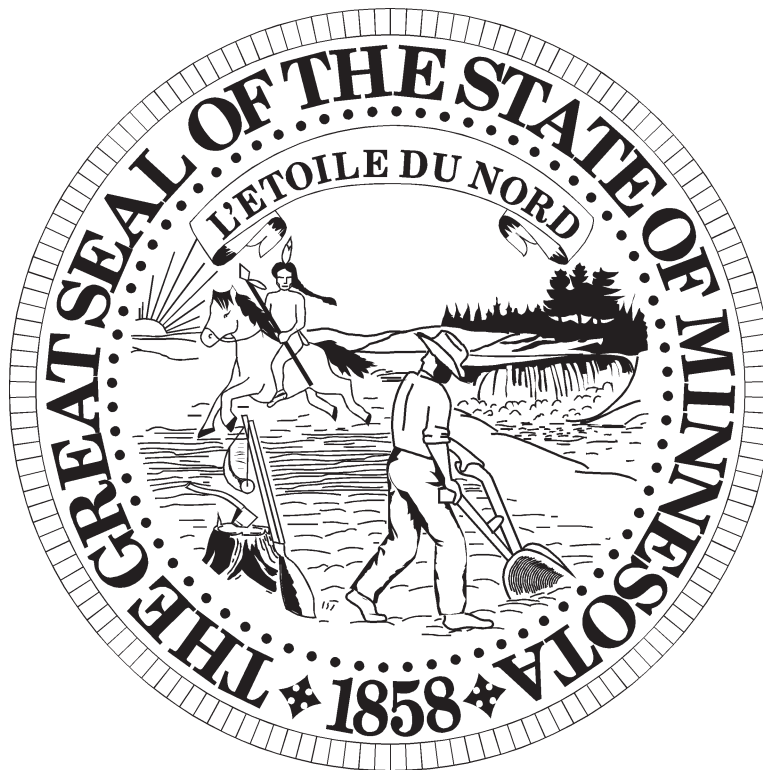


State of Minnesota

# State Register



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

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# State Register

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The *State Register* is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes*, Chapter 14, and *Minnesota Rules*, Chapter 1400. The *State Register* contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoed Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Commissioners' Orders
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Tim Pawlenty, Governor	(651) 296-3391	Department of Administration:	<i>State Register:</i>
Carol L. Molnau, Lt. Governor	(651) 296-3391	Sheila M. Reger, Commissioner	Robin Panlener, editor
Lori Swanson, Attorney General	(651) 297-4272	(651) 201-2564	(651) 297-7963
Rebecca Otto, State Auditor	(651) 297-3670	Plant Management Division:	John Mikes, assistant editor
Mark Ritchie, Secretary of State	(651) 296-2079	David Fielding, Director	(651) 297-4616
		(651) 201-2350	Loretta J. Diaz, subscriptions
		Mary Mikes, Manager	(651) 297-8777
		(651) 297-3979	Bonnie Karels, billing
			(651) 296-4912

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# 7	Monday 16 August	Noon Tuesday 10 August	Noon Wednesday 4 August
# 8	Monday 23 August	Noon Tuesday 17 August	Noon Wednesday 11 August
# 9	Monday 30 August	Noon Tuesday 24 August	Noon Wednesday 18 August

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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. 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, but 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.

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 #40-52 inclusive, with final index (#1-52, or 53 in some years). 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, phone: (612) 297-3000, or toll-free 1-800-657-3757.

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

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# Proposed Rules

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

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

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

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

## Minnesota Department of Corrections

### Inspection and Enforcement Unit

#### Proposed Permanent Rules Relating to Adult Community-Based Residential Correctional Facilities

#### 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 Adult Community-Based Residential Correctional Facilities, *Minnesota Rules*, 2920. Minnesota Rules, parts 2920.1900; 2920.2300; 2920.2900; 2920.3100; 2920.3300; 2920.3500; 2920.4200; 2920.4700; 2920.4800; 2920.5500; 2920.5600; 2920.5800; 2920.7700; 2920.7800; and 2920.7900, are repealed.**

**Introduction.** The Department of Corrections 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 September 13, 2010, the Department will hold a public hearing in Conference Room Pung 1 & 2, MN Department of Correction, 1450 Energy Park Drive, Suite 200, St. Paul, Minnesota 55108, starting at 9:00 a.m. on Monday, October 11, 2010. To find out whether the Department will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after September 13, 2010 and before October 11, 2010.

**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: Tracy Gerasch at Minnesota Department of Corrections, 1450 Energy Park Drive, Suite 200, St. Paul MN, 55108, **telephone:** (651) 361-7581, **e-mail:** [tracy.gerasch@state.mn.us](mailto:tracy.gerasch@state.mn.us). **TTY** users may call the Minnesota Relay Service at 1-800-27-3529.

**Subject of Rules and Statutory Authority.** The proposed rule amendments relate to the procedures governing Adult Community Based Residential Facilities, including: licensing procedures, organization and administration of facilities, fiscal management, personnel and personnel records, admission policies and forms, resident records, activities, work assignments, grievances, religion, food service, discipline, security, resident personal possessions, searches, facility fire and emergency plans, building and room requirements, transportation, and resident health care and medical services. The statutory authority to adopt the rules is *Minnesota Statutes*, section 241.021, subdivision 1. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. A free copy of the rules is

# Proposed Rules

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available upon request from the agency contact person listed above and also on the Department of Corrections' web site at:

<http://www.doc.state.mn.us/publications/rules/default.htm>

**Comments.** You have until 4:30 p.m. on Monday, September 13, 2010, 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 Department hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on Monday, September 13, 2010. 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 Department 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 Department 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 Department 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 Department follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Department encourages you to participate in the rulemaking process.

**Cancellation of Hearing.** The Department will cancel the hearing scheduled for October 11, 2010 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 (651) 361-7581 after September 13, 2010 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 Department will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Department 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 Eric L. Lipman is assigned to conduct the hearing. Judge Lipman can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-7842, and **fax:** (651) 361-7936.

**Hearing Procedure.** If the Department 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 summarizes 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. You may review or obtain copies for the cost of reproduction by contacting the agency contact person and on the DOC public website at: <http://www.doc.state.mn.us/publications/rules/default.htm>

**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 Department 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: 27 July 2010

Chris Bray, Deputy Commissioner  
Community Services Division  
Minnesota Department of Corrections

## 2920.0100 DEFINITIONS.

Subpart 1. **Scope.** Definitions, for the purpose of these rules, are as follows.

Subp. 2. **Adult ~~halfway house community-based residential correctional facility or facility.~~** “~~Adult halfway house community-based residential correctional facility~~” or “~~facility~~” means any community-based residential facility, ~~the primary function of which is to provide, through its own program or community resources, services to adults accused of, charged with, or convicted of a criminal offense that provides at a minimum accountability and 24-hour-a-day care such as food and lodging. The primary purpose is to serve persons placed in the facility by a court, court services department, commissioner of corrections, or other correctional agency having dispositional power over persons convicted of a crime.~~

Subp. 3. **Adults.** “Adults” ~~are~~ means persons 18 years of age or over or persons under the jurisdiction of the adult court.

Subp. 4. **Applicant.** “Applicant” is means any ~~person(s) person,~~ agency, or organization applying for a license or renewal of license under this ~~rule~~ chapter.

Subp. 5. **Commissioner.** “Commissioner” ~~shall mean~~ means the commissioner of the Minnesota Department of Corrections or a designee.

Subp. 6. [See repealer.]

Subp. 7. [See repealer.]

Subp. 8. **Contraband.** “Contraband” ~~are~~ means those items designated by the ~~CCF facility~~ as prohibited on the physical premises of the facility.

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Subp. 9. [See repealer.]

Subp. 10. **Department of Corrections, department, DOC.** “Department of Corrections,” “department,” or “DOC” shall mean means Minnesota Department of Corrections.

Subp. 10a. **Direct service staff.** “Direct service staff” means staff that have primary responsibility for the supervision and care and welfare of the residents.

Subp. 11. **Facility Program administrator.** “Facility Program administrator” ~~refers to~~ means the administrator of the program, employed or appointed by the board or sponsoring agency, to implement its policies, programs, and treatment plans.

Subp. 12. **Governing board/sponsoring board or sponsoring agency.** “Governing board/sponsoring board” or “sponsoring agency” is means the body which ~~that~~ formulates the policies and procedures governing a community correctional facility; ~~this body being composed, at a minimum, of the offices of president, secretary, and treasurer. In nonprofit corporations the administrator of the program shall not be a member of the board of directors. In addition, there may be an advisory board, where appropriate, including membership from the specific target group and the immediate neighborhood population, and additional membership according to the size and function of the individual program.~~

Subp. 13. **License.** “License” is means a certificate issued by the commissioner authorizing the operator to provide specified services for a period of a year up to two years in accordance with the terms of the license, *Minnesota Statutes*, section 241.021, and ~~the rules of the commissioner this chapter.~~

Subp. 14. [See repealer.]

Subp. 14a. **Population.** “Population” means a group of residents with a need for similar services arising primarily out of a particular type of issues or needs.

Subp. 15. [See repealer.]

Subp. 16. **Program.** “Program” is a plan, procedure, or activity for dealing with residents in a community correctional facility.

Subp. 17. [Repealed, 9 SR 1655]

Subp. 18. [See repealer.]

Subp. 19. [See repealer.]

Subp. 20. [See repealer.]

Subp. 20a. **Service plan.** “Service plan” means an individual written plan that addresses the expectations, goals, and desired outcomes for a resident.

Subp. 21. [See repealer.]

Subp. 22. [See repealer.]

Subp. 23. [See repealer.]

Subp. 24. [See repealer.]

Subp. 25. [See repealer.]

Subp. 26. [See repealer.]



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Subp. 26a. **Variance.** “Variance” is a waiver of a specific rule for a specified period of time means the commissioner has authorized the facility to comply with a specific rule in a manner other than as specified in that rule.

Subp. 26b. **Volunteer.** “Volunteer” means a person who is not employed by the facility but is providing a service or program to facility residents on an ongoing basis.

Subp. 27. **Waiver.** “Waiver” is means written permission from the commissioner to disregard a particular section of a licensing rule part of this chapter.

Subp. 28. [See repealer.]

## **2920.0210 COMPLIANCE WITH RULES.**

A facility must comply with a rule, part, subpart, or item designated “mandatory” unless waived by the commissioner. A facility is in substantial compliance when it complies with 100 percent of the rules in this chapter designated “mandatory” and at least 90 percent of the rules in this chapter not designated “mandatory.”

## **2920.0500 PROCEDURES FOR ORIGINAL APPLICATION FOR LICENSE.**

Subpart 1. **Filing.** New applicants shall file application to the commissioner of corrections at least 30 days prior to the date the adult community-based residential correctional facility expects to operate.

Subp. 2. ~~Materials to be filed with applications.~~ The ~~materials to be filed with adult halfway house license applications are~~ application includes:

- A. an application form provided by the commissioner;
- B. current health inspection approval;
- C. current ~~fire-safety approval~~ fire inspection;
- D. ~~a~~ an accurate floor plan of the facility;
- E. a list of the board of directors ~~and committees~~, including names, addresses, and telephone numbers; ~~and~~
- F. ~~a list of other facilities which the operator or governing board has operated or is currently operating either in or out of state; an organizational chart;~~
- G. all documents required by the municipality; and
- H. the certificate of occupancy from the municipality.

Subp. 3. [See repealer.]

## **2920.0800 CONDITIONS OF LICENSE.**

Subpart 1. **Nontransferable.** A license is not transferable. It applies only to the organization ~~or person(s), person, or persons~~ to whom it is issued and to the building approved. The license expires automatically if there is a change in location, organization, procedure, or policies ~~which would that~~ affect either the terms of the license or the continuing eligibility for a license. In such cases, an ~~original~~ application for a license must again be filed.

Subp. 2. **Restriction on capacity.** Every license shall be restricted to a specified maximum capacity.

Subp. 3. **Licensing necessary before operation.** An adult ~~halfway house~~ community-based residential correctional facility must be licensed by the commissioner in order to operate.

Subp. 4. **No occupancy before licensing.** No persons shall be placed in an adult ~~halfway house~~ community-based residential correctional facility prior to its being licensed.

Subp. 5. **No fee for license.** There is no fee for a state license.

Subp. 6. **Issuance of license.** A license must be issued when the applicant is in ~~substantial~~ compliance with part 2920.0200, subpart 4.

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Subp. 7. Variance; waivers. Variances and waivers must be listed on the license.

