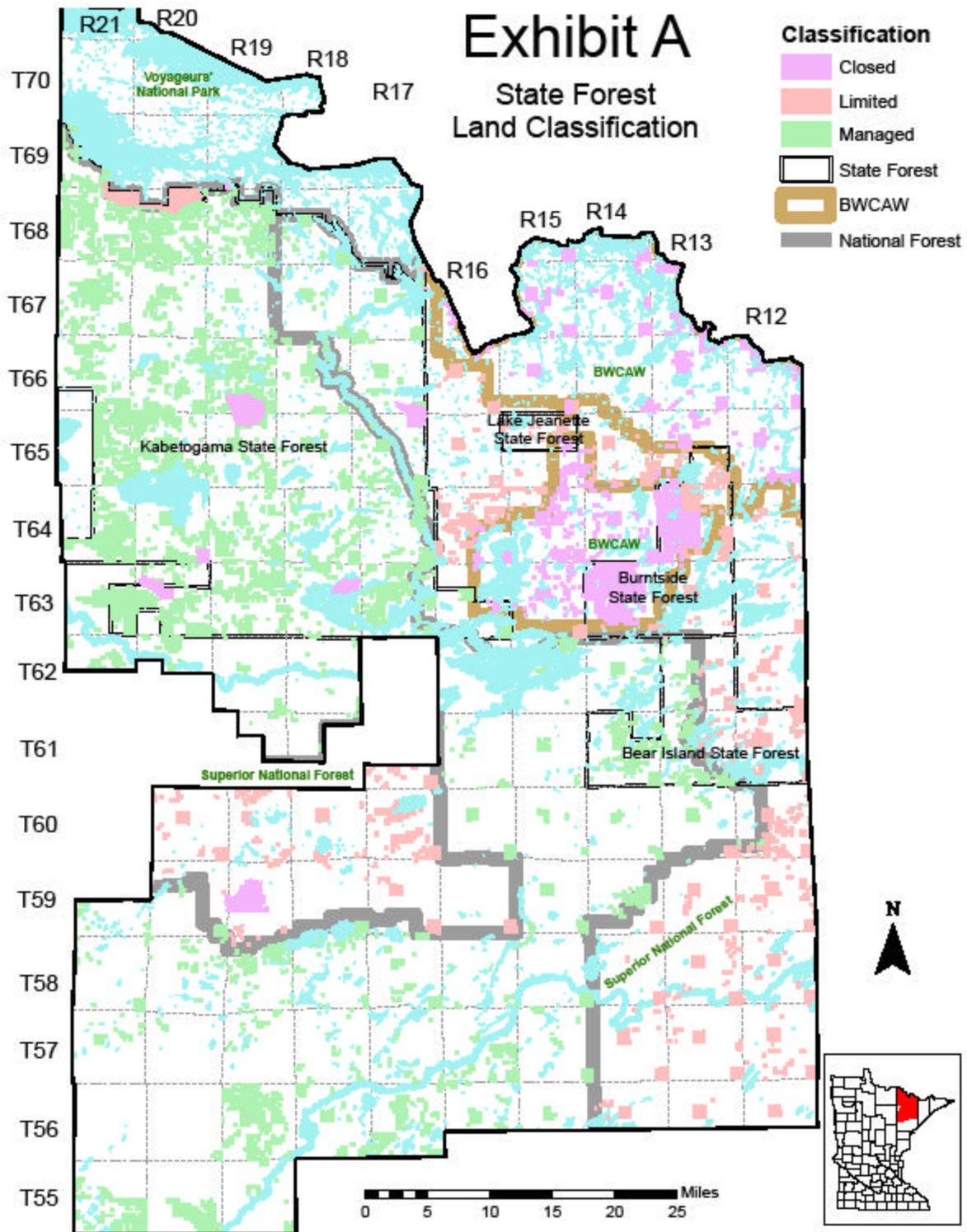
and

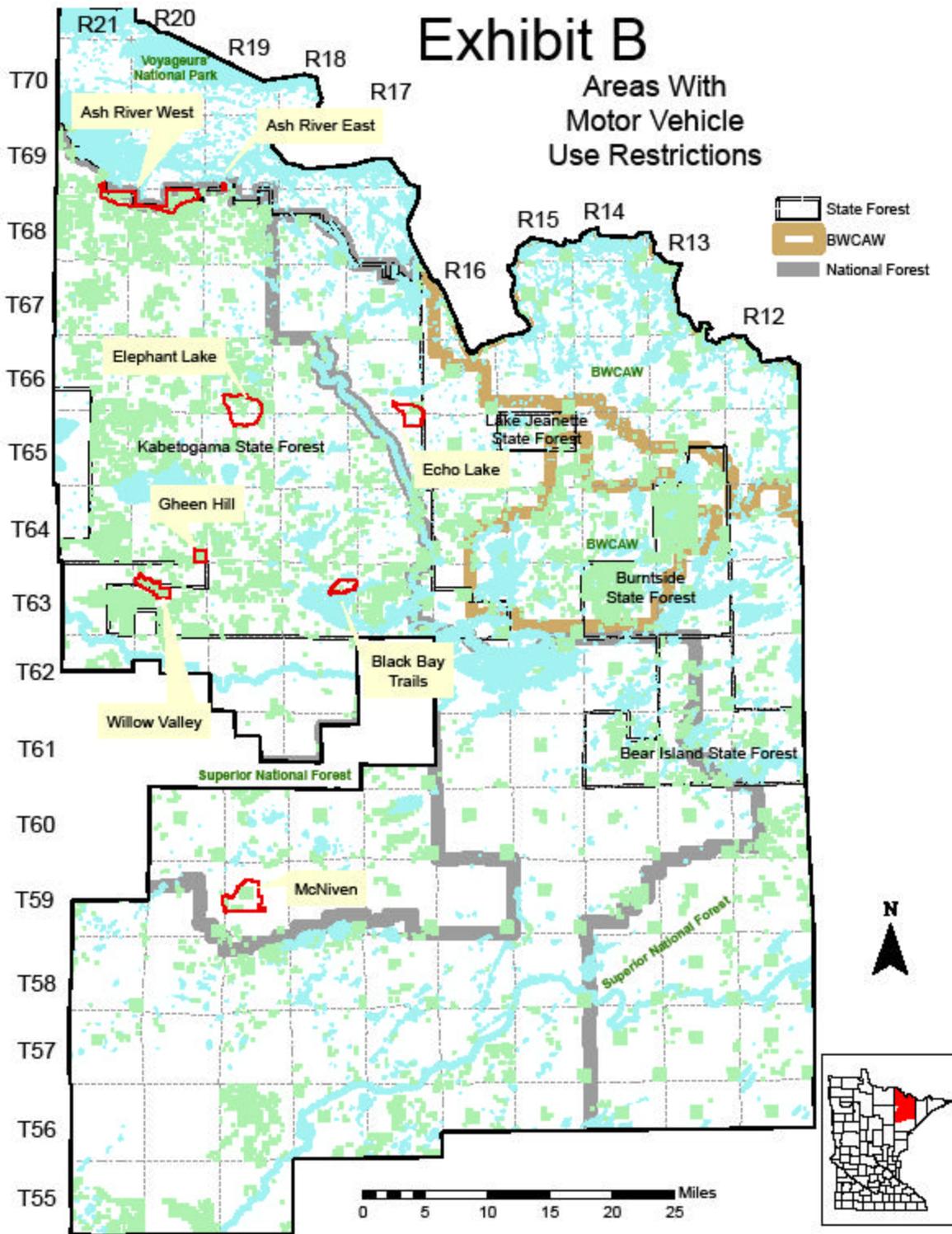
These state forest lands are depicted as 'managed' on the maps in *Exhibit A*, attached hereto and incorporated herein.

**IT IS FURTHER ORDERED** that the above motor vehicle use classifications and designations of areas with limitations shall become effective September 1, 2009.

Dated: October 21, 2008

Mark Holsten, Commissioner  
Department of Natural Resources





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# Commissioner's Orders

## Minnesota Department of Natural Resources Designation and Undesignation of Forest Roads in North St. Louis County, Minnesota

**NOTICE IS HEREBY GIVEN** that the Commissioner of Natural Resources orders the designation of the forest roads identified in *Exhibit A*.

The commissioner further orders the undesignation of the forest roads identified in *Exhibit B*.

**WHEREAS:**

1. *Minnesota Statutes 2006*, Section 89.71, subdivision 1 grants the commissioner authority to designate and undesignate forest roads by written order published in the *State Register*.
2. The agency published its proposed forest road and trail designations for state forest lands in Northern St. Louis County in May 2008. The agency held public meetings and solicited and received written comments and submissions regarding the public's use of forest lands, roads, and trails in North St. Louis County.
3. All notice and procedural requirements in *Minnesota Statutes* and other applicable laws and rules have been met.
4. The forest road designations and undesignations are both needed and reasonable.

**NOW THEREFORE, IT IS ORDERED** that the 187.0 miles of forest roads identified in *Exhibit A*, attached hereto and incorporated herein, are hereby designated pursuant to authority vested in me by Minnesota law.