## **2920.0900 REVOCATION, SUSPENSION, AND DENIAL OF LICENSE.**

A license may be revoked, suspended, or denied by the commissioner if the facility does not ~~maintain substantial compliance with minimum standards; comply with this chapter as required under part 2920.0210~~ or the facility may be denied a license on the basis of a poor operating history in this or any state. The operator must be given written notice of the action and must be given 30 days to ~~substantially~~ comply with ~~minimum standards~~ this chapter before action is taken. Failure, inability, or refusal to ~~substantially~~ comply with ~~licensing procedures~~ this chapter is cause for denial, nonrenewal, revocation, or suspension of the license. The commissioner may issue a conditional license for a specified time to allow the facility to come into compliance.

## **2920.1000 RESTRICTION OF USE OF ~~COMMUNITY~~ ADULT COMMUNITY-BASED RESIDENTIAL CORRECTIONAL FACILITY.**

The commissioner may by written order restrict the use of any adult ~~halfway house which~~ community-based residential correctional facility that does not ~~substantially conform to the minimum standards; comply with this chapter as required under part 2920.0210~~ or, where specific conditions exist which endanger the health, welfare, or safety of residents or staff, ~~prohibit the habitation of persons therein.~~

## **2920.1100 VARIANCE OR WAIVER OF SPECIFIC RULE.**

Subpart 1. Granting of variance or waiver. The granting of a variance or waiver under this part does not constitute a precedent for any other community correctional facility. The commissioner shall grant a variance or waiver of a specific rule, if, in the licensing procedure or enforcement of the standards the commissioner finds that:

A. to require a particular ~~community adult community-based residential~~ correctional facility to comply strictly with one or more of the provisions will result in undue hardship;

B. the ~~community correctional~~ facility is otherwise in ~~substantial~~ compliance with ~~said standards and their general purpose and intent~~ this chapter;

C. the ~~community correctional~~ facility substantially complies with ~~such specific condition(s) as conditions~~ the commissioner shall ~~deem~~ deems necessary for the protection of health, safety, and welfare of the residents and it does not have a substantially negative effect on public safety.

Subp. 2. Variance or waiver review. Variances or waivers must be reviewed during the on-site inspection to determine if the variances or waivers should be continued.

## **2920.1200 STUDY OF APPLICATION ON-SITE INSPECTION.**

Following the receipt of the application and materials requested, the commissioner shall ~~cause a study to be made. This study must include an~~ conduct the appropriate on-site inspection of the facilities and a review of references, determine if the license is appropriate, and notify the applicant of the determination in writing.

## **2920.1300 NOTICE TO APPLICANT OF COMMISSIONER'S ACTION.**

After the application for license is approved by the commissioner, the applicant will receive by mail a license which, ~~as provided by Minnesota Statutes, section 241.021;~~ must set forth the conditions under which the ~~community adult community-based residential~~ correctional facility may operate. The terms of the license must include the operating name of the ~~community correctional~~ facility, the maximum number and sex of the residents to be served, and the period of time for which the license is effective, and may include other limitations which the commissioner may prescribe. An accompanying letter document to the license must contain, ~~in addition to the limitations on the license, any recommendation regarding activities, services, and facilities to be employed~~ a summary of inspection findings.

## **2920.1400 APPEAL PROCEDURE.**

Any applicant who feels aggrieved by the commissioner's action may appeal the commissioner's decision in the following manner. The facility program administrator shall be given written notice of the action under part 2920.1300 and ~~shall be informed~~ of the right to appeal the decision of the commissioner in writing within ten business days from receipt of the written notice of the action. ~~Upon receiving a timely written appeal, the commissioner shall give the facility administrator reasonable notice and an opportunity for a prompt hearing before an impartial hearing examiner. The commissioner shall advise the program administrator of the commissioner's action on the appeal no later than 30 days after receipt of the written appeal. If the program administrator is not satisfied with the commissioner's action on the appeal, the program administrator may request a contested case hearing to be conducted by the Office of Administrative Hearings. Following the report of the administrative law judge, the commissioner shall make a final decision in accordance with Minnesota Statutes,~~

chapter 14. While the appeal is in process with the Office of Administrative Hearings, the adult community-based residential correctional facility may continue to operate unless there are life and safety or public safety issues.

## **2920.1500 LIMITATION ON LICENSE RENEWAL.**

When a CCF ~~an adult community-based residential correctional facility~~ license has been revoked or not renewed because of ~~nonsubstantial~~ the facility is not in compliance with ~~applicable laws or rules~~ this chapter and the facility presents a risk to public safety, it shall not be inspected and granted a new license for a period of one year following the revocation, denial, or nonrenewal. ~~A new license is granted when the facility is in compliance with this chapter.~~

## **2920.1800 LEGAL STATUS OF AND AUTHORITY FOR ADULT ~~HALFWAY HOUSES~~ COMMUNITY-BASED RESIDENTIAL CORRECTIONAL FACILITY.**

Subpart 1. **Legal entity.** It is mandatory that the public or private agency operating an adult ~~halfway house~~ shall be community-based residential correctional facility is a legal entity or part of a legal entity.

Subp. 2. [Repealed, 9 SR 1655]

Subp. 3. [Repealed, 9 SR 1655]

Subp. 4. **Written statement.** It is mandatory that the facility has a written statement clearly stating its mission, the population serviced, and the type of services provided. This must be done in a form suitable for distribution to staff, residents, referral sources, funding agencies, and the general public.

Subp. 5. **Governing body advisory board.** It is mandatory that the facility has a governing board composed of the president, secretary, and treasurer. The program administrator may be on the board. There may be an advisory board with membership from the specific target group and the immediate neighborhood population and additional membership according to the size and function of the individual facility.

## **2920.2000 MEETINGS TO BE HELD.**

The governing board of the ~~community correctional~~ facility shall hold meetings at least ~~quarterly with the administrator~~ biannually in order to ~~facilitate communications; establish policy; explore problems; and ensure conformity to legal and fiscal requirements; and implement the program.~~

## **2920.2100 RECORD MAINTENANCE.**

The CCF facility shall maintain records of its activities, including the minutes of board meetings, financial data, and statistical information. ~~At~~ The records are subject to review by the commissioner.

## **2920.2400 ARTICLES OF INCORPORATION OR CONSTITUTION.**

It is mandatory that the CCF ~~shall~~ facility have a constitution or articles of incorporation ~~which~~ that meet all of the legal requirements of the governmental jurisdiction in which the ~~agency~~ facility is located.

## **2920.2500 MANAGEMENT; GENERAL.**

It is mandatory that the ~~program~~ shall be facility is managed by a single administrative officer who shall implement the policies of the board.

## **2920.2600 MONITORING SYSTEM.**

The CCF facility shall have a system to monitor the program through inspections and reviews by the program administrator or designated staff.

## **2920.2700 OPERATIONS MANUAL.**

The ~~community~~ adult community-based residential correctional facility shall have ~~an operations~~ a policy and procedure manual which summarizes in one document approved methods of implementing agency policies and provides details for daily operations of the program. The policy manual must be reviewed annually by the governing board, and updated when necessary. ~~that defines the philosophy and method for operating and maintaining the facility.~~ This manual must be made available to all employees, reviewed annually, updated as needed, and used to train employees. The manual must include the following chapters:

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- A. standards required by this chapter;
- B. administration and organization;
- C. fiscal management;
- D. personnel;
- E. training;
- F. admissions, orientation, property procedures, and discharge;
- G. resident activities;
- H. resident records;
- I. medical and health care services;
- J. resident rules and discipline;
- K. communication, mail, and visiting;
- L. safety and emergency;
- M. security and resident accountability;
- N. sanitation and hygiene; and
- O. food service.

The program administrator or designee shall annually review the policy and procedure manual. The review must be documented in writing sufficient to indicate that policies and procedures have been reviewed and amended as appropriate to facility changes.

## **2920.2800 BYLAWS.**

Bylaws shall meet all the legal requirements of the governmental jurisdiction in which the CCF facility is located, and shall include provisions for regular and special meetings, and for recording of minutes.

## **2920.3000 ANNUAL WRITTEN BUDGET.**

The facility program administrator or designated employee shall prepare an annual written budget of anticipated revenues and expenditures which is approved by the funding authority governing board.

## **2920.3200 FINANCIAL AUDIT.**

The community correctional facility fiscal process must include an annual financial audit.

## **2920.3400 WRITTEN FISCAL SYSTEM.**

The CCF facility shall have a written fiscal system which that accounts for all income and expenditures on an ongoing basis and which shall include internal controls, petty cash, bonding, signature control on checks, resident funds, and employee expense reimbursement.

## **2920.3600 INSURANCE COVERAGE.**

It is mandatory that the CCF shall facility have a procedure to provide professional liability insurance coverage for itself, which shall include coverage for the , workers' compensation, and physical plant, equipment, personnel, and injury to employees, residents, and third parties insurance.

## **2920.3700 PERSONNEL POLICIES; GENERAL.**

Subpart 1. **Written policies.** There shall be written personnel policies for personnel employed by the CCF adult community-based residential correctional facility, which specify salaries, increments, hours of work, work schedule, vacations, holidays, sick leave, benefits, periodic performance evaluation (at least annually), and other conditions of employment.

Subp. 2. **Policies available to employees.** Personnel policies shall be available to each employee upon employment. The program facility shall inform each employee of the duties assigned to him/her the employee, a position and organizational chart indicating the person to whom he/she is directly responsible showing all of the positions in the agency, and general conditions which constitute grounds for dismissal and suspension, and a grievance procedure. The grievance procedures shall allow the aggrieved party to bring the grievance to at least one level above his/her the employee's supervisor.

Subp. 3. **Policies available to commissioner.** The personnel policies shall be available to the commissioner.

Subp. 4. [See repealer.]

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Subp. 5. **Consistent care arrangements in absence of regular staff.** During the absence of regular staff for time off, vacation, and sick leave, arrangements shall be provided to ensure consistent care of the residents.

Subp. 6. **Availability of staff.** ~~It is mandatory that the community correctional facility shall~~ have staff available or on call 24 hours a day, seven days a week, on duty and awake ~~during sleeping hours.~~

Subp. 7. **Ratio of staff to licensed capacity.** ~~It is mandatory that the ratio of staff to licensed capacity shall be not less than one direct service staff person for every eight residents; residents must be at least one staff person for every 40 residents on site. The facility must have staff appropriate to the provided programming.~~

Subp. 8. **Maintenance of confidential personnel record.** The ~~CCF facility~~ shall make provisions for, and allow time for, a ~~confidential~~ personnel record to be kept for each staff member which ~~should include~~ includes date of beginning and end of employment, hours, salary or wages, qualifications, evaluations, resume or application, references, and training sessions.

## 2920.3800 TRAINING PROGRAM.

Subpart 1. **Orientation session for new employees and volunteers.** ~~It is mandatory that the CCF shall~~ facility provide an orientation session for new employees ~~and new volunteers.~~ There must be a minimum of 30 hours of training that is relevant to staff duties and the population served. The training must be documented.

Subp. 2. **In-service training program.** ~~It is mandatory that the facility have a yearly training plan.~~ The ~~CCF facility~~ shall provide a minimum of ~~18~~ 16 hours per year of ~~ongoing in-service training programs~~ to help staff ~~and volunteers~~ meet the individual and group needs of residents. The training must be relevant to the staff member's duties. The training must be documented.

Subp. 3. [See repealer.]

Subp. 4. **First aid training.** ~~It is mandatory that all~~ Employees who provide direct service to residents must have first aid and cardiopulmonary resuscitation (CPR) training. ~~Certificates or documents verifying current training must be kept in the staff member's file. Training must be provided by a Red Cross instructor or a licensed health professional. First aid training must be current. Certificates or statements of training must document that first aid training is updated at least every three years; certified instructor. At least one staff member in the facility must have current first aid and CPR training.~~

Subp. 5. [See repealer.]

Subp. 6. [Repealed, 9 SR 1655]

## 2920.3900 MANTOUX TEST OR CHEST X-RAY REQUIRED.

~~Each staff member shall have a mantoux test or chest X-ray at the time of employment. It is mandatory that staff and residents be screened for tuberculosis according to Minnesota Statutes, section 144.445.~~

## 2920.4000 QUALIFICATIONS OF STAFF.

Subpart 1. [Repealed, 9 SR 1655]

Subp. 2. **Facility Program administrator.** The facility program administrator must have at least a Bachelor of Arts degree in any of the human services fields, or equivalent ~~experience~~ education and two years of work experience in corrections, social service, or administration.

Subp. 3. **Direct service staff.** The direct service staff shall have ~~work, education, or volunteer experience in corrections or related fields and shall be selected on the basis of ability to perform assigned tasks; a high school diploma or equivalency and work or volunteer experience in corrections or related fields and must be selected on the basis of the ability to perform assigned tasks. Staff with primarily security functions must have a high school diploma or equivalency and the ability to perform the assigned tasks.~~

Subp. 4. [Repealed, 9 SR 1655]

Subp. 5. **Requirements.** All staff shall be at least 18 years of age and have a criminal record background check before employment at

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the facility. A staff member may not be a resident of the program. Unpaid students and volunteers providing services are not considered staff. An adult community-based residential correctional facility may hire or retain a staff member or prospective staff member who has a felony criminal conviction. The prospective staff member must no longer be on active correctional supervision. The facility must notify the commissioner of this fact and provide relevant information about the decision.