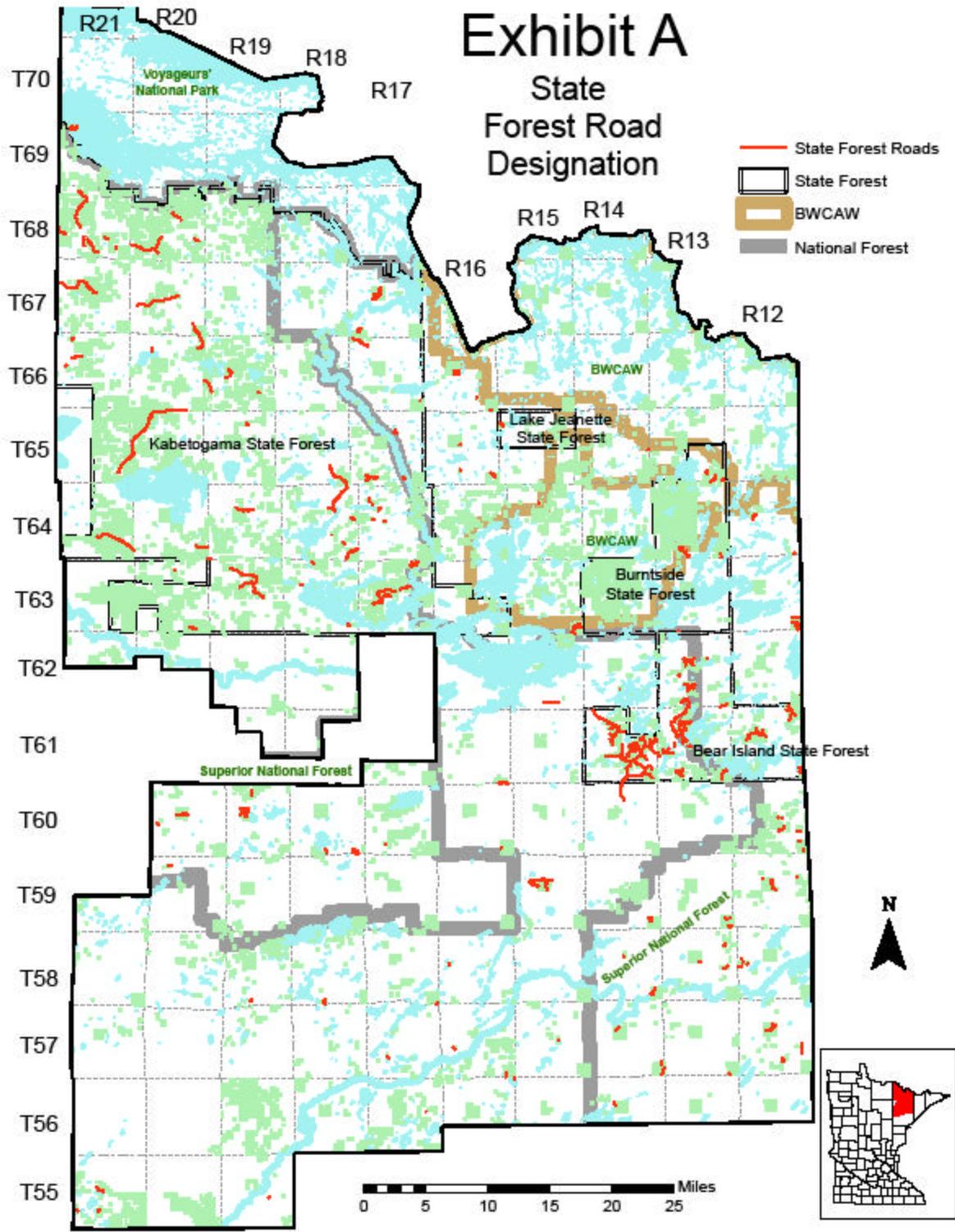
**IT IS FURTHER ORDERED** that the 65.5 miles of forest roads identified in *Exhibit B*, attached hereto and incorporated herein, are undesignated and removed from the forest road system pursuant to authority vested in me by Minnesota law.

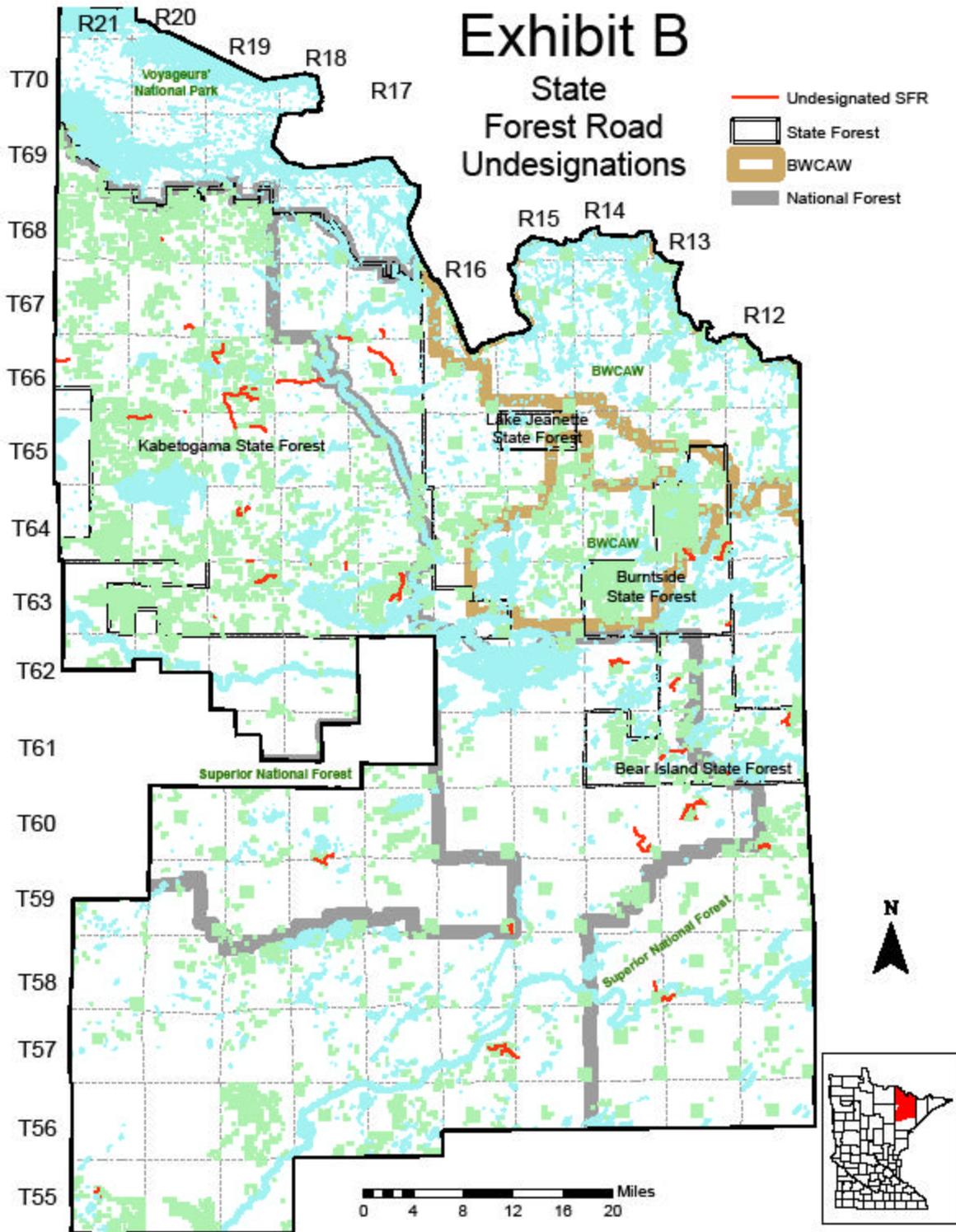
**IT IS FURTHER ORDERED** that the designation and undesignation of those forest roads identified in *Exhibits A* and *B* shall become effective September 1, 2009.

Dated: October 21, 2008

Mark Holsten, Commissioner  
Department of Natural Resources

NoStL-Road Order.doc  
Rev. 15 Oct. 2008





# Commissioner's Orders

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## Minnesota Department of Natural Resources

### Designation of Forest Trails in North St. Louis County, Minnesota

NOTICE IS HEREBY GIVEN that pursuant to *Minnesota Statutes 2006*, section 89.19, subdivision 2, the forest trails described in this order are designated for specified recreational uses.

**WHEREAS:**

1. *Minnesota Statutes 2006*, Section 89.19, Subdivision 2 authorizes designation of forest trails by written order and requires public notice and public meetings prior to trail designation.
2. *Minnesota Laws 2003*, Chapter 128, Article 1, Section 167 (as amended in 2005 and 2007) directs the Commissioner of Natural Resources to complete a review of the classification of state forests with respect to motor vehicle use and to designate roads and trails on state forest lands.
3. The Department of Natural Resources published its proposed motor vehicle use classification and forest road and trail designations in a draft plan in May 2008. The agency held public meetings and solicited and received written comments and submissions regarding the public's use of forest lands, roads, and trails in North St. Louis County.
4. All public notice and public meeting requirements of *Minnesota Statutes, Section 89.19, Subdivision 2* and other applicable laws and rules have been met.