Subp. 6. **Job descriptions.** The facility must have a written job description for all positions that define responsibilities, duties, and qualifications.

## **2920.4100 STUDENTS OR VOLUNTEERS.**

Volunteers with training and supervision may be used to assist staff of the CCF. If volunteers are used, the community correctional facility shall establish requirements for the selection of volunteers. The community correctional facility and the individual volunteer shall agree on the latter's job assignment. The volunteer's responsibility shall be clearly differentiated from other staff members. If a volunteer is to be used in a capacity normally filled by a paid staff member he/she must meet the same qualifications as a paid staff member. Responsibility for the volunteer program shall be assigned to a specific staff member. When students or volunteers are used in adult community-based residential correctional facilities, a written policy and procedure must provide that a staff member is responsible for coordinating the volunteer service program. The policy must include the following elements:

- A. lines of authority, responsibility, and accountability for the volunteer services;
- B. a procedure for the screening and selection of volunteers that includes background screening;
- C. an orientation training program appropriate to the nature of the assignment;
- D. a requirement that volunteers agree in writing to abide by all program rules and policies, particularly relating to confidentiality of information; and
- E. a statement that the program administrator may discontinue a volunteer activity at any time by written notice.

## **RESIDENT ADMISSIONS AND PLACEMENT POLICIES RECORDS**

### **2920.4300 ADMISSIONS POLICIES.**

The ~~community~~ adult community-based residential correctional facility shall establish clearly defined and written admissions policies and procedures, which state the age range, sex, and characteristics of acceptable clients. Admission policies must be available to be disseminated to all referral sources and the commissioner. The referral agency must provide the name, date of birth, and the authority a particular person holds before the person is admitted to the facility.

### **2920.4400 ADMISSION FORM.**

The ~~community~~ adult community-based residential correctional facility or agent making the referral shall complete an initial admission information referral form on each client to be admitted into residency which, unless prohibited by local ordinance, includes at a minimum:

- A. name;
- B. address;
- C. date and place of birth;
- D. sex;
- E. reason for referral;
- F. whom to notify in case of emergency;
- G. date information gathered;
- H. signature of both interviewee and interviewer gathering information;
- I. name of referring agency of committing authority;
- J. special medical problems or needs;
- K. legal status, including jurisdiction, length, and conditions of placement;
- L. financial arrangements for medical care; and
- M. financial arrangements for care, placement;
- N. present medications;
- O. driver's license or Minnesota state identification number; and
- P. vehicle title and vehicle insurance, if applicable.

### **2920.4600 ~~ORIENTATION~~ RESIDENT ADMISSION.**

At the time of intake admission, the staff shall discuss general program goals, services available, rules governing conduct, expectations for successful completion of the program, program rules, and possible disciplinary actions with the participants; residents. This shall be

~~documented. This information must be documented in writing and readily accessible to residents.~~

## **2920.4900 SERVICE PLAN RESIDENT RECORDS.**

**Subpart 1. Space.** The facility must provide space for the safe storage of records.

**Subp. 2. General.** The facility must maintain accurate and complete case records, reports, and statistics necessary for the conduct of its program. Appropriate safeguards must be established to protect the confidentiality of the records, and minimize the possibility of theft, loss, or destruction.

**Subp. 3. Plan.** Facility staff and the resident shall develop a written service plan that specifies the needs of the resident; the expected goals and objectives of the individualized plan; and the participation of the resident, staff, support services, and community resources in the attainment of these goals and objectives; and the resident's progress in meeting the goals.

**Subp. 4. Records.** Residents' records must be incorporated into individual folders and filed or maintained through advanced technology such as microfiche or computerized record systems that permit a resident's record to be readily accessed at one source.

**Subp. 5. Summary of resident's progress.** The record must include a summary of the resident's progress. These reports must be recorded regularly and must include the following:

- A. significant incidents, both positive and negative;
- B. changes in family situation;
- C. future planning;
- D. summary of resident's development;
- E. grievances; and
- F. disciplinary actions, if any.

**Subp. 6. Correspondence.** All professional correspondence relevant to the resident must be kept in the record.

**Subp. 7. Sex offenders.** If the facility agrees to take residents that fall under the community notification law as provided by *Minnesota Statutes*, section 244.052, and the predatory offender registration law as provided by *Minnesota Statutes*, sections 243.166 and 243.167, it is mandatory that there are policies and procedures to ensure that appropriate paperwork has been completed and the appropriate people are notified before the resident is released.

**Subp. 8. Data privacy.** The facility must inform residents admitted to the program of the information gathered by the facility and to whom the information will be disseminated. The facility must have a policy regarding the sharing of nongovernmental data. *Minnesota Statutes*, section 13.05, subdivision 6, requires that when there is a contract with a governmental agency the data must be administered consistent with *Minnesota Statutes*, chapter 13. This may include mandatory reporting under *Minnesota Statutes*, section 626.556.

**Subp. 9. Sharing of data with those in resident's service plan.** The facility must share the content of the resident's record and data collected by the facility with individuals or agencies that have legal jurisdiction. Upon admission, the facility must inform residents about data practice policies and have residents sign consent forms, if appropriate.

**Subp. 10. Law enforcement.** The facility must inform residents what information collected and maintained by the facility is provided to law enforcement.

**Subp. 11. Written policy concerning consent form.** The facility must have a release of information consent form, which includes:

- A. name of person, agency, or organization requesting information;
- B. name of person, agency, or organization releasing information;
- C. the specific information to be disclosed;
- D. the purpose or need for the information;
- E. date consent form is signed;
- F. signature of the resident;
- G. signature of an individual witnessing resident signature;
- H. date consent form expires; and
- I. that the authorization can be withdrawn in writing.

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Subp. 12. **Policy.** The facility must develop a policy for the classification and retention of resident and personnel files. The records must be maintained for a minimum of three years unless laws or contracts require that the records be retained longer. The facility must incorporate any applicable state and federal laws regarding data classification.

## **2920.5000 INVOLVEMENT OF RESIDENT IN FAMILY AND COMMUNITY AFFAIRS ACTIVITIES.**

Subpart 1. **Plan.** It is mandatory that the agency shall have adult community-based residential correctional facility has a written policy and procedures which that provide increasing opportunities and privileges for resident involvement with family and in community affairs activities prior to final release.

Subp. 2. **Involvement in community.** It is mandatory that the community correctional facility shall use uses community resources where appropriate to provide assist residents with the following services:

- A. assisting residents in learning to use leisure time constructively;
- B. assisting residents in finding suitable employment;
- C. assisting residents in locating financial assistance through community resources;
- D. assisting residents in education and vocational training programs; and
- E. assisting residents with services to become self-sufficient, including assistance in obtaining housing, transportation, medical and dental services, and money management.

Subp. 3. **Visitation.** It is mandatory that the program administrator develops and implements a visiting policy. The policy must be in writing and include:

- A. a schedule of visiting hours that includes the days and times for visits;
- B. visiting rules that:
  - (1) designate the number of visitors permitted per visit;
  - (2) require documentation of visitation denial; and
  - (3) require minors to be supervised by a parent, person responsible for supervision of the child, or program staff at all times while visiting the facility; and
- C. policy regarding what visitors are permitted to bring to the visit.

Subp. 4. **Correspondence.** It is mandatory that the facility have a written policy and procedure that governs resident correspondence. The volume of written mail to or from a resident must not be restricted. If a facility restricts or inspects mail, the facility must have a written policy and procedure which requires:

- A. when resident letters, both incoming and outgoing, may be opened and inspected for contraband;
- B. that residents are notified when incoming or outgoing letters are rejected;
- C. that letters must not be read or censored if the letters are between a resident and an elected official, officials of the Department of Corrections, attorneys, or other officers of the court, but inspection of incoming mail from the specified class of persons noted may be opened to inspect for contraband in the presence of the resident; and
- D. that residents are notified of any restrictions in the amount of money the resident may have at the facility.

Subp. 5. **Telephone access.** It is mandatory that the facility have a written policy and procedure that provides for resident access to a telephone, including:

- A. requiring attorney or resident telephone consultation to be private;
- B. permitting residents telephone access to maintain contact with family members or significant others; and
- C. requiring documentation for denial of telephone access or contact with specific people.

## **2920.5100 WORK ASSIGNMENTS AND WORK PROGRAM.**

The facility must have policy and procedures regarding in-house work assignments. Required work assignments should must be appropriate to residents' ages and ability. Residents may not be required to perform work which that is inappropriate for them for physical reasons. Safety measures shall be established when work could be deemed hazardous.

Residents may not be required to perform personal duties for staff or replace employed staff without being paid for such service.

Staff members shall check and inform residents of applicable minimum wage law, health and safety laws, social security, labor union fees, and other requirements.



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Written policy must include a system of periodic checks of residents at their place of employment.

~~Staff may not enter into business arrangements or financial transactions with residents. If staff wish to enter into business arrangements or financial transactions with residents, all transactions must be approved by the program administrator. The agreement and approval must be documented.~~

## **2920.5200 HOUSE RULES ADULT COMMUNITY-BASED RESIDENTIAL CORRECTIONAL FACILITY RULES AND GRIEVANCES.**

The ~~program facility~~ must establish a method whereby residents and staff review group, resident, or ~~community program~~ problems; and review ~~old rules, new rules, or changes in rules, plans, and procedures in the community correctional facility.~~

A written grievance procedure must be made available to each resident ~~which that~~ outlines the ~~residents' rights and the grievance procedure and the appeal process.~~

## **2920.5300 RELIGION.**

~~It is mandatory that facility policy~~ requires that each resident has the right to freedom of religious affiliation and voluntary religious worship, providing that the exercise of these rights does not directly interfere with the reasonable security and ~~discipline of the facility program structure, rules, and expectations.~~

~~It is mandatory that programs with a religious component have written policies and procedures regarding religious programming and expectations.~~

## **2920.5400 COMPLIANCE WITH LAW FOOD SERVICE.**

~~Subpart 1. Sanitation and health regulations.~~ When the ~~community correctional~~ facility provides or contracts for food service, the service must comply with and meet all sanitation and health regulations.

~~Subp. 2. Health rules.~~ Food service must be provided according to parts 4626.0010 to 4626.1870.

~~Subp. 3. Dietary standards.~~ It is mandatory that facility menus meet recognized dietary standards. A facility's menu content and cycle must be reviewed at least biennially by a registered dietitian or nutritionist to ensure compliance with the rules specified in subpart 2 unless there have been no changes to the menu. The review and findings must be documented and kept on file.

~~Subp. 4. Manager.~~ If the facility is preparing the meals, the facility must have a certified food manager.

~~Subp. 5. Therapeutic diets.~~ A facility must have policies and procedures to address therapeutic diets that have been ordered by a physician.

~~Subp. 6. Religious diets.~~ A facility must have a written policy and procedure that addresses requests for special diets by residents to accommodate religious dietary laws.

~~Subp. 7. Substitutions.~~ A facility must keep records of one menu rotation and substitutions actually served. Substitutions must be of equal nutritional value.

~~Subp. 8. Hot meals.~~ One of the meals served daily must be a hot meal.

## **2920.5700 DISCIPLINE AND DISCIPLINARY ACTION.**

~~Should~~ It is mandatory that if disciplinary action ~~be~~ is necessary, the following rules ~~shall~~ must be observed:

A. the ~~community adult community-based residential~~ correctional facility shall have written policies ~~which shall be that are~~ available to the residents and staff regarding methods used for control and discipline.;

B. disciplinary action may not be delegated to other residents ~~or persons outside of the program unless special skills are needed to handle the situation.~~;

C. residents shall not be denied food, mail, or sleep as punishment.;

D. ~~corporal physical punishment or any kind of punishment inflicted on the body, such as slapping,~~ shall not be used.;

E. physical force shall be used only in instances of justifiable self-protection, protection of others, and prevention of property

# Proposed Rules

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damage, and only to the degree necessary ~~and in accordance with appropriate statutory authority~~. Such to control the situation. The action taken shall be documented and placed on file;

F. written policy and procedures must ensure that room restriction, if used, does not exceed eight hours and that staff make contact with the resident at least hourly to ensure the well-being of the resident;

G. written policy must ensure that restriction to the facility for more than 72 hours, excluding holidays and weekends, requires a review by a person or panel of staff who are not directly involved in the incident leading to the restriction;

H. all instances of disciplinary action must be documented, dated, and signed by staff implementing the action; and

I. written policy and procedures must ensure supervisory review of major violations and disciplinary actions.

## 2920.5900 SECURITY PROCEDURES.

Written policies regarding security measures are ~~necessary~~ required and must include:

~~A. a written plan must allow staff to monitor movement into and out of the facility;~~

~~B. A. that the staff shall maintain a system of accounting for the residents at all times;~~

~~C. B. that the ~~community correctional~~ facility shall have written procedures for the reporting of absconders;~~

~~D. C. that the ~~community correctional~~ facility shall notify appropriate probation officers, parole officers, victims, if legally required and other relevant officials as soon as it has been determined that a resident is missing;~~

~~E. any general security restrictions must allow for individual protection, as well as protection for others, and must be part of the written program policy;~~

~~F. D. that the written policy shall prohibit weapons of any kind from being brought into ~~or kept on the program grounds~~ the facility except by peace officers during the course of duties. The facility may have policy regarding the use of chemical agents by trained staff members; and~~

~~G. E. a key inventory system shall be enforced that helps provide staff and resident safety and privacy needs, and assists in protecting and preserving personal property for facility and resident keys.~~

## 2920.6000 PERSONAL POSSESSIONS.

Subpart 1. **General.** Each resident shall be allowed to bring appropriate personal possessions to the ~~community~~ adult community-based residential correctional facility and shall be allowed to acquire possessions to the extent the facility is able to accommodate ~~secure storage possessions.~~

Subp. 2. **Contraband defined.** The ~~community correctional~~ facility shall have written definitions of what ~~shall be~~ is considered contraband.

Subp. 3. **Information concerning prohibited items.** Information shall be made available to the residents, family members, and friends concerning what personal possessions and kinds of gifts are prohibited.

Subp. 4. **System of accounting.** Policy must dictate the system of accounting for the ~~individual's~~ resident's personal items if stored in the facility and a procedure to be followed for dispersal of these items if a resident absconds or leaves the facility without taking these items. The facility must have the resident designate a person who may pick up property and dispose of it under specified circumstances. The facility must make a reasonable effort to keep property safe during this period of time.

## 2920.6100 PUBLIC REPORTS, STATEMENTS, OR APPEARANCES.

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

Subp. 2. **Written consent requirement.** The ~~CCF~~ facility shall not use reports or pictures from which residents can be identified without written consent from the resident. The signed consent form shall be on file at the ~~CCF~~ facility before any reports or pictures from which residents can be identified are used. The signed consent form shall indicate ~~on how many occasions~~ how the information shall be used.

## 2920.6200 SEARCHES.

In compliance with applicable laws, the ~~community correctional~~ facility shall maintain and post written policies and procedures for conducting searches of residents, their belongings, and all areas of the facility to control contraband and locate missing or stolen property. The facility must have a policy that addresses searches of visitors.

## 2920.6300 COMPLIANCE WITH LAWS.

It is mandatory that the facility ~~shall~~ comply with zoning codes, building codes, housing codes, and health and fire codes.

It is the responsibility of the facility program administrator to request necessary inspections. Health and fire inspections must be done as required by the health and fire department.

Written documentation that all building and zoning codes are met must be on file at the community correctional facility. ~~Additionally, an annual fire inspection must be done at the time of licensing.~~

## 2920.6400 FIRE SAFETY; POLICY AND PROCEDURES.

Written policy and procedures must specify the facility's fire prevention regulations and practices. New staff must be trained on these procedures during facility orientation. These procedures must include:

- A. provision for an adequate fire protection service;
- B. a system of fire inspection and testing of equipment determined by the local fire official;
- C. smoke detectors; ~~and~~
- D. annual fire drills and extinguishers; ~~and~~
- E. procedures requiring one staff member to be knowledgeable about potential fire hazards and to make monthly inspections that must be documented.

## 2920.6500 DISASTERS AND EMERGENCIES; PLANS AND PROCEDURES.

**Subpart 1. Plans.** There shall be written plans and procedures for meeting potential disasters and emergencies, such as fire, severe weather, or other emergencies. All staff shall be familiar with the procedures for meeting potential disaster.

**Subp. 2. Reporting of unusual occurrences.** Incidents of an unusual or serious nature must be reported within ten days of the incident to the Department of Corrections in a manner required by the department. Incidents of an unusual or serious nature include such incidents as:

- A. attempted suicide;
- B. suicide;
- C. homicide;
- D. death, by means other than suicide or homicide;
- E. serious injury or illness incurred subsequent to placement including incidents resulting in hospitalization for medical care or hospitalization associated with mental health needs;
- F. incidents of fire requiring medical treatment of staff or residents or a response by a local fire authority;
- G. riot;
- H. assaults of one resident by another;
- I. assaults of staff by resident;
- J. occurrences of infectious diseases and action taken relative to same when a medical authority has determined that the inmate must be isolated from other inmates; and
- K. sexual misconduct between residents or between staff and a resident.

**Subp. 3. Absconding.** The facility must report absconding and all incidences of litigation filed against the facility resulting from matters related to the placement of a resident on the department quarterly reporting form.

**Subp. 4. Emergency notification.** In the event of an emergency such as serious illness, accident, or imminent death, the facility must notify the individuals designated by the resident. Permission for notification must be obtained from the resident prior to need, if possible.

**Subp. 5. Resident death.** The facility must have a written policy and procedures to specify actions to be taken in the event of a resident death. The policy and procedures must include such information as:

- A. the date, time, and circumstances of the resident's death recorded in the resident's record; and
- B. the notification procedure for the Department of Corrections Inspection and Enforcement Unit.

## 2920.6600 BUILDINGS AND GROUNDS.

**Subpart 1. General.** Building and grounds must be clean and in good repair. There must be a maintenance budget for ongoing repair and replacement of equipment for the facility.

# Proposed Rules

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Subp. 2. **New or renovated buildings.** Building plans and specifications for new construction, conversion of existing buildings, and any structural modifications or additions to existing licensed buildings must be consistent with the purpose of the adult ~~halfway house~~ community-based residential correctional facility and must be ~~submitted to~~ approved by the commissioner.

Subp. 3. **Heating equipment.** Heating equipment shall be in good condition, vented, and ~~shall be~~ capable of maintaining consistent uniform temperatures as well as eliminating drafts. A comfortable temperature range shall be maintained in all rooms occupied by residents.

## 2920.6700 BEDROOMS; REQUIREMENTS.

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

Subp. 4. **Separate bedrooms.** Male and female residents may not occupy the same bedrooms.

~~Youths and adults shall not share bedrooms~~ An exception may be made when there is a parenting component of the program.

Subp. 5. [See repealer.]

Subp. 6. **Sharing prohibited.** ~~Adults and children may not share bedrooms. An exception may be made when there is a parenting component of the program or when the youth is a certified adult or an extended juvenile jurisdiction youth.~~

## 2920.6800 FURNISHINGS PROVIDED EACH RESIDENT.

Each resident shall be provided, at a minimum: bed, mattress, supply of bed linen and towels, ~~chair~~, adequate lighting, and closet/locker space.

## 2920.6900 COUNSELING SPACE AND VISITING ROOM.

Private counseling space must be provided in the facility.

Space must be provided to accommodate group meetings.

A visiting area must be provided for residents to receive and talk with visitors ~~privately~~.

## 2920.7200 TRANSPORTATION.

Subpart 1. **Policy and procedures.** Written policy and procedures shall govern the use and maintenance of facility ~~and resident~~ motor vehicles.

Subp. 2. **Availability.** Transportation shall be available for use in emergencies.

## 2920.7300 ENVIRONMENT.

The governing body shall designate who is permitted to live in the facility.

~~A community~~ An adult community-based residential correctional facility may not have roomers or boarders in the facility without special permission from the ~~facility~~ program administrator. The ~~community correctional~~ facility shall keep the commissioner notified as to the presence of all persons living in a ~~community correctional~~ the facility other than ~~staff and~~ residents.

~~A community correctional facility may not concurrently hold a license for family day care or group day care without prior approval by the commissioner.~~

## 2920.7400 HEALTH CARE AND MEDICAL SERVICES.

Subpart 1. **Policy and procedures.** ~~It is mandatory that the facility administrator shall ensure~~ have written policies and procedures for ~~use by staff in all~~ medical, dental, and psychological ~~difficulties~~ emergencies.

Written policies and procedures shall clarify for the staff what medical care may be given by them without specific orders from a licensed medical doctor. The staff shall be instructed as to how to obtain ~~further~~ medical care and how to handle emergency cases.

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

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# Proposed Rules

Subp. 3. **Medication.** The program health care plan shall adhere to state and federal laws and rules regarding distribution of medications. The plan shall stipulate that medications be administered only as instructed by a licensed physician.

~~The facility administrator shall establish policies and procedures for reviewing the use, as well as the storage and disbursement of prescription drugs. It is mandatory that:~~

~~A. the program administrator establish policies and procedures for reviewing the safe use, storage, and disbursement of prescription drugs. The policies must address which medication the residents are not allowed to keep on the resident's person;~~

~~B. medications that cannot be kept on the resident's person must be kept in a secured area and documented when given to a resident;~~

~~C. there are policies and procedures to address destruction of medication; and~~

~~D. there are policies regarding the use of over-the-counter medications.~~

Subp. 4. **Prohibition on medical or pharmaceutical testing Research consent.** A written policy ~~governs~~ must govern voluntary participation in ~~medical or pharmaceutical~~ testing for experimental or research purposes with informed consent.

Subp. 5. **First aid.** ~~It is mandatory that~~ the CCF facility shall have first aid equipment, ~~which meets American Red Cross standards~~ available at all times for medical emergencies.

One staff member on each shift of the residential program shall be trained in emergency first aid and cardiopulmonary resuscitation procedures.

Subp. 6. **Community health care agencies.** The CCF facility shall maintain working relations with community health care agencies in order to assist residents in meeting their health needs.

## 2920.7500 RECORDS AND EVALUATION OF RESIDENTS.

Subpart 1. [See repealer.]

Subp. 2. **Medical consent.** In addition to the data required in the intake study, ~~it is mandatory that~~ the resident's record ~~shall~~ include consent for ~~necessary dental, medical, and surgical treatment, and hospitalization~~ life-threatening emergencies and emergency dental, medical, and psychiatric care.

Subp. 3. **Medical records.** ~~The CCF shall keep records or have access to ongoing medical information, when available, which shall include dental examinations, reports of any illness or injury and treatment given, psychological examinations and treatment given, if any, use of drugs, routine physical examinations, and other medical contacts. When necessary, the facility must keep medical records or have access to available medical information on a resident.~~

Subp. 4. [See repealer.]

Subp. 5. [See repealer.]

Subp. 6. [Repealed, 9 SR 1655]

Subp. 7. [See repealer.]

Subp. 8. [See repealer.]

Subp. 9. [Repealed, 9 SR 1655]

Subp. 10. [See repealer.]

Subp. 11. [See repealer.]

Subp. 12. [Repealed, 9 SR 1655]

# Proposed Rules

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## 2920.7600 PERSONNEL RECORDS.

Subpart 1. **General requirement; contents of records.** The ~~community~~ adult community-based residential correctional facility shall maintain an accurate personnel record on each employee which shall include:

- A. initial application;
- ~~B. reference letters, including three letters of reference on the director;~~
- ~~€ B.~~ appropriate results of employment investigation, if done;
- ~~Đ C.~~ training and experience verification;
- ~~E D.~~ wage and salary information;
- ~~F E.~~ job performance evaluation completed at least annually;
- ~~G F.~~ training programs which the employee participated in after employment began;
- ~~H G.~~ documentation of sick leave, leave of absence, and vacation;
- ~~I H.~~ grievance and disciplinary actions, if any;
- ~~J I.~~ health and medical reports; and tuberculosis screening as required by law;
- ~~Ƙ J.~~ dates of employment and termination with reason for termination; and
- ~~K.~~ results of a criminal history check.

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

**RENUMBERING.** *Minnesota Rules*, part 2920.0100, subpart 11, is renumbered as *Minnesota Rules*, part 2920.0100, subpart 16a.

**REPEALER.** *Minnesota Rules*, parts 2920.0100, subparts 6, 7, 9, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 28; 2920.0200, subpart 1; 2920.0500, subpart 3; 2920.1900; 2920.2300; 2920.2900; 2920.3100; 2920.3300; 2920.3500; 2920.3700, subpart 4; 2920.3800, subparts 3 and 5; 2920.4200; 2920.4700; 2920.4800; 2920.5500; 2920.5600; 2920.5800; 2920.6700, subpart 5; 2920.7500, subparts 1, 4, 5, 7, 8, 10, and 11; 2920.7700; 2920.7800; and 2920.7900, are repealed.