**NOW THEREFORE, IT IS ORDERED** that the forest trails described below are hereby designated pursuant to authority vested in me by Minnesota law:

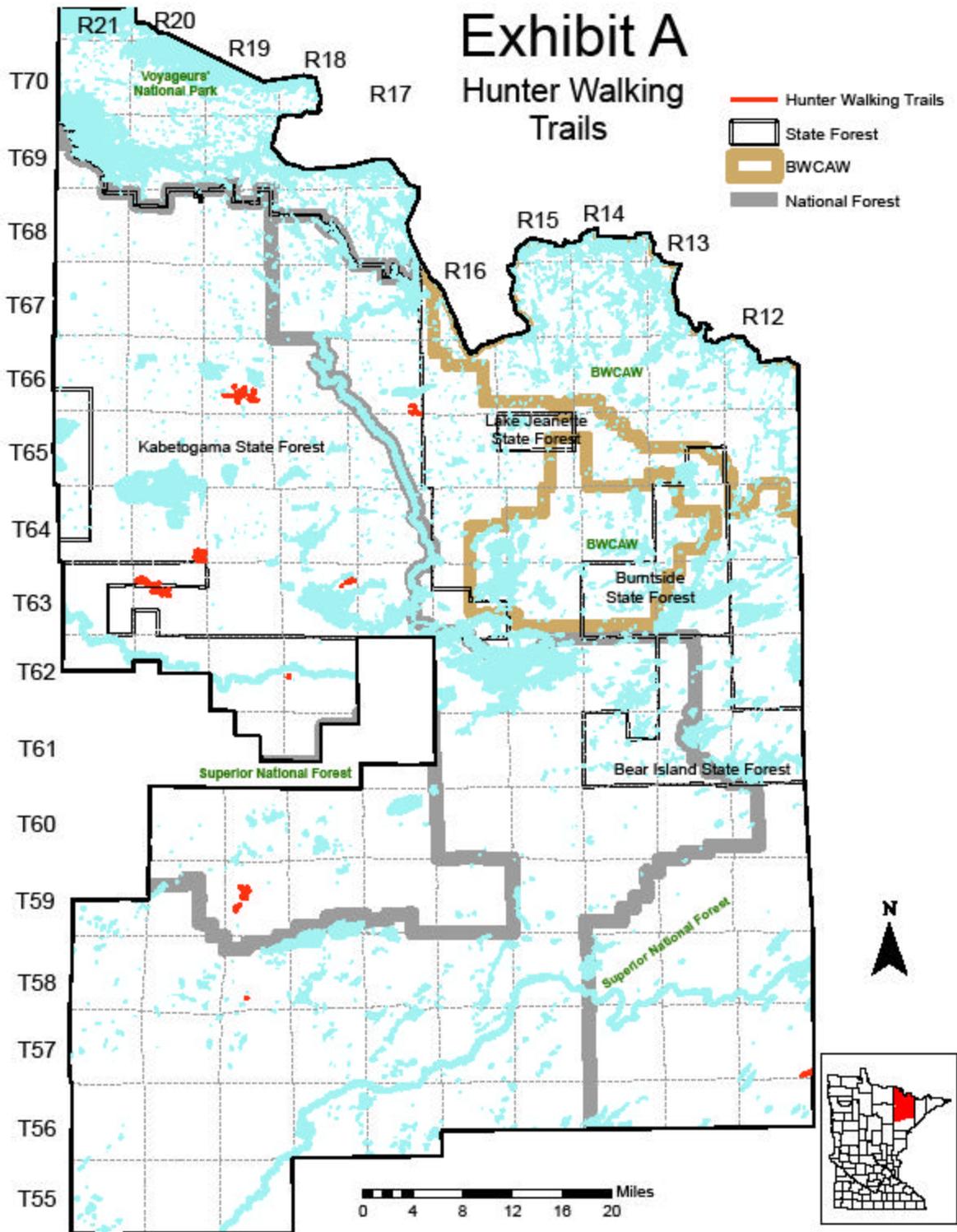
1. **Hunter Walking Trails** – The 31.6 miles of trails depicted on the maps in *Exhibit A*, attached hereto and incorporated herein, are designated primarily for use as hunter walking trails.
2. **All Terrain Vehicle (ATV) / Off-Highway Motorcycle (OHM) Trails** – The 9.2 miles of trail depicted on the maps in *Exhibit B*, attached hereto and incorporated herein, are designated primarily for use as ATV and OHM trails.
3. **Off-highway Vehicle Trail (ATV/OHM/ORV)** – The 3.5 miles of trails depicted on the maps in *Exhibit C*, attached hereto and incorporated herein, are designated primarily for use as Off-Highway Vehicle trails.

**IT IS FURTHER ORDERED** that these trail designations shall become effective September 1, 2009.

Dated: October 21, 2008

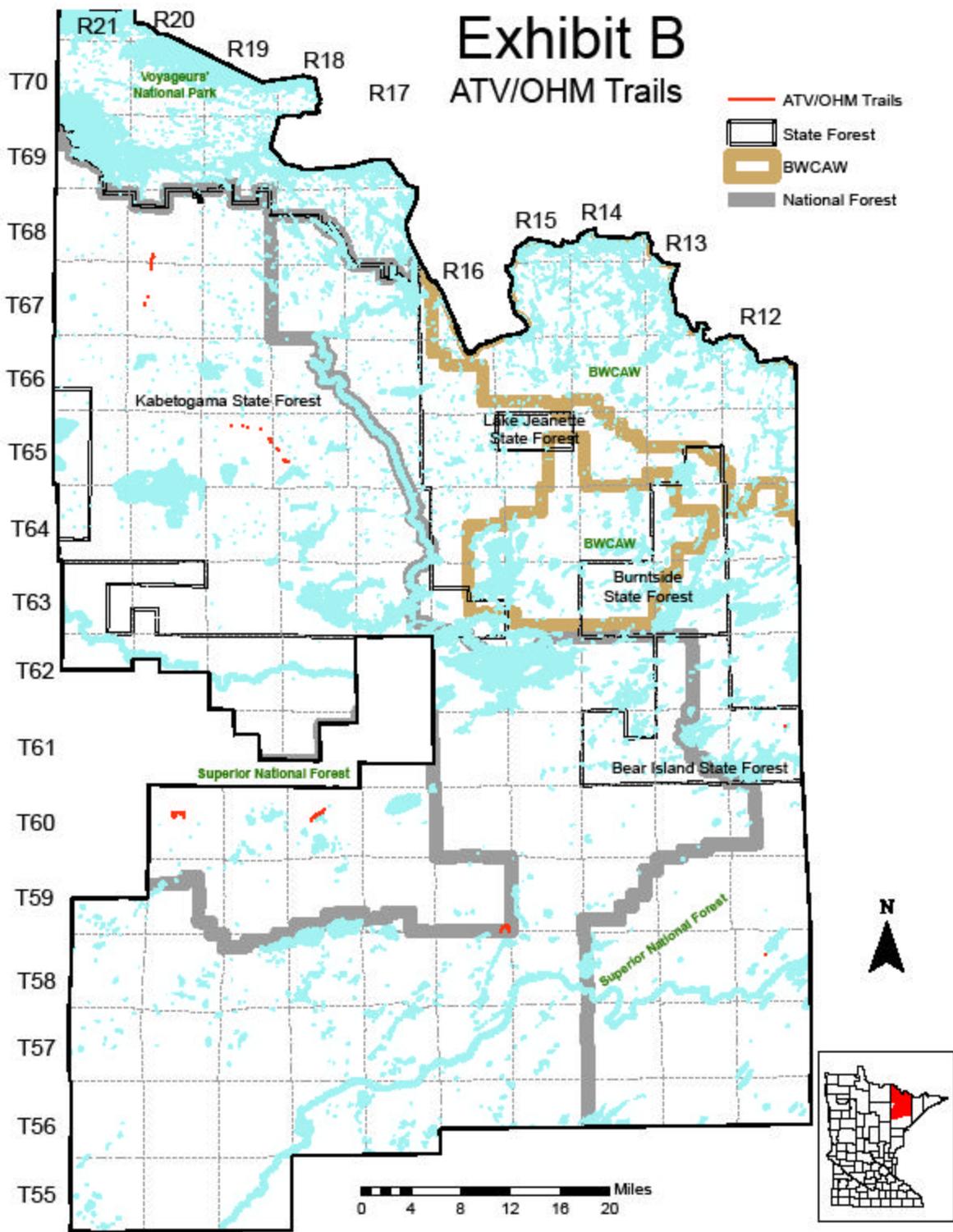
Mark Holsten, Commissioner  
Department of Natural Resources

NoStL-Trail Order.doc  
Rev. 15 Oct 2008



# Commissioner's Orders

## Exhibit B ATV/OHM Trails



## 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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## Emergency Medical Services Regulatory Board (EMSRB) Notice of Completed Application in the Matter of the License Application of the International Falls Ambulance, International Falls, Minnesota

**PLEASE TAKE NOTICE** that the Emergency Medical Services Regulatory Board (hereinafter EMSRB) has received a completed application from **International Falls Ambulance, International Falls, Minnesota**, for a new license, part-time advanced ambulance.

**NOTICE IS HEREBY GIVEN** that, pursuant to *Minnesota Statutes*, Section 144E.11, subd. 3, each municipality, county, community health board, governing body of a regional emergency medical services system, ambulance service and other person wishing to make recommendations concerning the disposition of the application, shall make written recommendations or comments opposing the application to the EMSRB within 30 days or by December 11, 2008, 4:30 p.m.

Written recommendations or comments opposing the application should be sent to:

Debra K. Teske, Interim Executive Director  
EMSRB  
2829 University Avenue S.E., Suite 310  
Minneapolis, Minnesota 55414-3222

If fewer than six comments opposing the application are received during the comment period, and the EMSRB approves the application, the applicant will be exempt from a contested case hearing, pursuant to *Minnesota Statutes*, Section 144E.11, subd. 4. If six or more comments in opposition to the application are received during the comment period or the EMSRB denies the application, the applicant may immediately request a contested case hearing, or may try to resolve the objections of the public and/or the EMSRB within 30 days, pursuant to *Minnesota Statutes*, Section 144E.11, sub. 5(a), (b). If the applicant is unable to resolve the objections within 30 days, or if the applicant initially requests a contested case hearing one will be scheduled and notice of the hearing given pursuant to *Minnesota Statutes*, Section 144E.11, subd. 5(c), (e).

Dated: 20 October 2008

Debra K. Teske, Interim Executive Director  
Emergency Medical Services Regulatory Board

# Official Notices

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## Executive Council

### State Board of Investment

### Land Exchange Board

### Investment Advisory Council

## Official Notice of Meeting of the Investment Advisory Council November 21, 2008 and the Executive Council, State Board of Investment and Land Exchange Board on December 10, 2008

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Wednesday, December 10, 2008 at 9:00 A.M. in Room 123, State Capitol, St. Paul, MN.

The Investment Advisory Council will meet on Friday, November 21, 2008 at 12:00 Noon at the State Board of Investment, Board Room (Main Floor), 60 Empire Drive, St. Paul, MN.

## 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.

No earlier than November 10, 2008 the Department may add the following outpatient prescribed drugs to the state MAC list:

**Drug Name:**

- **CALCIUMACETATE TABLETS**
- **HYDROCORTISONE BUTYRATE CREAM**

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 \$52,000.00 for State Fiscal Year 2008 (July 1, 2008 through June 30, 2009).

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 Pharmacy 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.

### Minnesota Department of Human Services Managed Care and Payment Policy Division Notice of Request for Information for Statewide Procurement of the Minnesota Senior Health Options (MSHO) Program and Procurement of Special Needs Basic Care (SNBC) for Specific Counties

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is seeking information from qualified managed care organizations (MCOs) about service delivery specifications included in their bid submissions to Centers for Medicare and Medicaid (CMS) for Special Needs Plan (SNP) approval related to Minnesota Senior Health Options (MSHO) program and the Special Needs Basic Care (SNBC) program. MSHO and SNBC health plans are SNPs contracting with the STATE for the provision of prepaid health care and home and community-based services under the MSHO program and prepaid health care under the SNBC program. SNPs provide integrated Medicare and Medicaid services to eligible Medical Assistance (MA) enrollees in Minnesota. The STATE is requesting this information to provide guidance for the future Request for Proposal (RFP) for continued and expanded MSHO services and expanded SNBC services.

The procurement of MSHO related to the RFI as announced in this notice applies to all 87 Minnesota counties. To be eligible to respond to the future RFP for the procurement of MSHO, potential Responders must respond to the RFI announced in this notice. Response to the RFI, however, does not obligate MCOs to respond to the future RFP.

The procurement of SNBC related to the RFI as announced in this notice applies to eleven (11) Minnesota counties: Anoka, Beltrami, Carver, Clearwater, Dakota, Hennepin, Hubbard, Lake of the Woods, Ramsey, Scott, and Washington counties. MCOs that do not currently participate in SNBC in the 11 counties specified in this notice must respond to this RFI to be eligible to respond to the future RFP if they want to participate in SNBC for the listed counties. Response to the RFI, however, does not obligate MCOs to respond to the future RFP. Current SNBC plans serving Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington counties do not have to respond to the RFI or the RFP to continue to participate in those counties.

A Request for Information will be available by accessing the Department of Human Services public website after 12:00 noon (CDT) on November 10, 2008 at:

[http://www.dhs.state.mn.us/main/idcplg?IdcService=GET\\_DYNAMIC\\_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id\\_000102](http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_000102)

To obtain a paper copy of the RFI, please print a copy from the website. If you have problems downloading the RFI, contact Cindy Czech at: [cindy.czech@state.mn.us](mailto:cindy.czech@state.mn.us) or call (651) 431-2514.

Information submitted in response to the Request for Information in this notice must be received by 4:00 p.m. (CDT) on December 3, 2008, addressed as follows:

**Attention:** Sue Kvendru  
Managed Care and Payment Policy Division  
Department of Human Services  
444 Lafayette Road N.  
St. Paul, MN 55155  
**Phone:** (651) 431-2515

Late information will not be considered and will be returned unopened to the submitting party. **Faxed or e-mailed information will not be accepted.**

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.

# Official Notices

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## Department of Labor and Industry Labor Standards Unit

### Notice of Correction to Commercial Prevailing Wage Rates for Labor Code 404, Carpenters in Blue Earth County

Corrections have been made to the Commercial Prevailing Wage Rates certified 03/03/2008, for **Labor Code 404**, Carpenters, in Blue Earth County.

Copies with the corrected certified wage rate for this Region or these Counties may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 284-5091, or accessing our web site at [www.doli.state.mn.us](http://www.doli.state.mn.us). Charges for the cost of copying and mailing are \$.25 per page for the first 100 pages, \$.65 per page after that. Make check or money order payable to the State of Minnesota.

Steve Sviggum, Commissioner

## Minnesota Public Utilities Commission

### Request for Comments on Possible Amendments to Rules Governing the Telephone Assistance Plan, *Minnesota Rules*, Chapter 7817, Docket No. P-999/R-08-1126

**Subject of Rules.** The Minnesota Public Utilities Commission requests comments on possible rule amendments governing the Telephone Assistance Plan. The Commission is considering rule amendments that incorporate recent statutory changes affecting the Telephone Assistance Plan. First, the proposed rules replace the Department of Human Services with the Department of Commerce as co-administrator of the program, along with the Commission. Second, the proposed rules require applicants to self-certify that they qualify for the credits. And third, the proposed rules state that applicants are eligible for credits if they are eligible for the federal Lifeline telephone service discount, which authorizes credits for consumers who meet certain income limits or participate in a qualifying low-income assistance program.

**Persons Affected.** The proposed rule amendments would likely affect anyone who is an applicant for or a recipient of the Telephone Assistance Plan. The amendments will also affect local service providers as well as the Commission and the Department of Commerce.

**Statutory Authority.** *Minnesota Statutes*, section § 237.70 and §237.71 authorize the Commission to adopt rules governing the Telephone Assistance Plan. Recent changes made to *Minnesota Statutes* § 237.70 make it necessary to amend the Commission's rules to incorporate these changes.

**Public Comment.** Interested persons or groups may submit comments or information on these possible amendments in writing or orally until 4:30 p.m. on December 19, 2008. All communications in the matter should include a reference to docket number **U-999/R-08-1126**. The Commission does not contemplate appointing an advisory committee to comment on the amended rules because they are non-controversial and are in conformance with recent statutory changes.

**Agency Contact Person.** Written or oral comments, questions and requests for more information on the amended rules should be addressed to:

Kate Kahlert, Commission Attorney  
Public Utilities Commission  
121 Seventh Place East, Suite 350  
St. Paul, MN 55101-2147  
**Phone:** (651) 201-2239  
**Fax:** (651) 297-7073  
**Minnesota Relay Service:** (800) 627-3529

E-mail: [kate.kahlert@state.mn.us](mailto:kate.kahlert@state.mn.us)

**Alternative Format.** Upon request, this Request for Comments can be made available in alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the Commission 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 if and when a proceeding to adopt the amended rules is started. The Commission 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.

**Working Draft.** The Commission's current working draft of the amended rules is set forth below.

## 7817.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Access line.** "Access line" means ~~telephone company-owned~~ facilities owned by a local service provider furnished to permit switched access to the telecommunications network that extend from a central office to the demarcation point on the property where the subscriber is served. The term includes access lines provided to residential and business subscribers and includes centrex access lines on a trunk equivalent basis, but does not include private nonswitched or wide area telephone service access lines.

Subp. 3. **Commission.** "Commission" means the Minnesota Public Utilities Commission.

Subp. 3a. ~~Department of Administration.~~ "Department of Administration" means the Minnesota Department of Administration.

Subp. 4. ~~Department of Human Services.~~ "Department of Human Services" means the Minnesota Department of Human Services. **Commissioner of Public Safety.** "Commissioner of Public Safety" means the Commissioner of the Minnesota Department of Public Safety.

Subp. 5. **Department of Commerce.** "Department of Commerce" means the Minnesota Department of Commerce.

Subp. 5a. ~~Disabled.~~ "Disabled" has the meaning given it in Minnesota Statutes, section 363A.03, subdivision 12. **Eligible telecommunications carrier.** "Eligible telecommunications carrier" has the meaning given it in *United States Code*, title 47, section 214 (e), and includes any local service provider that offers the federal Lifeline telephone service discount.

Subp. 6. **Federal matching plan.** "Federal matching plan" means any ~~telephone assistance~~ plan of the Federal Communications Commission, including the federal plan in Code of Federal Regulations, title 47, part 69, which waives the federal interstate access charge for eligible local telephone subscribers. This federal plan provides matching federal assistance to eligible households receiving assistance through a state telephone assistance plan.

Subp. 7. **Household.** "Household" means a subscriber, a subscriber's spouse, and the minor children with whom a subscriber resides.

Subp. 8. **Income.** "Income" has the meaning given it in *Minnesota Statutes*, section 290A.03, subdivision 3.

Subp. 9. **Local agency.** "Local agency" means a county or multicounty agency that is authorized under Minnesota Statutes, sections 393.01, subdivision 7, and 393.07, subdivision 2, to administer public assistance programs.

Subp. 10. **Local exchange service.** "Local exchange service" means telephone service provided within local exchange service areas in accordance with ~~telephone company tariffs~~ *Minnesota Statutes* section 237.50, subdivision 10. It includes the use of exchange facilities required to establish connections between stations within the exchange and between stations and the toll facilities serving the exchange. It also includes extended area service that is interexchange calling for which a message toll charge is not assessed.

Subp. 10a. **Local Service Provider.** "Local service provider" means a service provider of local exchange service.

Subp. 11. **Permanent changes.** "Permanent changes" means changes in eligibility that are expected to continue for 12 months or more. These changes include increased income, change of residence, or death of the subscriber.

Subp. 12. ~~Public assistance programs.~~ "Public assistance programs" means programs administered by local agencies to provide financial assistance to needy individuals.