## Minnesota Department of Health (MDH)

### Division of Health Policy

#### Proposed Expedited Permanent Rules Relating to Health Quality Measures

#### NOTICE OF INTENT TO ADOPT EXPEDITED RULES WITHOUT A PUBLIC HEARING

#### Proposed Expedited Amendments to Rules Governing Health Care Quality Measures, *Minnesota Rules*, Chapter 4654

**Introduction.** The Department of Health intends to adopt rules under the expedited rulemaking process under the Administrative Procedure Act, *Minnesota Statutes*, section 14.389 and the rules of the Office of Administrative Hearings, *Minnesota Rules*, part 1400.2410. You may submit written comments on the proposed rules until September 8, 2010.

**Agency Contact Person.** You must submit your comments or questions on the rules to: Katie Burns, Minnesota Department of Health, P.O. Box 64882, St. Paul, MN 55164-0882, **phone:** (651) 201-5530, and **e-mail:** [health.reform@state.mn.us](mailto:health.reform@state.mn.us). **TTY** users may call MDH at (651) 201-5797.

**Subject of Rules and Statutory Authority.** MDH adopted *Minnesota Rules* Chapter 4654 in December 2009 to implement part of the comprehensive 2008 state health reform law. Consistent with *Minnesota Statutes* 62U.02, these rules established a standardized set of quality measures that the Department will use to assess the quality of services offered by health care providers. These measures include the specific details for the data physician clinics and hospitals must submit to the Minnesota Department of Health or to the Commissioner's designee for public reporting. The rules also specify:

- requirements for physician clinics and hospitals to submit quality data to the Minnesota Department of Health or its designee;
- obligations for physician clinics and hospitals to cooperate with data validation procedures;
- a restriction on health plans prohibiting them from requiring providers to use and report data on quality measures not included in the standardized set; and
- annual review by the Minnesota Department of Health of existing quality measures and evaluation and adoption of new measures into the standardized set.

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# Proposed Rules

The Commissioner is required to review the adopted quality measures annually and propose any additions, deletions, or modifications by August 15 through the expedited rulemaking process. Consequently, the Commissioner is proposing several amendments to the existing rules, including its appendices:

- clarifications to Part 4654.0200, Definitions, Subparts 11 and 13. The definition of “outpatient surgery center” is clarified and a new definition of “physician clinic” would broaden the circumstances under which multiple clinics may report as one clinic.
- changes to Part 4654.0300, Provider Submission Requirements. 1) Physician clinics with electronic medical records in place for a full measurement period would be required to report on a full-population basis (rather than a sample) in the subsequent reporting cycle; and 2) Physician clinics and hospitals that have patient populations of fewer than 10 percent who are ages 18 and older would be exempt from reporting on measures designed exclusively for patients ages 18 and older.
- additions to the data physician clinics and hospitals must submit to be publicly reported for the additional measures that this rulemaking will add to the rule, including a new requirement to assess patient experience using a specific method. These changes are part of the appendices to the rule, which may be found at: [www.health.state.mn.us/healthreform/measurement/index.html](http://www.health.state.mn.us/healthreform/measurement/index.html)
- changes to the existing optimal care diabetes measure.

The statutory authority to adopt this rule is *Minnesota Statutes* §62U.02. The statutory authority to adopt this rule under the expedited rulemaking process is *Minnesota Statutes* §62U.06, subd. 3. A copy of the proposed rule is published in the State Register and attached to this notice as mailed. The proposed expedited rule and appendices may be viewed at:

[www.health.state.mn.us/healthreform/measurement/index.html](http://www.health.state.mn.us/healthreform/measurement/index.html)

A free copy of the appendices related to this proposed rule is also available upon request from the agency contact person listed above.

**Comments.** You have until 4:30 p.m. on Wednesday, September 8, 2010, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and the agency contact person must receive it by the due date. The Department encourages comment. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. You must also make any comments about the legality of the proposed rules during this comment period.

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

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

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

**Adoption and Review of Rules.** The agency may adopt the rules after the end of the comment period. The agency will then 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 Department submits the rules to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Dated: 15 July 2010

Sanne Magnan, M.D., Ph.D., Commissioner  
Minnesota Department of Health

## 4654.0200 DEFINITIONS.

[For text of subs 1 to 10, see M.R.]

Subp. 11. ~~Outpatient surgery~~ **Ambulatory surgical center.** “~~Outpatient surgery~~ **Ambulatory surgical center**” is an outpatient

# Proposed Rules

surgery center and has the meaning given in *Minnesota Statutes*, section 144.691, subdivision 1.

[For text of subp 12, see M.R.]

Subp. 13. **Physician clinic.** “Physician clinic” means any location where primary or specialty care ambulatory services are provided for a fee by one or more physicians in the state of Minnesota. Physician clinic includes outpatient surgery centers and hospital-based outpatient locations that provide primary or specialty care ambulatory services for a fee. Multiple clinic locations may be considered a single physician clinic when the multiple locations have common ownership and a majority of common clinical staff working across the multiple locations, and the total clinical staff in across all locations is no greater than ten 20 full-time equivalent employees.

[For text of subps 14 to 21, see M.R.]

## 4654.0300 PROVIDER SUBMISSION REQUIREMENTS.

### Subpart 1. Physician clinics.

A. Each physician clinic, except ~~outpatient surgery~~ ambulatory surgical centers, must register annually with the commissioner or commissioner’s designee beginning January 1, 2010, as specified in Appendix E.

B. Each physician clinic, except ~~outpatient surgery~~ ambulatory surgical centers, must submit to the commissioner or commissioner’s designee data required to calculate the applicable quality measures, including the data necessary to perform risk adjustment for each applicable quality measure in Appendix A, which is incorporated by reference in part 4654.0800, according to the schedule for each measure in Appendix A for all health care services provided by the physician clinic. The physician clinic must submit the data using the standardized electronic format and procedures specified in Appendix E, which is incorporated by reference in part 4654.0800.

C. Each physician clinic with an electronic medical record in place for an entire measurement period must begin to report on a full population basis in the subsequent reporting cycle.

D. If less than ten percent of a physician clinic’s population is age 18 or older, that physician clinic is exempt from reporting on quality measures applicable to patients age 18 or older.

### Subp. 2. Hospitals.

A. Each hospital must submit to the commissioner or commissioner’s designee data required to calculate the applicable quality measures, including the data necessary to perform risk adjustment for each applicable quality measure in Appendix B, which is incorporated by reference in part 4654.0800, according to the schedule for each measure in Appendix B for all relevant health care services provided by the hospital. The hospital must submit the data using the standardized electronic format and procedures specified in Appendix E, which is incorporated by reference in part 4654.0800.

B. If less than ten percent of a hospital’s patient population is age 18 or older, that hospital is exempt from reporting on quality measures applicable to patients age 18 or older.

Subp. 3. ~~Outpatient surgery~~ **Ambulatory surgical centers.** Each ~~outpatient surgery~~ ambulatory surgical center must submit to the commissioner or commissioner’s designee data required to calculate the applicable quality measures, including the data necessary to perform risk adjustment for each applicable quality measure in Appendix C, which is incorporated by reference in part 4654.0800, according to the schedule for each measure in Appendix C for all health care services provided by the ~~outpatient surgery~~ ambulatory surgical center. The ~~outpatient surgery~~ ambulatory surgical center must submit the data using the standardized electronic format and procedures specified in Appendix E, which is incorporated by reference in part 4654.0800.

Subp. 4. **Provider subcontractors.** The commissioner or commissioner’s designee will accept data submitted on behalf of a provider by a single subcontractor.

## 4654.0800 INCORPORATION BY REFERENCE.

“Minnesota Statewide Quality Reporting and Measurement System: Appendices to Minnesota Administrative Rules, Chapter 4654,” issued by the Minnesota Department of Health, ~~December 2009~~ August 2010, is incorporated by reference. It is available through the Minitex interlibrary loan system and the Minnesota Department of Health Web site at:

<http://www.health.state.mn.us/healthreform/measurement/index.html>.

They are not subject to frequent change.

**RENUMBERING INSTRUCTION.** Renumber Minnesota Rules, part 4654.0200, subpart 11, as Minnesota Rules, part 4654.0200, subpart 2a.



# Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Expedited emergency rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain emergency conditions.

Expedited emergency rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited emergency rules detail the agency's rulemaking authority.

**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 Natural Resources (DNR) Adopted Expedited Emergency Game and Fish Rules: Sandhill Crane Hunting

**NOTICE IS HEREBY GIVEN** that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, Section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, section 97B.731.

The emergency conditions that do not allow compliance with Minnesota Statutes, Section 97B.731, are as follows: Bag limits and the season framework for sandhill cranes are based on the annual determination of their populations and prescribed authorization by the federal government.

Dated: July 13, 2010

Mark Holsten, Commissioner  
Department of Natural Resources

### **6240.0620 SANDHILL CRANE HUNTING.**

Subpart 1. **Open season.** Sandhill cranes may be taken from the first Saturday in September through October 10.

Subp. 2. **Shooting hours.** Shooting hours for sandhill cranes are from one-half hour before sunrise to sunset except:

A. on the opening day of the duck season, shooting hours begin at 9 a.m.; and

B. from the opening day of the duck season to the Saturday nearest October 8, shooting hours end at 4 p.m.

Subp. 3. **Open area; taking restrictions.**

A. Sandhill cranes may be taken only in the Northwest Goose Zone described in part 6240.0860.

B. Taking sandhill cranes during the early goose season is prohibited on or within 100 yards of all surface waters.

C. Sandhill cranes may be taken by bow and arrow or shotgun with nontoxic shot approved by the United States Fish and Wildlife Service. A person may not take sandhill cranes with a rifle or handgun.

Subp. 4. **Permit requirements.**

A. Sandhill cranes may be taken only under a valid permit issued by the commissioner for a fee of \$3.

B. A hunter must have a sandhill crane permit in possession when taking or possessing sandhill cranes.

Subp. 5. **Bag limits.** A person may not take more than two sandhill cranes per day or have more than four sandhill cranes in possession except:

A. a person may not have in possession on the opening day any sandhill cranes in excess of the daily bag limit; and

B. a person may not possess or transport unlawfully taken sandhill cranes.

Subp. 6. **Penalties.** Violation of this part or the conditions of any permit issued under this part shall result in revocation of the permit and may result in other penalties as provided by state or federal law.

Subp. 7. **Game refuges and waterfowl refuges.** All state game refuges closed to migratory waterfowl hunting are closed to taking sandhill cranes under this part. All waterfowl refuges closed by posting to taking ducks or geese during any portion of the fall waterfowl seasons are closed to taking sandhill cranes under this part.

**EFFECTIVE PERIOD.** *Minnesota Rules*, part 6240.0620, expires December 31, 2010.

# Expedited Emergency Rules

## Department of Natural Resources (DNR)

### Adopted Expedited Emergency Game and Fish Rules: State Game Refuges, Wildlife Management Areas, and Furbearer Seasons National Wildlife Refuges, Game Refuges, Wildlife Management Areas, Furbearers

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, sections 86A.06, 97A.045, 97A.091, 97A.137, 97B.605, 97B.621, 97B.625, 97B.631, 97B.635, 97B.901, 97B.921, 97B.925.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are as follows: Changes to game refuges and wildlife management areas are made reflect changing habitat conditions and the needs of individual species. Changes to registered furbearer bag limits and trapping areas are established based on population modeling completed in May of each year. Changes to where otter may be trapped were based on continuing monitoring.

Dated: July 13, 2010

Mark Holsten, Commissioner  
Department of Natural Resources

#### 6230.0200 SPECIAL PROVISIONS FOR WILDLIFE MANAGEMENT AREAS.

[For text of subps 1 to 8, see M.R.]

[For text of subp 9, see 34 SR 762]

[For text of subp 10, see M.R.]

##### Subp. 11. Areas with other restrictions.

A. The Schrafel Wildlife Management Area in Mower County is closed to trapping and firearms hunting. ~~It is open to archery deer hunting.~~

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

Subp. 12. **Sanctuary areas open to ~~hunting~~ certain activities.** The following sanctuary areas of wildlife management areas posted with "Wildlife Sanctuary Do Not Trespass" signs are open for ~~hunting~~ activities as specified:

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

C. The Haverhill Wildlife Management Area in Olmstead County is open to pheasant hunting on October 23 for youth ages 12 to 17 who are participating in Pheasants Forever special mentored youth hunts. Pheasants Forever is sponsoring the hunt.

D. The posted sanctuary within the Ricehaven Wildlife Management Area in St. Louis County is open from August 1 through September 14 to canoeing, bird watching, and wild rice harvest during the wild rice season.

[For text of subp 13, see M.R.]

#### 6230.0250 GENERAL PROVISIONS FOR USE OF WILDLIFE MANAGEMENT AREAS.

[For text of subps 1 to 8, see M.R.]