Subp. 12a. **Service order record change charge.** "Service order record change charge" means the fee that a ~~telephone company~~ local service provider charges to a subscriber for making a change in the subscriber's billing record for local service.

Subp. 13. **Subscriber.** "Subscriber" means a person in whose name local exchange service is provided by a ~~telephone company~~ local service provider.

Subp. 13a. **TAP enrollment charge.** "TAP enrollment charge" means the administrative cost to a ~~telephone company~~ local service provider of enrolling each new participant in the telephone assistance program as determined under part 7817.0300, subpart 5.

Subp. 14. **Telephone assistance credits.** "Telephone assistance credits" means the credits applied to reduce the local telephone rates of residential households that qualify under the telephone assistance plan.

Subp. 14a. **Telephone assistance fund.** "Telephone assistance fund" means a statewide surcharge revenue pool created by *Laws of*

# Official Notices

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Minnesota 1988, chapter 621, section 16.

Subp. 15. **Telephone assistance plan or TAP.** “Telephone assistance plan” or “TAP” means the plan required by *Minnesota Statutes*, sections 237.69 to ~~237.72~~ 237.711, and set out in this chapter.

Subp. 16. **Telephone company.** “Telephone company” has the meanings given in *Minnesota Statutes*, section 237.01, subdivisions 2 and 3, and also means a company that provides local exchange service.

## 7817.0200 PURPOSE AND CONSTRUCTION.

The purpose of this chapter is to develop and implement a statewide telephone assistance plan to provide telephone assistance credits to reduce the local telephone rates of eligible residential households, to be jointly administered by the commission, the Department of ~~Human Services~~ Commerce, and the ~~telephone companies~~ local service providers. The purpose of this chapter is also to permit the implementation of federal ~~telephone assistance~~ plans so that the state’s local exchange service telephone customers are afforded the opportunity to acquire the benefits of these federal plans.

This chapter is to be liberally construed to further these purposes.

## 7817.0300 FUNDING.

Subpart 1. **Uniform statewide monthly surcharge.** The telephone assistance plan must be funded through the assessment of a uniform recurring monthly surcharge, not to exceed ten cents per access line, applicable to all classes and grades of access lines provided by each ~~telephone company~~ local service provider in the state. Each ~~telephone company~~ local service provider may assess the surcharge per access line, combine the surcharge with the charges for other programs such as the emergency 911 telephone service, or include the surcharge in existing or future rates. ~~The initial surcharge must be assessed beginning with the first billing cycle occurring immediately after December 29, 1987~~ local service provider or the provider’s billing agent shall combine surcharges for the Telephone Assistance Plan, Telephone Access Minnesota and Emergency 911 Service into one amount on billing statements sent to subscribers. The commission shall determine the level of the surcharge on an annual basis no later than November 30 of each year. The recalculated surcharge must be effective beginning with the first billing cycle of the next calendar year.

Subp. 2. **Collection of surcharge revenues.** A ~~telephone company~~ local service provider shall bill the surcharge and collect the surcharge revenues. At the time of reporting under part 7817.0900, subpart 3, item H, a ~~telephone company~~ local service provider shall notify the commission if a subscriber does not pay the surcharge.

Subp. 3. **Use of surcharge revenues and fund.** A ~~telephone company~~ local service provider shall remit, under *Minnesota Statutes*, section 403.11, surcharge revenues to the ~~Department of Administration~~ commissioner of Public Safety for deposit in the telephone assistance fund. The commission shall use the money in the telephone assistance fund to:

A. reimburse the telephone assistance credits extended by a ~~telephone company~~ local service provider within 60 days of the deadline for filing the ~~telephone company’s~~ local service provider’s report under part 7817.0900 or the date the report is filed, whichever occurs later;

~~B. reimburse the administrative expenses of the Department of Human Services not to exceed the amount specified in Minnesota Statutes, section 237.701;~~

~~C. reimburse the administrative expenses of the commission not to exceed the amount specified in Minnesota Statutes, section 237.701; and~~

~~D. reimburse a telephone company’s administrative expenses in accordance with subpart 4.~~

Subp. 4. **Reimbursing ~~telephone company~~ local service provider expenses.** The commission shall reimburse ~~telephone company~~ local service provider expenses as provided in items A to E.

A. The commission shall reimburse only with money in the telephone assistance fund.

B. The commission shall not reimburse the expenses of collecting the surcharge.

C. The commission shall not reimburse expenses under this subpart unless the ~~telephone company~~ local service provider has filed a report that complies with part 7817.0900. The commission shall reimburse the ~~telephone company~~ local service provider within 60 days after the deadline for filing its report under part 7817.0900 or the date the report is filed, whichever occurs later.

D. A ~~telephone company~~ local service provider with five or more new TAP participants enrolled during the reporting period for which reimbursement is sought must be reimbursed for expenses actually incurred and claimed up to an amount no greater than the number of new participants enrolled during the reporting period times one of the following:

(1) the ~~company’s~~ provider’s tariffed service order record change charge; or

(2) the ~~company’s~~ provider’s tariffed TAP enrollment charge determined under subpart 5.

E. A ~~telephone company~~ local service provider with fewer than five new TAP participants enrolled during the reporting period for which reimbursement is sought must be reimbursed for expenses actually incurred and claimed up to an amount no greater than five times one of the following:

(1) the ~~company’s~~ provider’s tariffed service order record change charge; or

(2) the ~~company's provider's~~ tariffed TAP enrollment charge determined under subpart 5.

Subp. 5. **TAP enrollment charge.** A ~~telephone company~~ local service provider may petition the commission to establish a TAP enrollment charge for the ~~company provider~~, which may differ from the ~~company's provider's~~ service order record change charge. The TAP enrollment charge must be determined according to items A and B.

A. A ~~company's provider's~~ petition to establish a TAP enrollment charge must include financial and cost-study information adequate to support the ~~company's provider's~~ proposed TAP enrollment charge. The commission may accept, modify, or reject the ~~company's provider's~~ petition.

B. A TAP enrollment charge must be based exclusively on the cost of one or more of the following ~~company provider~~ activities directly related to administering TAP:

- (1) responding to customer inquiries regarding TAP;
- (2) mailing TAP applications to customers;
- (3) changing manual or computerized customer records and billing systems to reflect the addition or removal of a customer's TAP credit;
- (4) sending annual notice of TAP to all subscribers;
- (5) ~~notifying the Department of Human Services of customers added to or removed from TAP;~~
- (6) ~~removing customers from TAP when declared they are found to be ineligible by the Department of Human Services;~~
- (7) (6) storing TAP applications;
- (8) (7) remitting surcharge revenues to the ~~Department of Administration~~ commissioner of Public Safety as required by part 7817.0300, subpart 3; and
- (9) (8) reporting to the Public Utilities Commission and Department of Commerce under part 7817.0900, subparts 2 to 4.

Subp. 6. **Absence of TAP enrollment service charge.** If a ~~telephone company~~ local service provider does not have a tariffed TAP enrollment charge when claiming reimbursement for TAP-related expenses, the maximum reimbursement allowed must be based on the ~~company's provider's~~ tariffed service order record change charge as provided in subpart 4, item D, subitem (1); or item E, subitem (1).

#### **7817.0400 ELIGIBILITY FOR TELEPHONE ASSISTANCE CREDITS.**

Subpart 1. **Information provided.** Each ~~telephone company~~ local service provider shall annually mail a notice of the availability of the telephone assistance plan to each residential subscriber in a regular billing. The notice must state the following: You may be eligible for assistance in paying your telephone bill if you meet certain household income limits, ~~and you are 65 years of age or older or are disabled or receive benefits from certain low-income assistance programs.~~ For more information or an application form please contact ..... On request, the ~~telephone company~~ local service provider shall mail to a person an application form developed by the ~~Department of Human Services~~ commission and the Department of Commerce, and a brochure that describes the telephone assistance plan's eligibility requirements and application process.

Subp. 2. **Application process.** On completing and signing the application certifying under penalty of perjury that the information provided by the applicant is true and that the statutory criteria for eligibility are satisfied, the applicant must return it to the ~~telephone company~~ local service provider for enrollment in the telephone assistance plan. An application may be made by the subscriber, the subscriber's spouse, or a person authorized by the subscriber to act on the subscriber's behalf.

Subp. 3. Documenting, verifying, and reviewing eligibility. The Department of Human Services or a local agency shall verify whether the applicant is eligible.

When a condition of eligibility changes, and at each redetermination of eligibility, the Department of Human Services or a local agency shall verify eligibility.

A. In a timely manner, an applicant or recipient shall document income or authorize the Department of Human Services or a local agency to verify the income. The Department of Human Services or a local agency shall help an applicant or recipient obtain documents that the applicant or recipient does not possess and cannot obtain. Information previously verified and retained by the Department of Human Services or a local agency must not be verified again unless the information no longer applies to current circumstances.

B. The Department of Human Services or a local agency shall not request information about an applicant or recipient that is not of public record from a source other than local agencies or the Department of Human Services without the applicant's or recipient's prior written consent. The Department of Human Services or a local agency may request information about an applicant or recipient that is not of public record from the telephone companies by obtaining the applicant's or recipient's prior written consent on an application or recertification form. The Department of Human Services or a local agency shall not provide third parties with access to information about an applicant's or recipient's eligibility status or other case record information without the prior written consent of that applicant or recipient, except where access to specific case information is granted to the Department of Human Services or local agencies designated by the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13. Information designated as confidential by the Minnesota Government Data Practices Act may only be made available to agencies granted access under that law and must not be provided to an applicant, recipient, or third party.

# Official Notices

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~~C. The Department of Human Services or a local agency shall inform the recipient of the recipient's responsibility to report permanent changes in circumstances that affect eligibility within ten days of each change.~~

Subp. 4. **Eligibility criteria.** To be eligible for a telephone assistance credit the applicant must certify that:

~~A. the household is not in receipt of assistance for telephone service under any other state public assistance program; be a subscriber who lives in Minnesota or has moved to Minnesota and intends to remain; and~~

~~B. the subscriber is disabled or 65 years of age or older; be eligible for the federal Lifeline telephone service discount.~~

~~C. the subscriber resides in Minnesota or has moved to Minnesota and intends to remain; and~~

~~D. the household income satisfies the criteria in subpart 5.~~

Subp. 5. **Income.** To determine eligibility, the Department of Human Services or a local agency shall evaluate income received by household members. All payments must be counted as income if listed in *Minnesota Statutes*, section 290A.03, subdivision 3.

The applicant's household income must be 150 percent or less of the federal poverty income guidelines, as published periodically in the *Federal Register*, or the applicant must be currently eligible for:

A. aid to families with dependent children;

B. medical assistance;

C. general assistance;

D. Minnesota supplemental aid;

E. food stamps or food support;

F. refugee cash assistance or refugee medical assistance;

G. energy assistance; or

H. supplemental security income.

For the purpose of calculating income under this subpart, household income does not include the income of minor children.

Subp. 6. **Agency responsibilities.** On receiving notification of an application from the telephone company, the Department of Human Services or a local agency shall determine the applicant's eligibility or ineligibility within 120 days. At least once in every 12-month period, the Department of Human Services or a local agency shall redetermine eligibility.

Subp. 7. **Applicant and recipient responsibilities.** An applicant shall provide current information about circumstances that permanently permanent changes that affect the applicant's eligibility.

Subp. 8. **Notices Local service provider responsibilities.** An applicant or recipient must be notified of the disposition of the application in the following manner:

A. A local service provider shall begin providing telephone assistance credits to an applicant in the earliest possible billing cycle but not later than the second billing cycle following the submission of a completed application demonstrating eligibility. If certified, the telephone company local service provider shall notify the applicant ~~or recipient~~ by, for example, placing telephone assistance credits on the bill.

~~B. If an applicant is denied eligibility or a recipient's eligibility is terminated, the Department of Human Services or a local agency the local service provider shall notify the applicant ~~or recipient~~ in writing of the reasons for the denial ~~or termination~~, of the right to appeal, and of the right to reapply.~~

~~C. If an applicant is denied eligibility or a recipient's eligibility is terminated, the Department of Human Services or a local agency shall notify the telephone company.~~

~~D. The Department of Human Services or a local agency shall notify the recipient of the need to verify eligibility and shall allow at least 30 days for the recipient to respond.~~

Subp. 9. **Ineligibility.** The Department of Human Services or a local agency shall determine that a recipient is ineligible if (1) the recipient does not meet the eligibility criteria of subpart 4, (2) the recipient does not respond within 30 days to a request for verification under subpart 8, item D, or (3) the Department of Human Services or a local agency is notified of permanent changes in basic eligibility requirements that result in ineligibility.

## 7817.0500 CALCULATION OF CREDITS.

The commission shall establish the level of telephone assistance plan credits for each ~~telephone company~~ local service provider on an annual basis no later than November 30 of each year to be effective for the subsequent calendar year. The credits must be calculated based on the following criteria:

A. the credits must not exceed the amount of credit available under the federal matching plan;

B. the credits must not exceed more than 50 percent of the weighted average of the local exchange rate charged for local exchange service provided to the household by that household's ~~telephone company~~ local service provider;

C. the credits must not exceed the level of credits that can actually be funded in accordance with the surcharge limitations in part 7817.0300; and

D. the level of credits must be uniform for each ~~company~~ provider statewide.

## **7817.0600 PROVISION VERIFICATION AND TERMINATION OF CREDITS.**

Subpart 1. Provision of credits. After a telephone company receives an application for telephone assistance credits, the company shall enroll the applicant in the telephone assistance plan and shall apply telephone assistance credits against monthly charges for each certified household. A telephone company shall apply telephone assistance credits to an applicant's earliest possible billing cycle but no later than the applicant's second billing cycle after certification in the telephone assistance plan: **Verification.** An eligible telecommunications carrier shall verify whether its recipients are eligible to continue receiving telecommunications assistance credits in the same manner that it verifies eligibility for the federal Lifeline telephone service discount.

Subp. 2. **Termination of credits.** After the telephone company enrolls an applicant in the telephone assistance plan, the company ~~A local service provider~~ shall cease providing credits when notified by the Department of Human Services that ineligibility has been determined or when local exchange service ends. When so notified, the credit ends with the start of the telephone company's billing cycle beginning in the month after the month in which the company is notified: to a recipient:

A. when the recipient's local exchange service ends; or

B. after:

(1) the provider learns from the recipient, or through the verification process addressed at subpart 1, that the recipient is ineligible,

(2) the provider issues a letter to the recipient stating the grounds for finding the recipient ineligible and advising the recipient of the right to appeal and to reapply, and

(3) either the recipient does not appeal within 60 days, or the recipient does appeal and the Commission finds that the recipient failed to demonstrate eligibility for the credits.

## **7817.0700 ADJUSTMENT TO LEVEL OF SURCHARGE AND CREDITS.**

When it appears to the commission that the revenue generated by the maximum level of surcharge permitted under part 7817.0300 will be inadequate to fund a particular level of telephone assistance credits, the commission by official order and on 30 days' notice to the ~~telephone companies~~ local service providers, shall reduce the credits to a level that can be adequately funded by the maximum level of surcharge. Similarly, the commission by official order and on 30 days' notice to the ~~telephone companies~~ local service providers, may increase the level of the telephone assistance ~~plan~~ credits that are available or reduce the surcharge to a level and for a period of time that will prevent an unreasonable overcollection of surcharge revenues.

## **7817.0800 FEDERAL TELEPHONE ASSISTANCE PLANS.**

The telephone assistance plan must be combined with the existing federal matching plan. ~~Telephone companies~~ Local service providers shall participate in both plans. If and when other federal ~~telephone assistance~~ plans are developed, the commission shall seek outside comment on those plans and review each plan and the comments submitted by interested persons. After appropriate proceedings, the commission shall determine whether to incorporate those plans into the telephone assistance plan and require ~~telephone companies~~ local service providers to participate.

## **7817.0900 COMPANY PROVIDER RECORDING, REPORTING REQUIREMENTS.**

Subpart 1. **Records to be maintained.** A ~~telephone company~~ local service provider shall maintain adequate records of surcharge revenues, expenses, and credits related to the telephone assistance plan.

Subp. 2. **Reporting requirements.** A ~~telephone company~~ local service provider shall file at its option either quarterly or monthly reports with the commission and the Department of Commerce for review. A ~~telephone company~~ telephone service provider with 100 or fewer subscribers may file an annual report under subpart 4 rather than filing quarterly or monthly reports. Quarterly reports are due no later than 30 days after the end of each quarter of a calendar year. Monthly reports are due no later than 30 days after the end of each calendar month. The reports must be made on a form prescribed by the commission.

Subp. 3. **Contents of report.** The quarterly or monthly reports must list the following items for that reporting period and cumulatively for the year:

A. the surcharge revenues collected by the ~~telephone company~~ local service provider;

B. the number of access lines billed the surcharge;

C. itemized telephone assistance plan expenses incurred by the ~~company~~ provider;

D. the amount of reimbursement requested from the telephone assistance fund;

E. the amount of reimbursement from the federal matching plan applied for or received;

F. the number of subscribers that received credits under the telephone assistance plan and the number of subscribers that were given waivers under the federal matching plan;

G. the monetary amount of credits extended by the ~~telephone company~~ local service provider under the telephone assistance plan and the monetary amount of waivers given under the federal matching plan; and

# Official Notices

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H. a list of the subscribers who did not pay the surcharge.

These reports must be made on forms prescribed by the commission.

Subp. 4. **Annual report.** No later than 30 days after the end of a calendar year, a ~~telephone company~~ local service provider shall file a year-end report with the commission and the Department of Commerce. A ~~telephone company~~ local service provider with 100 or fewer subscribers that files only an annual report must include the information required by subpart 3 in its annual report. Depending on the reporting option chosen under subpart 2, a cumulative year-end monthly or quarterly report provided under subpart 3 may serve as the annual report. This report must be a financial report and accounting for the ~~telephone company's~~ local service provider's experience under the telephone assistance plan. The report must also be adequate to satisfy the reporting requirements of the federal matching plan.

## 7817.1000 APPEALS AND COMPLAINTS.

Subpart 1. **Appeal after termination or denial of eligibility.** An applicant or recipient who is denied or terminated telephone assistance credits has the right to appeal. Appeal hearings must be conducted at a reasonable time, date, and place by ~~an impartial referee employed by the Department of Human Services~~ the commission. An applicant or recipient may introduce evidence relevant to the issues on appeal. ~~Recommendations of an appeals referee to the designee of the commissioner of the Department of Human Services~~ The decision must be based on evidence introduced at the hearing ~~and are not limited to a review of the propriety of a local agency's action.~~

Subp. 2. **Complaint procedure.** Complaints against the ~~telephone companies~~ local service providers regarding the telephone assistance plan may be referred to the commission. Complaints against ~~telephone companies~~ local service providers regarding the telephone assistance plan must be investigated by the Department of Commerce. The Department of Commerce shall report the status of its investigation to the commission within 45 days of receipt of the complaint.