Subp. 9. **Use of motorboats.** Motorboat use is prohibited within a wildlife management area, except where posted or as provided in this subpart. For purposes of this chapter, "motorboat" includes motorboats as defined in *Minnesota Statutes*, section 86B.005, subdivision 9, and duckboats with motors attached.

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

L. Spring Lake Islands Wildlife Management Area in Dakota County: motorboats may be used with no limit on size.

##### Subp. 10. General restrictions on vehicles.

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

C. A person may use a motor vehicle, for ice fishing purposes only, on the following lakes, except where posted closed to motor vehicles:

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# Expedited Emergency Rules

[For text of subitems (1) to (4), see M.R.]

- (5) North Lake in the Gores Pool Wildlife Management Area, Goodhue County; ~~and~~
- (6) Boot Lake in the Bootleg Lake Wildlife Management Area, Jackson County; ~~and~~
- (7) Spring Lake in the Spring Lake Islands Wildlife Management Area, Dakota County.

D. A vehicle may not be parked in a wildlife management area in front of a gate or in a manner that obstructs travel.

[For text of subps 11 to 18, see M.R.]

Subp. 19. **Abandonment of trash and property.** The disposal or abandonment of garbage, trash, spoil, sludge, rocks, vehicles, carcasses, or other debris and the abandonment or storage of property within a wildlife management area is prohibited. Boats, decoys, or other property may not be left unattended overnight, except as follows:

A. traps lawfully placed; and

B. fish houses or dark houses on the following lakes:

[For text of subitems (1) to (4), see M.R.]

- (5) North Lake in the Gores Pool Wildlife Management Area, Goodhue County; ~~and~~
- (6) Boot Lake in the Bootleg Lake Wildlife Management Area, Jackson County; ~~and~~
- (7) Spring Lake in the Spring Lake Islands Wildlife Management Area, Dakota County.

[For text of subps 20 to 23, see M.R.]

## 6230.0400 SPECIAL PROVISIONS FOR STATE GAME REFUGES.

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

Subp. 2. **Bemidji Game Refuge, Beltrami County.** The Bemidji Game Refuge in Beltrami County is open to:

- A. small game hunting, except waterfowl, through the Thursday nearest November 4 and after November 14;
- B. Canada goose hunting during the early goose season, except on Lake Bemidji, the Mississippi River, and Stump Lake;
- C. trapping for beaver, mink, otter, and muskrat only; and
- D. deer hunting during the muzzleloader season as prescribed in part 6232.2100 and deer and bear hunting by archery.

[For text of subps 3 to 9, see M.R.]

Subp. 10. **Erhard's Grove Game Refuge, Otter Tail County.** The Erhard's Grove Game Refuge in Otter Tail County is open to:

- A. deer and bear hunting by firearms; ~~and~~
- B. deer and bear hunting by archery; ~~and~~
- C. small game hunting, except waterfowl.

[For text of subps 11 to 20, see M.R.]

Subp. 21. **Lac qui Parle Game Refuge, Chippewa and Lac qui Parle Counties.** The following special provisions apply to the Lac qui Parle Game Refuge, Chippewa and Lac qui Parle Counties:

A. Those portions within the Lac qui Parle ~~State Recreational Area, Mission Site, or that are posted to prohibit trespass~~ are closed to hunting. The remainder of the refuge is open to:

(1) waterfowl hunting only ~~during~~ from October 21 through the open Canada goose season in the West Central Goose Zone, only at designated hunting stations as provided by parts 6230.0500 to ~~6230.1100~~ 6230.0700;

(2) deer hunting; and

(3) small game hunting other than waterfowl, except from ~~the first day of the open Canada goose season~~ the second Saturday in October through the last day of the open Canada goose season in the West Central Goose Zone November 30, when small game hunting

# Expedited Emergency Rules

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is allowed only at designated hunting stations as provided by parts 6230.0500 to ~~6230.1100~~ 6230.0700. Small game hunting is not allowed on closed Canada goose hunting days during a split goose season.

~~B. A person may not trespass on any part of the refuge which is posted with signs prohibiting trespass during the dates posted, except that fishing is permitted in the posted closed area within the Lac qui Parle Goose Zone on any day when goose hunting in the zone is closed. No unauthorized person may trespass during the dates posted on any part of the refuge posted with "State Wildlife Sanctuary - Do Not Trespass" signs except for:~~

~~(1) ice fishing; and~~

~~(2) open water fishing, permitted in the posted closed area except from the second Saturday in October through the close of the open Canada goose season in the West Central Goose Zone.~~

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

~~[For text of subps 22 to 33, see M.R.]~~

Subp. 33a. **Orwell Game Refuge, Otter Tail County.** The Orwell Game Refuge in Otter Tail County is open to pheasant hunting on October 23 for youth ages 12 to 17 who are participating in Pheasants Forever special mentored youth hunts. Pheasants Forever is sponsoring the hunt.

[For text of subp 34, see M.R.]

Subp. 35. **Paul Bunyan Game Refuge, Hubbard County.** The Paul Bunyan Game Refuge in Hubbard County is open to:  
A. small game hunting, except waterfowl, through the Thursday nearest November 4 and after November 14;

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

[For text of subps 36 to 51, see M.R.]

Subp. 52. **Anoka and Isanti Counties Game Refuge, Anoka and Isanti Counties.** The Anoka and Isanti Counties Game Refuge in Anoka and Isanti Counties is open to ~~firearms~~ archery deer hunting and archery deer turkey hunting.

[For text of subps 53 to 59, see M.R.]

Subp. 60. **Cedar Lake Game Refuge, Stearns County.** The Cedar Lake Game Refuge in Stearns County is open to archery, firearms, and muzzleloader deer hunting.

## **6234.1200 TAKING RACCOON.**

Subpart 1. **Open season.** Raccoons may be taken statewide with legal firearms, bow and arrow, and by trapping from 9:00 a.m. on the Saturday nearest October 22 to March 15, except in the North Mink/Muskrat/Beaver/Otter Zone described in part 6234.1000, subpart 3, where raccoons may be taken by trapping beginning at 9 a.m. on the Saturday nearest October 15, but not before October 15.

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

## **6234.1300 TAKING RED FOX AND GRAY FOX.**

Subpart 1. **Open season.** Gray and red fox may be taken statewide with legal firearms, bow and arrow, and by trapping from 9:00 a.m. on the Saturday nearest October 22 to March 15, except in the North Mink/Muskrat/Beaver/Otter Zone described in part 6234.1000, subpart 3, where gray and red fox may be taken by trapping beginning at 9 a.m. on the Saturday nearest October 15, but not before October 15.

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

## **6234.1400 TAKING BADGER AND OPOSSUM.**

Subpart 1. **Open season.** Badgers and opossums may be taken statewide with legal firearms, bow and arrow, and by trapping from 9:00 a.m. on the Saturday nearest October 22 to March 15, except in the North Mink/Muskrat/Beaver/Otter Zone described in part 6234.1000, subpart 3, where badgers and opossums may be taken by trapping beginning at 9 a.m. on the Saturday nearest October 15, but not before October 15.

Subp. 2. **Bag limits.** Badgers and opossums may be taken and possessed without limit.

## **6234.1700 TAKING FISHER AND PINE MARTEN.**

Subpart 1. **Open season.** Fisher and pine marten may be taken by trapping from the first Saturday following Thanksgiving to the

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# Expedited Emergency Rules

Sunday nearest December 12.

Subp. 2. **Bag limits.** The combined limit for fisher and pine marten is five per season, in aggregate, but may include no more than two fisher. A person may not take more than five fisher and pine marten, combined, but no more than two fisher, per season or possess more than five fisher and pine marten, combined, but no more than two fisher, at a time, except that a person may possess additional pelts that the person lawfully took, tagged, and registered during previous seasons.

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

## 6234.1900 TAKING BEAVER.

Subpart 1. **Open season and bag limits for beaver in North Zone.** Beaver may be taken and possessed without limit by trapping from 9:00 a.m. on the Saturday nearest October 26 to ~~May 15~~ April 30.

Subp. 2. **Open season and bag limits for beaver in South Zone.** Beaver may be taken and possessed without limit by trapping from 9:00 a.m. on the Saturday nearest October 30 to ~~May 15~~ April 30.

## 6234.2000 TAKING OTTER.

Subpart 1. **Open season for otter in North Zone.** Otter may be taken by trapping from 9:00 a.m. on the Saturday nearest October 26 to the Sunday nearest January 6 only in that portion of the state described in part 6234.1000, subpart 3.

Subp. 2. **Open season and area for otter in South Zone.** Except as provided in subpart 1, otter may be taken by trapping from 9:00 a.m. on the Saturday nearest October 30 to the Sunday nearest January 6 only in that portion of the zone lying north of Interstate Highway 94 beginning at the west boundary of the state; thence along Interstate Highway 94 to U.S. Highway 10; and thence along U.S. Highway 10 to the east boundary of the state.

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

## 6234.2600 PELT TAGGING AND REGISTRATION.

Subpart 1. [Repealed, 30 SR 613]

Subp. 2. [Repealed, 30 SR 613]

Subp. 3. **Registration of pelts.** The pelt of each bobcat, fisher, pine marten, and otter and the whole carcass of each bobcat must be presented, by the person taking it, to a state wildlife manager designee for registration before the pelt is sold and before the pelt is transported out of the state, but in no event more than 48 hours after the season closes for each species, respectively. The entire carcass of bobcat and the entire head of pine marten and fisher must be surrendered to the state wildlife manager designee. The pelt of bobcat, otter, fisher, and pine marten must have been removed from the carcass.

[For text of subps 4 and 5, see M.R.]

## 6234.2700 SPECIAL RESTRICTIONS ON TAKING AND POSSESSION OF FURBEARERS.

The restrictions in items A to ~~E~~ D apply to the possession and transportation of accidental captures.

A. A person may not possess or transport a ~~fisher, otter, pine marten, fox, bobcat,~~ lynx; or gray wolf that was accidentally killed or was lawfully killed while causing or threatening injury or damage until the person notifies the local conservation officer, other authorized department employee, or regional enforcement office, of the killing and receives authorization to possess, transport, or skin the animal.

B. A person may possess or transport ~~fox,~~ mink, muskrat, beaver, badger, opossum, or raccoon accidentally killed or lawfully killed while causing or threatening injury or damage, only if the local conservation officer or other authorized employee of the department is notified within 24 hours of such killing and before any skinning has begun.

C. A person must report any incidental taking of a Canada lynx to the local conservation officer within 24 hours.

D. A person may possess or transport fisher, otter, or pine marten that has been accidentally killed, or bobcat that has been either lawfully killed when causing damage or accidentally killed, only after notifying the local conservation officer or other authorized employee of the department of such killing. After making the required notification and taking possession of the animal, the person may not skin, transfer possession, or otherwise dispose of the animal without authorization from a conservation officer or other authorized department employee.

# Expedited Emergency Rules

**EFFECTIVE PERIOD.** The emergency amendments to *Minnesota Rules*, parts 6230.0200, 6234.1700, and 6234.2600, expire December 31, 2010. The emergency amendments to *Minnesota Rules*, part 6234.2000, expire January 31, 2011. The emergency amendments to *Minnesota Rules*, parts 6230.0250, 6230.0400, 6234.1200, 6234.1300, 6234.1400, 6234.1900, and 6234.2700, expire May 31, 2011. After the emergency amendments expire, the permanent rules as they read prior to those amendments again take effect, except as they may be amended by permanent rule.

## 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.

## Important Announcements

The Official Notices section gives you a “heads up” on important state meetings and announcements. The *State Register* reaches a huge audience of interested “eyes” every week. Remember to publish your notices here - it only costs \$13.60 per 1/10 of a page used in the *State Register* - it’s the least expensive legal advertising in the state.

All Official Notices, including the current volume as it grows, are indexed. Only subscribers can view this current index. Open the *State Register* and click on the Bookmarks icon in the upper left corner. You will see the growing index, and have fast access to all the online indices to the *State Register*. You also receive a summarized “Contracts & Grants” section showing bids and grants still open.

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## Minnesota Bureau of Mediation Services (BMS)

### Request for Comments on Possible Amendment to Rules Governing Arbitration Roster, Arbitrator Qualifications, *Minnesota Rules*, 5530.0600, Subp. 3

**Subject of Rules.** The Minnesota Bureau of Mediation Services requests comments on its possible amendment to rules governing Arbitration Roster, Arbitrator Qualifications. The Bureau is considering rule amendments that would remove the 12-month advocacy disqualification for prospective arbitrators.

**Persons Affected.** The amendment to the rules would likely affect the parties who use the Bureau’s arbitration roster and persons wishing to be placed on the Bureau’s roster.

**Statutory Authority.** *Minnesota Statutes*, section 179A.04, Subp. 3, authorizes the Bureau to adopt rules relating to the administration of this chapter and the conduct of hearings and elections.