# State Contracts

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

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

**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

## How to Work with Contracts

A summarized "Contracts & Grants" section of all contracts and grants open for bid is available only to subscribers to the *State Register*. You also receive LINKS to the *State Register*. Open the *State Register* and click on Bookmarks in the upper left corner. There you will see a list of the contents of the current issue, as well as an INDEX, and previous years' indices. Here's what you receive via e-mail:

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## Department of Administration (Admin)

### Risk Management Division

### Request for Proposals for a Comprehensive Property and Casualty Risk Management Information System for the Risk Management Division

The Department of Administration, Risk Management Division, hereby gives notice of the availability of a Request for Proposals (RFP) for provision of a comprehensive property and casualty risk management information system (RMIS).

The Risk Management Division is seeking to contract with an insurance hardware and software vendor for the purposes of: (1) minimizing the total cost of risk to the State; (2) purchasing a comprehensive system that accommodates all lines of property and casualty business and workers' compensation; (3) providing administration, policy processing, claims and reporting capabilities; (4) replacing three legacy systems, plus imaging processing, with a single system that is an upgrade to the current process and at a lower combined cost to provide the system solutions necessary for Risk Management to be at the technological forefront for years to come; and, (5) determining the most efficient way to process this information either through an in-house system or through a service bureau approach with the vendor.

In compliance with *Minnesota Statute* § 16C.07, the availability of this work is being offered to state employees. The State will evaluate the responses of any state employee, along with other responses to this RFP.

An informational meeting for all potential proposers will be held on Tuesday, November 12, 2008, 9:00-10:30 a.m., in the Lady Slipper Conference Room, ground level, 658 Cedar Street, St. Paul, Minnesota. This meeting will provide an opportunity for proposers to ask questions regarding the RFP.

A free-of-charge copy of the RFP can be requested through the mail, by calling the Risk Management Division at (651) 270-0339, by e-mail to [Phillip.Blue@state.mn.us](mailto:Phillip.Blue@state.mn.us), or can be picked up at the Department of Administration, Risk Management Division, 310 Centennial

# State Contracts

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Office Building, 658 Cedar Street, St. Paul, Minnesota 55155.

The deadline for submission of proposals is 2:30 p.m. (Central Standard Time), Monday, December 5, 2008. Late proposals will not be considered.

## **Minnesota State Colleges and Universities (MnSCU) Minneapolis Community & Technical College Notice of Intent to Request Proposals for Multi-year Contract to Provide Sign Language Interpreting Services to School Students, Employees and Guests**

**Scope:** Services needed include interpretation for students' classroom and laboratory participation and for lectures, meetings and events for students, employees and guests.

**Due Date:** **Monday November 17, 2008** – see RFP for additional information.

**Contact:** Michael Noble-Olson / Purchasing Manager  
Business Services – Room T2700  
**Phone:** (612) 659-6866  
**E-mail:** *michael.noble-olson@minneapolis.edu*  
Mailing Address:  
1501 Hennepin Avenue  
Minneapolis, MN 55403

## **Minnesota State Colleges and Universities (MnSCU) Minneapolis Community & Technical College NOTICE OF INTENT to Request Proposals for Maintenance of Firearms Inventory Used for Training Purposes**

**Description:** Maintain inventory of various firearms used at Center for Criminal Justice and Law Enforcement Training Program.

**Due Date:** Monday, November 24, 2008 at 2:00 p.m.

**Contact:** Mike Smith, Dean / Academic Affairs  
1501 Hennepin Avenue  
Minneapolis, MN 55403  
**Phone:** (612) 659-6107  
**E-mail:** *mike.smith@minneapolis.edu*

### Minnesota State Colleges and Universities (MnSCU)

#### St. Cloud State University

#### Advertisement for Bid for Professional/Technical Services Executive Search Firm

Sealed proposals for services hereinafter described will be received by St. Cloud State University at the Business Services Office, AS 122, St. Cloud Minnesota until **3:00 PM** on **November 21, 2008** and will 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:

**PROFESSIONAL/TECHNICAL SERVICES – EXECUTIVE SEARCH FIRM FOR:**

- 1) Vice President for University Advancement
- 2) Provost/Vice President for Academic Affairs

as per Request for Proposal available in the Business Services Office, St. Cloud State University.

For further information contact: Lisa Sparks  
Director of Purchasing  
St. Cloud State University – AS 122  
720 4<sup>th</sup> Ave. South  
St. Cloud, MN 56301-4498  
(320) 308-4788, or  
Doris Frieler at: (320)308-4001

### Minnesota State Colleges and Universities (MnSCU)

#### St. Cloud Technical College

#### Request for Sealed Bids for St. Cloud Technical College G Wing Elevator Modernization

**Sealed Bids:** *St. Cloud Technical College*  
*G Wing Elevator Modernization*  
St. Cloud Technical College  
St. Cloud, Minnesota

**will be received by:** Ms. Sue Meyer  
Director of Purchasing  
Room 1-401H  
St. Cloud Technical College  
1540 Northway Drive  
St. Cloud, Minnesota 56303

Until **2:00 PM, local time, Thursday, November 20, 2008**, at which time the bids will be opened and publicly read aloud. Bid responses must be delivered in a sealed envelope or package clearly marked "G Wing Elevator Modernization" to Sue Meyer at the above address. St. Cloud Technical College reserves the right to reject any or all bids, or portions thereof, or to waive any irregularities or informalities, in bids received.

**Project Scope:**

- Modernization of G Wing elevator including replacement of hydraulic cylinder, controls, pump unit, door operator and signal fixtures.

Bidding Documents as prepared by Van Deusen and Associates will be available on Monday, November 10, 2008, on the website:  
<http://www.sctc.edu/rfp>

# State Contracts

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All questions and inquiries related to this Request for Bid must be in writing and directed to Jason Theisen, Director of Facilities, St. Cloud Technical College, 1540 Northway Drive, St. Cloud, MN 56303, **e-mail:** [jtheisen@sctc.edu](mailto:jtheisen@sctc.edu), **phone:** (320) 308-6012. Other department personnel are **NOT** allowed to discuss the Request for Bid with anyone, including responders, before the proposal submission deadline.

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 Historical Society Notice of Request for Proposals for Wall Demolition and Construction Services

The Minnesota Historical Society is seeking proposals from qualified and experienced vendors for wall demolition and construction services for a new exhibit at the Minnesota History Center. This exhibit, called "*Minnesota's Greatest Generation*," will be installed in Gallery A, and must be completed in time for a May 2009 opening to the public.

The Request for Proposals (which will also serve as the Project Manual) is available from Mary Green-Toussaint, Purchasing Coordinator, Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, Minnesota 55102. Telephone: 651-259-3175; e-mail: [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org).

Please note that there will be a **mandatory** pre-bid meeting for all interested parties. Details are contained in the Request for Proposals/Project Manual.

All proposals **are due no later than 2:00 p.m. Local Time on Tuesday, November 25, 2008**. A public opening will be conducted at that time. Late bids will not be considered.

Dated: November 10, 2008

## Legislative Coordinating Commission Request for Proposals to Offer Harassment & Discrimination / Respect in the Workplace Training to the MN Legislature

The Minnesota Legislative Coordinating Commission is requesting proposals from qualified individuals and organizations interested in providing Harassment & Discrimination / Respect in the Workplace training to members and staff of the Minnesota State Legislature during the legislative years of 2009-2010. For a copy of the full text of the RFP, please go to: <http://www.lcc.leg.mn/> or contact:

Diane Henry-Wangenstein, Assistant Director  
Minnesota Legislative Coordinating Commission  
Room 72 State Office Building  
100 Rev. Dr. Martin Luther King, Jr. Blvd.  
St. Paul, MN 55155-1298  
**Phone:** (651) 296-1121 (voice)  
**E-mail:** [diane.henry@lcc.leg.mn](mailto:diane.henry@lcc.leg.mn)

All proposals must satisfy the criteria as outlined in the full text of the RFP. At a minimum proposals must include a plan which details how the training will satisfy the Minnesota Legislature's objective to enhance the quality of the work environment and maintain a respectful, courteous workplace in which to work and serve the public. Proposals must clearly state the contractor's proposed hourly rates and other charges for services provided.

**Proposals must be received by November 28, 2008, at 4:00 p.m. Late applications may not be accepted.** All expenses incurred in responding to this notice shall be borne by the responder.

### **Department of Natural Resources (DNR) Notice of Availability of Contract for conducting Fire in the Classroom Program CERTIFICATION # 17251 Amount of proposed contract: \$30,000**

The Minnesota Department of Natural Resources is requesting proposals for the purpose of promoting, training educators, and conducting our Firewise in the Classroom Program in schools throughout Minnesota.

Work is proposed to start after December 1, 2008.

A Request for Proposals will be available by mail from this office through November 21, 2008. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After November 21, 2008, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Larry Himanga, Wildfire Prevention Coordinator  
Department of Natural Resources  
500 Lafayette Road  
St. Paul, MN 55155-4044  
**Phone:** (651) 345-4924, ext 243  
**E-mail:** [Larry.himanga@dnr.state.mn.us](mailto:Larry.himanga@dnr.state.mn.us)

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:30 p.m., Central Time, November 28, 2008. **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.

## **Minnesota Department of Natural Resources (DNR) Division of Forestry Request for Information on Forest Management in Northern Minnesota Counties**

### **1. INTRODUCTION**

The purpose of the Request for Information (RFI) is for the Department of Natural Resources, to obtain information from vendors who might be interested in conducting forest management on select state owned lands in St. Louis, Lake, Cook and Koochiching Counties through a lease program. The lands are outside of state forests, scattered throughout these counties (see map).

### **2. OBJECTIVE**

The objective of the Department of Natural Resources is to improve the productivity of scattered lands through more intensive management by the most cost effective means. The lease would provide for exclusive rights to biomass and timber resources for a 10-year lease period in exchange for lease and royalty payments to the State. DNR's interest is in accomplishing sustainable management objectives in accordance with a sustainable forest management plan. Following forest certification management principles and activities should result in more productive forest stands for the future.