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## Official Notices

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing, or orally, until 4:30 p.m. on August 28, 2010. The Bureau will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments.

**Rules Drafts.** The Bureau has prepared a draft of the possible rules amendments.

**Agency Contact Person.** Written or oral comments, questions [,requests to receive a draft of the rules] [when it has been prepared], and requests for more information on these possible rules should be directed to: Carol Clifford, Bureau of Mediation Services, 1380 Energy Lane, Suite Two, St. Paul, MN 55108; **phone:** (651) 649-5423; **fax:** (651) 643-3013; **e-mail:** *carol.clifford@state.mn.us*. **TTY** users may call the Bureau at 1-800-627-3529

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

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

Dated: October 11, 2010

Steven G. Hoffmeyer, Commissioner  
Bureau of Mediation Services

### **Executive Council, State Board of Investment, Land Exchange Board, Investment Advisory Board**

#### **Notice of Meetings of the Executive Council, State Board of Investment and Land Exchange Board September 27, 2010 and the Investment Advisory Council on August 17, 2010**

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Monday, September 27, 2010 at 1:00 P.M. in Room 123, State Capitol, St. Paul, MN.

The Investment Advisory Council will meet on Tuesday, August 17, 2010 at 12:00 Noon at the State Board of Investment, Board Room (Main Floor), 60 Empire Drive, St. Paul, MN.

### **Department of Human Services (DHS)**

#### **Health Care Administration**

#### **Corrected Public Notice Regarding Change in the Payment Rates and Methodologies Under the Medical Assistance Program**

**CORRECTED NOTICE IS HEREBY GIVEN** to recipients, providers of services, and to the public of a certain statutory change made to the Medical Assistance (MA) Program that the 2010 Minnesota Legislature enacted during the special session. This notice correctly describes a change to nursing facility operating payment rates, and replaces the incorrect description in the third paragraph under the "Nursing Facility" provisions in the *State Register* notice published on June 28, 2010, titled "Department of Human Services, Health Care Administration: Public Notice Regarding Changes in the Payment Rates and Methodologies, and Services Under the Medical Assistance Program, the General Assistance Medical Care Program, and the MinnesotaCare Program."

# Official Notices

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This notice is published pursuant to 42 *United States Code* §1396a(a)(13)(A) (§1902(a)(13)(A) of the Social Security Act), which requires the Department to publish final institutional payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates. It is also published pursuant to *Code of Federal Regulations*, title 42, part 447, section 205 (42 CFR §447.205), which requires publication of a notice when there is any significant proposed change in the methods and standards for setting payment rates for Medicaid services.

The legislative change is estimated to result in a net decrease in federal and state spending of \$1,714,000 in the MA program for federal fiscal year 2011 (October 1, 2011 through September 30, 2012).

The text of the 2010 legislative change is contained in *Minnesota Laws 2010*, First Special Session, Chapter 1. This is available by calling the House of Representatives Public Information Office at (651) 296-2146 (voice) or (651) 296-9896 (TTY) or 1-800-657-3550 (Greater Minnesota) or 1-800-627-3529 (TTY); or the Senate Information Office at (651) 296-0504 (voice) or (651) 296-0250 (TTY); for Greater Minnesota call 1-888-234-1112 (voice) or 1-888-234-1216 (TTY). This law is also available on the internet at:

<http://www.revisor.leg.state.mn.us>

## **Nursing Facility Payment Rate Change**

The suspension of the phase-in of nursing facility rebased operating payment rates is extended through September 30, 2013. *Minnesota Laws 2010*, First Special Session, Chapter 1, Article 15, Section 8 and Article 17, Section 12.

Individual nursing facility payment rates are available by contacting the Nursing Facility Rates and Policy Division, Minnesota Department of Human Services, PO Box 64973, St. Paul, MN 55164-0973; phone (651) 431-2280.

## **Teachers Retirement Association (TRA) Notice of Meeting of the Board of Trustees 18 August 2010**

The Board of Trustees, Minnesota Teachers Retirement Association will hold a planning and educational retreat on Wednesday, August 18, 2010 at 9:30 a.m. in Room 117 of the Minnesota Retirement Systems building, located at 60 Empire Drive, St. Paul, MN. Board members may participate by telephone.

## **Department of Transportation (Mn/DOT) Engineering Services Division, Office of Construction and Innovative Contracting Notices of Suspension and Debarment**

### **NOTICE OF SUSPENSION**

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (Mn/DOT) has ordered that the following vendors be suspended effective December 28, 2009, until final disposition of the hearing or hearing appeal:

Riley Bros. Companies Inc. and its affiliates, Morris MN  
Riley Bros. Construction Inc. and its affiliates, Morris MN  
Riley Bros. Properties, LLC, and its affiliates, Morris MN  
Riley Bros. Utilities, Inc. dba/Chris Riley Utilities, Inc. and its affiliates, Morris MN

### **NOTICE OF DEBARMENT**

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (Mn/DOT) has ordered that the following vendors be debarred



for a period of three (3) years effective February 24, 2010 until February 24, 2013:

Joseph Edward Riley, Morris, MN  
John Thomas Riley, Morris, MN

*Minnesota Statutes*, Section 161.315, prohibits the Commissioner, counties, towns or home rule or statutory cities from awarding or approving the award of a contract for goods or services to a person who is suspended or debarred; including

- 1) any contract under which a debarred or suspended person will serve as a subcontractor or material supplier,
- 2) any business or affiliate which the debarred or suspended person exercises substantial influence or control, and
- 3) any business or entity which is sold or transferred by a debarred person remains ineligible during the period of the seller's or transfer's debarment.

## State Grants & Loans

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

## Funding for Growth

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Check up on all the "active" state grants in the "Contracts & Grants" section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of ALL the current rules, a growing INDEX, and previous years' indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings). Here's what you receive via e-mail:

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## Department of Employment and Economic Development (DEED) Business and Community Development Division Small Business Development Centers Notice of Solicitation of Proposals from Potential Regional Small Business Development Centers – South Central Region

**NOTICE IS HEREBY GIVEN** that the Department of Employment and Economic Development (DEED) is soliciting proposals from qualified organizations to serve as the South Central Regional Minnesota Small Business Development Centers (SBDCs) for a three-year period commencing January 1, 2011. The South Central MnSBDC comprises Blue Earth, Brown, Faribault, LeSueur, Martin, Nicollet, (Cite 35 SR 205)

# State Grants & Loans

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Sibley, Waseca, Watonwan counties. This is a competitive grant program.

SBDCs support DEED's mission of promoting economic development in Minnesota by providing high quality one-on-one business counseling and training programs to small businesses. The SBDC program is sponsored and funded by the U.S. Small Business Administration, DEED, and participating centers.

A full copy of the Request for Proposals may be obtained free of charge by contacting Michael Myhre, State Director of the Small Business Development Center program, 1<sup>st</sup> National Bank Building, 322 Minnesota Street Suite E200, St. Paul, MN 55101, **telephone:** (651) 259-7420; **fax:** (651) 296-5287; **e-mail:** [michael.myhre@state.mn.us](mailto:michael.myhre@state.mn.us). Proposals will be due Friday, September 17, 2010.

This notice does not commit the State of Minnesota or DEED to entering into a grant contract with any organization. The State may terminate the SBDC selection process or solicit additional proposals at any time, including following the proposal due date, if it is deemed to be in the best interest of the state.

## Minnesota Historical Society (MHS) Historic Preservation Grant Application Deadlines August through November 2010

The Minnesota Historical Society announces a fall grants cycle for the State Capital Projects Grants-in-Aid Program to assist historic preservation projects. These funds were allocated to the Minnesota Historical Society in the 2010 Legislative Session.

The primary recipients are public entities as defined in state law, including county and local jurisdictions, or projects sponsored by an eligible governmental unit. To be funded, projects must serve a public purpose and the property must be in public ownership. The two eligible project categories are restoration/preservation and building systems/accessibility. Grant recipients must match state funds on at least an equal basis. Approximately \$450,000 will be awarded during the fall grants cycle.

Deadlines for the fall grants cycle are:

August 27, 2010:	Pre-application due
October 1, 2010:	Final Application due
November 9, 2010:	Grants Review Committee meets

To request grant information materials and application forms, or for more information, call (651) 259-3458, **e-mail:** [mandy.skypala@mnhs.org](mailto:mandy.skypala@mnhs.org), or write to the Grants Office, Minnesota Historical Society, 345 Kellogg Blvd. West, Saint Paul, MN 55102-1906. Application materials can also be downloaded from the Minnesota Historical Society's website at: [www.mnhs.org/capitalgrants](http://www.mnhs.org/capitalgrants)

## Pollution Control Agency (MPCA) Green Chemistry and Design Demonstration Projects Request for Proposals to Develop a New or Redesigned Product which Reduces Life-Cycle Environmental and Energy Use Impacts

### Project Overview

The Minnesota Pollution Control Agency (MPCA) requests applications from Minnesota manufacturers, retailers or other businesses with control over product design to use *Green Chemistry and Design techniques*. This grant opportunity is to develop a new or redesigned product which reduces life-cycle environmental and energy use impact compared to products previously serving the same purpose. The MPCA has up to \$76,500 for the project or projects which will be awarded in the amount needed to those who score the highest based upon the evaluation criteria stated in this Request for Proposals (RFP) and who score a minimum of 70%.

### Questions

Potential applicants may submit questions about the RFP and possible projects only through [Contracts.MPCA@state.mn.us](mailto:Contracts.MPCA@state.mn.us). Please

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## State Grants & Loans

reference Green Chemistry and Design Demonstration Projects in the subject line of the email. Each Thursday, MPCA's project team will collect e-mailed questions submitted during the preceding week. The team will publish both the questions and the written responses through the project web page each Tuesday. Information regarding the Questions and Answers may be found at:

<http://www.pca.state.mn.us/greenchemistry>.

The final day for submitting questions will be **Thursday, September 23, 2010**; the final date responses will be published will by **Tuesday, September 28, 2010**.

Application materials and additional information regarding this RFP may be located at <http://www.pca.state.mn.us/greenchemistry>. Click on Green Chemistry and Design Demonstration Project. The due date for applications is Thursday, October 7, 2010, at 2:00 p.m. CDT.

### 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 day.

### Growing Businesses

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# State Contracts

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## Department of Administration (Admin)

### Real Estate & Construction Services

#### Notice of Request for Qualifications (RFQ) for Construction Manager at Risk for Upgrade 321 Grove Street Building, St. Paul, MN

NOTICE IS HEREBY GIVEN that the Department of Administration, Real Estate and Construction Services (“State”) has issued a request for qualifications to evaluate and select a Construction Manager at Risk for the remodeling and upgrading of the 321 Grove Street Building in St. Paul in accordance with *Minnesota Statute* 16C.34.

The scope of the project includes remodeling and upgrades of the 321 Grove Street Building in St. Paul to accommodate relocations of new agency tenants into the building (The Project). Implementation of the project is under the direction and control of the Department of Administration. The Architectural/Engineering design firm is being selected by the state to perform design and produce the construction drawings and specifications for the project.

The tasks and scope of services required for the project are defined and included in the Request for Qualifications (RFQ) located at [www.admin.state.mn.us/recs](http://www.admin.state.mn.us/recs) (Click on “Construction Services” and “Solicitations and Announcements”). To be considered for selection and a Contract, responses must be submitted by the date and time indicated in the RFQ. Copies of the RFQ may also be requested from:

Contracts Coordinator  
Real Estate and Construction Services  
309 Administration Building, 50 Sherburne Avenue  
St. Paul, MN 55155-1625

The State reserves the right to cancel this solicitation if it is considered to be in its best interest. The RFQ is not a guarantee of work and it does not obligate the State to award any contracts. The State reserves the right to discontinue the use or cancel all or any part of the RFQ if it is determined to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Minnesota State Colleges and Universities (MnSCU)

### Board of Trustees

#### Formal Request for Proposal for Local Deposit Accounts

Notice of Availability of Request for Proposal (RFP) for Community Financial Institutions – Local Deposit of funds by Minnesota State Colleges and Universities for: Local Deposit Accounts.

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities is soliciting proposals from community financial institutions for the local deposit of funds for up to seven colleges and universities.

A full Request for Proposals is available at on the Minnesota State Colleges and Universities website at:

<http://www.finance.mnscu.edu/contracts-purchasing/collaborative/index.html>

Proposals must be delivered to Minnesota State Colleges and Universities, Steve Gednalske, Wells Fargo Place, 30 - 7<sup>th</sup> Street E., Suite 350, St. Paul, MN 55101 not later than 8:00 a.m. CST, Wednesday, August 18, 2010. Proposals received after this date and time will be returned to the responder unopened.

Minnesota State Colleges and Universities reserves the right to reject any or all proposals and to waive minor informalities in proposals received.