# State Contracts

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## 3. TECHNICAL CONSIDERATIONS

The proposed lease lands are located in scattered parcels ranging from 20 to 200 acres, with a median size of approximately 80 acres. Total acres are approximately 8000. Parcels identified include conifer stands requiring precommercial thinning (~280 acres), upland and lowland brush sites (~2400 acres) and highly damaged and declining forest stands with low timber volume (~5300 acres).

## 4. INFORMATION BEING REQUESTED

- Vendor Qualifications
  - Provide a general description of land you may have managed and how many acres.
  - Include certifications. (Management of state land requires individuals to have dual forest certification capabilities [SFI & FSC], and use certified contractors)
- Would you be interested in state lands within a specific county or all counties?
- Provide ideas/suggestions for forest management lease terms.

## 5. RFI RESPONSES:

Four (4) copies of the response should be submitted to the address shown below no later than **4:00 PM Central Time, December 31, 2008**. Questions may be addressed to Dave Schuller at:

Dave Schuller, Lands Program Coordinator  
Minnesota Department of Natural Resources  
Division of Forestry  
500 Lafayette Road  
St. Paul, MN 55155-4044  
**Phone:** (651) 259-5255  
**E-mail:** *dave.schuller@dnr.state.mn.us*

## Department of Public Safety Division of Emergency Communication Networks Request for Proposals (RFP) for Public Safety Interoperable Wireless Data Feasibility Study

Professional/technical services are needed to provide the Minnesota Department of Public Safety, Division of Emergency Communication Networks (DPS) and the Statewide Radio Board and its committees with assistance to conduct a comprehensive assessment of the current state of wireless public safety data technology and of alternatives upon which to develop a comprehensive strategy for interoperable public safety data (including local, regional or statewide) within the state of Minnesota. In addressing this study, alternatives will be developed around the existing or planned backbone of the Allied Radio Matrix for Emergency Response (ARMER) system and consider the potential to integrate the existing Minnesota Network for Enterprise Technology (MNET) infrastructure.

The primary output of this contract will be development of written reports, including a report identifying wireless data technologies that should be considered as part of a comprehensive statewide interoperable wireless data strategy; the development of high level functional requirements for any proposed public safety interoperable wireless data network, a high level assessment (cost, description and capabilities) of any technology deemed appropriate for consideration as part of the state's strategy and the consolidation of individual written reports and recommendations into a single comprehensive report that will be presented DPS and the Statewide Radio Board (SRB). The development of these outputs will require consultation and collaboration with the SRB Operations and Technical Committee.

Anticipated contract start date is January 12, 2009 with a completion date of June 30, 2009. However, if funding is available beyond this date and if DPS and the Statewide Radio Board require continued services on this project that are to be funded by DPS, the DPS will retain the option, with the contractor's consent, to extend this contract for up to 4 additional 1 year periods. The value of the contract for subsequent extension periods may be adjusted. Details are contained in the complete RFP, which may be obtained by emailing: *scott.wiggins@state.mn.us*. All questions concerning this RFP should be emailed to and received by Scott Wiggins no later than 2:00 p.m. Central Standard Time on November 26, 2008. Answers to questions will be provided to all entities requesting a complete RFP by the end of business day December 5, 2008. Final date for submitting proposals is 2:00 p.m. Central Standard Time on December 12, 2008.

**Minnesota Department of Public Safety (DPS)****Office of Traffic Safety****Notice of Request for Proposals for Community Health Liaisons for Promoting Traffic Safety Issues**

The Minnesota Department of Public Safety is seeking proposals to contract for the professional and technical services of an experienced individual, as a community health liaison, to provide liaison services within the health community to promote traffic safety issues throughout the State of Minnesota. Details are contained in a complete Request for Proposals (RFP) which may be obtained by calling or writing:

**Contact:** Donna Malon  
**Address:** Department of Public Safety  
Office of Traffic Safety  
444 Cedar Street, Suite 150  
St Paul, Minnesota 55101-5150  
**Phone:** (651) 201-7060  
**Fax:** (651) 297-4844  
**E-mail:** *Donna.Malon@state.mn.us*

Prospective respondents who have questions regarding this RFP may write Ms. Malon by regular mail, by fax and/or by e-mail. Questions should be received by Ms. Malon by 2:00 p.m. Central Standard Time on November 17, 2008. All answers to questions will be in writing and sent to all entities requesting a complete RFP. Questions received after this time may not receive responses. Estimated total cost of the contract for services to be provided is \$37,850.00 for services provided for the Metropolitan and Southeastern county areas of the State of Minnesota. Areas stated here are defined in the RFP.

The Department of Public Safety will however retain the option to extend the contract for up to two additional one year periods, if services are still required and funding is available. The value of the contracts for the subsequent years may be adjusted. Final date for submitting proposals is November 24, 2008 by 2:00 p.m. Central Standard Time. Late proposals will not be considered. This RFP does not obligate the state to complete the proposed project and the state reserves the right to cancel the solicitation if it is considered to be in the state's best interest. All expenses incurred in responding to this RFP shall be borne by the responder.

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

This document is available in alternative formats for persons with disabilities by calling Juanita Voigt at (651) 366-4774 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 are 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.

# State Contracts

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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:

Juanita Voigt  
Consultant Services  
Office of Technical Support  
Minnesota Department of Transportation  
395 John Ireland Blvd. Mail Stop 680

## Department of Transportation (Mn/DOT) Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities and Taxpayers' Transportation Accountability Act Notices

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

New Public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice. Mn/DOT is also posting notices as required by the Taxpayers' Transportation Accountability Act on the above referenced website.

## 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 Council

#### Notice of Request for Proposals (RFP) for a Vehicle GPS System

Contract Number 07P124

The Metropolitan Council is soliciting proposals to provide a Fleet Vehicle GPS Tracking and Diagnostic System. The anticipated schedule for this procurement is as follows:

<i>Issue Request for Proposals</i>	<b>November 10, 2008</b>
<i>Questions Due</i>	<b>December 2, 2008</b>
<i>Proposals Due</i>	<b>December 11, 2008</b>
<i>Award Contract</i>	<b>January 2009</b>

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

Miriam Lopez-Rieth  
Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
390 North Robert Street  
St. Paul, MN 55101  
**Fax:** (651) 602-1083  
**E-mail:** [miriam.lopez-rieth@metc.state.mn.us](mailto:miriam.lopez-rieth@metc.state.mn.us)

### Metropolitan Council

#### Notice of Request for Proposals (RFP) for Master Contracts – Engineering Services for Plant Projects

Reference Number 08P162

The Metropolitan Council is soliciting Request for Proposals for five Master Contracts to provide Architectural/Engineering Design and Construction Support services for various wastewater treatment plant projects.

Issue Request for Proposals	November 7, 2008
Proposals Due	December 8, 2008
Award Contract	January 2009

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

Miriam Lopez-Rieth, Contracts and Procurement Unit  
Metropolitan Council  
390 North Robert Street  
St. Paul, MN 55101-1805  
**Phone:** (651) 602-1095  
**Fax:** (651) 602-1083  
**E-mail:** [Miriam.Lopez-Rieth@metc.state.mn.us](mailto:Miriam.Lopez-Rieth@metc.state.mn.us)

# Non-State Bids, Contracts & Grants

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## Metropolitan Council

### Notice of Request for Proposals (RFP) for MWWTP Settling Tank Collector Systems Planning and Design

Reference Number 08P158

The Metropolitan Council is soliciting Request for Proposals to provide planning and design for MWWTP settling tank collector systems.

Issue Request for Proposals	November 6, 2008
Proposals Due	December 4, 2008
Award Contract	January 2009

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

Miriam Lopez-Rieth, Contracts and Procurement Unit  
Metropolitan Council  
390 North Robert Street  
St. Paul, MN 55101-1805  
**Phone:** (651)602-1095  
**Fax:** (651) 602-1083  
**E-mail:** *Miriam.Lopez-Rieth@metc.state.mn.us*

## Minnehaha Creek Watershed District

### Request for Qualifications for Computer (Technology) Support and Quotes for Purchase of Computer Equipment and Software

The Minnehaha Creek Watershed District, a political subdivision established to Chapter 103D - *Minnesota Statutes*, is conducting a review of its needs for computer (technology) support and the most effective way of meeting those needs. We are also seeking quotes on the purchase of computer workstations, servers, and software.

Experienced institutions that wish to be considered as a potential computer service provider, or would like to provide a quote for computer equipment and software, may contact the Minnehaha Creek Watershed District at the address below or go to our website at [www.minnehahacreek.org](http://www.minnehahacreek.org) for instructions on how to respond to the *Request for Qualifications* and for a *Scope of Services*. Request for Qualifications must be received by the Minnehaha Creek Watershed District no later than 4:30 p.m., Monday, November 24, 2008.

Send responses to: Mr. Eric Evenson, District Administrator  
Minnehaha Creek Watershed District  
18202 Minnetonka Boulevard  
Deephaven, Minnesota 55391

**Telephone:** (952) 471-0590  
**Facsimile:** (952) 471-0682

## University of Minnesota (U of M) Subscribe to Bid Information Service (BIS)

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

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## **Non-State Bids, Contracts & Grants**

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

### ***Minnesota's Bookstore***

660 Olive Street (Williams Hill Business Development), St. Paul, MN 55155  
(1 block east of I-35E Bridge, 1 block north of University Ave.)

#### **FREE PARKING**

Phone: (651) 297-3000; Fax: (651) 215-5733  
E-mail: <http://www.minnesotasbookstore.com>

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