## Minnesota State Colleges and Universities (MnSCU)

### Office of the Chancellor

#### Request for Proposals for Financial Advising Services - Revenue Fund

**Contracting Agency:** Minnesota State Colleges and Universities (MnSCU)

**Nature of Work/Contract:** Contractor to act as a financial advisor for both debt issuance and non-debt issuance financial activities related to the MnSCU Revenue Fund.

**Description of Work:** MnSCU is requesting proposals from qualified vendors to provide financial advising services for both Revenue Fund debt issuance services and non-debt issuance activities to the organization. A vendor may submit a proposal for one service or both. Detailed specifications are contained in the Request for Proposal, which is found here:

<http://www.finance.mnscu.edu/facilities/design-construction/announcements/index.html>

**Proposal Deadline:** Proposals must be submitted no later than 4:00 pm Central Daylight Time on August 30, 2010. Late, faxed, and e-mailed proposals will not be considered. Questions in writing may be submitted to the MnSCU representative outlined in the RFP. Answers to submitted questions will be posted online under the Announcements section. MnSCU reserves the right to cancel the solicitation if it is considered to be in its best interest.

**Location of Work:** Minnesota State Colleges and Universities is a system of 32 colleges and universities with 54 campuses located in 46 Minnesota communities. The Office of the Chancellor is located in St. Paul, Minnesota.

**Contact person:** Comments and questions pertaining to this request for proposals should be directed to:

Gregory Ewig  
Minnesota State Colleges and Universities  
30 E 7<sup>th</sup> Street, Suite 350  
St. Paul MN 55101  
**Phone:** (651) 201-1775  
**E-mail:** [Gregory.ewig@so.mnscu.edu](mailto:Gregory.ewig@so.mnscu.edu)

## Minnesota State Colleges and Universities (MnSCU)

### Office of the Chancellor

#### Information Technology Services

#### Request for Proposals for Identifying a Vendor Who Specializes in Information Technology Recruiting Services for Use by the MnSCU Office of the Chancellor

The Minnesota State Colleges and Universities (MnSCU) Office of the Chancellor is requesting proposals to assist MnSCU in the selection of a vendor to provide Information Technology personnel recruiting services for our Information Technology Services Division. MnSCU intends to establish a contract for services from the successful vendor responder.

**Department:** Minnesota State Colleges and Universities, Office of the Chancellor  
**Sealed Proposals for:** Information Technology Recruiting Services  
**Will be received by:** Nathan Sorensen, ITS Contract and Purchasing  
Office of the Chancellor  
Wells Fargo Place  
30 - 7th Street East, Suite 350  
St. Paul, MN 55101-7804

# State Contracts

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**Inquiries about this RFP, and receiving proposals, must be directed to:**

Nathan Sorensen, ITS Contract and Purchasing

**Telephone:** (651) 201-1524

**E-mail:** [nathan.sorensen@csu.mnscu.edu](mailto:nathan.sorensen@csu.mnscu.edu)

All responses to this RFP must be received no later than 2:00 p.m. Central Standard Time on August 16, 2010.

For a complete copy of the RFP and required submission materials, please visit our website at <http://www.its.mnscu.edu/rfp>.

## Minnesota State Colleges and Universities (MnSCU) Hibbing Community College - IT Department Request for Bids for Various Cisco and Cisco Certified Refurbished and Equipment

**NOTICE IS HEREBY GIVEN** that Hibbing Community College, a Technical and Community College is requesting bids for the following equipment:

- 1x Cisco Certified Refurbished WS-C6504-E Chassis
- 1x Cisco Certified Refurbished FAN-MOD-4HS High Speed Fan Module
- 1x Cisco Certified Refurbished WS-SUP720-3B Supervisor720 Module
- 2x Cisco Certified Refurbished WS-X6748-SFP 48-Port SFP Module
- 2x Cisco Certified Refurbished PWR-2700-AC/4 2700W Internal AC Power Supply
- 48x Cisco Certified Refurbished GLC-SX-MM SFP GBIC Modules (or Equivalent OEM-Model)

1x Cisco CON-SNT (8x5xNBD) Cisco SmartNET Agreement for the 6504-E Chassis (1-year)

**Note:** SFP GBICs must include Lifetime Warranty as a standard business practice.

**VENDOR SHALL CERTIFY** that it is a Cisco Authorized Channel as of the date of submission of their offer, and that it has the certification/specialization level required by Cisco to support both the product sale and product pricing, in accordance with the applicable Cisco certification/specialization requirements. The vendor confirms to have sourced all Cisco products submitted in this offer from Cisco or through Cisco Authorized Channels only, in accordance with all applicable laws and Cisco's current applicable policies at the time of purchase. Vendor shall provide Buyer with a copy of the End User License Agreement and shall warrant that all Cisco software is licensed originally to Buyer as the original licensee authorized to use the Cisco Software.

You are submitting a bid for:

HCC – Network Core Upgrade Project  
Hibbing Community College  
Hibbing, MN, 55746

Please submit sealed bids to:

William Manney, CFO  
Hibbing Community College  
1515 East 25th Street  
Hibbing, MN, 55746

Bids must be received by 4:30pm CST on August 23rd, 2010

Late bids will NOT be considered. Faxed or Emailed bids will NOT be considered.

**Equipment Questions:**

Don Brearley, phone: (218) 262-7309  
**E-mail:** [donbrearley@hibbing.edu](mailto:donbrearley@hibbing.edu)

**Bid Submission Questions:**

William Manney, phone: (218) 262-6734  
**E-mail:** [williammanney@hibbing.edu](mailto:williammanney@hibbing.edu)

## **Minnesota State Colleges and Universities (MnSCU) Minnesota State University Moorhead (MSUM) Request for Proposals for Designer Selection for Dahl Hall Renovation**

**NOTICE IS HEREBY GIVEN** that the State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Minnesota State University Moorhead (MSUM), through the MSUM Housing and Residential Life department, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota State University Moorhead Housing and Residential Life website, <http://www.mnstate.edu/housing/dahlhallrfp.cfm>.

A copy of the predesign is available for review at: <http://www.mnstate.edu/housing/dahlhallrfp.cfm>. Please note this request is only for Dahl Hall, and does not include West Snarr, the other hall in the predesign report. An informational meeting is scheduled for 1:00 pm, August 13, 2010 in the Dahl Hall main lounge on the Minnesota State University Moorhead campus, 1104 7<sup>th</sup> Avenue South, Moorhead, MN 56563. All firms interested in this meeting should sign up to attend. To sign up, or to ask project questions, contact Heather Phillips, Director of Housing and Residential Life, at [phillipshe@mnstate.edu](mailto:phillipshe@mnstate.edu).

Proposals must be delivered to Facilities and Administration, c/o Heather Phillips, 208 D Owens Hall, Minnesota State University Moorhead, Moorhead, MN 56563, not later than 12:00pm CST August 23, 2010. Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

## **Minnesota State Colleges and Universities (MnSCU) Northland Community and Technical College Notice of Request for Qualification for Artist Selection for East Grand Forks Campus Art Project**

**NOTICE IS HEREBY GIVEN** that Northland Community and Technical College Request for Qualification (RFQ) for an artist to design and commission an original piece of artwork to be located at Northland Community and Technical College, 2022, Central Avenue NE, East Grand Forks, MN. To receive a copy of the full RFQ, please contact Becky Lindseth either by telephone (218) 793-2476 or e-mail at [Becky.Lindseth@northlandcollege.edu](mailto:Becky.Lindseth@northlandcollege.edu).

Proposals are due by 4:00 p.m. central time, Monday, August 16, 2010 and are to be addressed to Becky Lindseth, Northland Community and Technical College, 2022 Central Avenue NE, East Grand Forks, MN 56721. Any questions should be in the form of an RFI and directed to Becky Lindseth at e-mail: [Becky.Lindseth@northlandcollege.edu](mailto:Becky.Lindseth@northlandcollege.edu). Late responses will not be considered.

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

# State Contracts

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## Minnesota State Colleges and Universities (MnSCU) St. Cloud Technical and Community College Advertisement for Bids for Autobody Spray Booth Upgrades

**Sealed Bids for:** Autobody Spray Booth Upgrades  
St. Cloud Technical and Community College  
St. Cloud, Minnesota

**will be received by:** Susan Meyer – Purchasing Agent  
Administration Room #1-401H  
St. Cloud Technical and Community College  
1540 Northway Drive  
St. Cloud, Minnesota 56303

Until 2:00 PM, *local time*, August 17, 2010 at which time the bids will be opened and publicly read aloud in Room #1-406.

**Project Scope:** The project shall consist of selective demolition of an existing open Autobody Prep Station to allow for the installation of a new enclosed paint spray booth. The existing compressed air lines and inline filters and accessories will be capped and relocated. Included in this project will be two (2) new air compressors, air dryer, air receiver, and related accessories, inline filters, air pressure regulators, pressure gauges, and isolation valves. Also included in the work is the installation of accelerated air flow systems for waterborne paints. These systems will be installed in the two (2) existing spray booths and one (1) new booth. Fire protection sprinklers, piping and flow switch will also be included for the new booth. One roof penetration will be made in the double-tee precast roof and a new roof curb will be flashed into the built-up roof system. The new fresh air roof opening will serve the new make-up air unit that supplies tempered air to the new spray booth.

Electrical lighting, power, fire alarm, and special system controls shall also be included.

**A Pre-Bid Meeting** will be held at 10:00 AM on Tuesday, August 10, 2010, in Room #1-406, at St. Cloud Technical and Community College. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding Documents are as prepared by the Project Architect/Engineer; Widseth Smith Nolting:

Interested parties may view the Bidding Documents at no cost on the website:

<http://www.finance.mnscu.edu/facilities/design-construction/index.html>

and click on “Announcements”, then click on “*Advertisement for Bids (E-Plan Room)*”. Bidding Documents can be downloaded for a non-refundable charge of \$10.00. Planholders are parties that have downloaded the plans and specifications. Planholders will be notified via email as addenda are issued. Parties that download the plans and specifications and need to have them printed elsewhere are solely responsible for those printing costs. The sales of paper copies for projects listed on this site are not available. Contact QuestCDN.com at (952) 233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance in viewing or downloading with this digital project information.

## Department of Education Notice of Request for Proposals for Contract for Facilitation of Recommendations for Office of Early Learning

Minnesota’s Department of Education is responsible for providing technical assistance and administrative support for Minnesota’s Early Childhood Advisory Council (ECAC). **Legislation passed in 2010** which charged the ECAC to establish a task force to develop recommendations on an Office of Early Learning. Currently, early childhood programs and services are administered through the Departments of Education, Human Services and Health. The legislation outlines a number of factors to consider when making the recommenda-



tions for one state Office of Early Learning. The Council is directed to report its recommendations to the Governor and the Legislature by January 15, 2011.

The Minnesota Department of Education (MDE) is soliciting proposals for a contractor to facilitate a process to arrive at recommendations on a state Office of Early Learning. The contractor will be responsible for reviewing and summarizing existing materials and studies regarding coordination and collocation of the administration of statewide early childhood programs and services. The contractors will work with a task force, described in legislation, to create work plans determining authority, accountability, and structure of an office. The contractor and task force will also create a work plan for transitioning from existing organizations to an Office of Early Learning including identifying programs, staff, technology, resources, and funding streams from each department to be transferred as well as administrative costs.

Work is proposed to start October, 2010, through January 15, 2011.

A Request for Proposals will be available by written request or email from this office through **Monday, August 30, 2010, 4:00 pm, Central Daylight Saving Time**. Requests by phone will **NOT** be considered.

The Department has estimated the maximum amount available for this work is \$68,500. Part of those dollars (approximately \$8,000) is set aside for reimbursement of expenses for eligible task force members. This estimated maximum must also cover any necessary travel costs incurred while performing the work duties.

The Request for Proposal can be obtained from:

Amanda Varley  
Minnesota Department of Education  
1500 Highway 36 West  
Roseville, Minnesota, 55113-4266  
**Phone:** (651) 582-8519  
**E-mail:** [Amanda.varley@state.mn.us](mailto:Amanda.varley@state.mn.us)

No requests may be submitted through fax or phone.

Proposals submitted in response to the Request for Proposals must be received at the address above no later than **Monday, August 30, 2010, 4:00 pm, Central Daylight Saving Time**. Late proposals will not be considered. Fax or emailed proposals will **NOT** be considered. Please refer to the instructions in the request for proposal document for information on who the response should be mailed to.

This request does not obligate the State to complete the work contemplated in this notice or award a contract. The State reserves the right to cancel this solicitation/RFP if it is in the best interest of the state and funding is not available. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Department of Education

### Notice of Request for Proposals for Creating an Integrated and Coordinated Statewide System of Professional Development for Practitioners Working with Young Children with Disabilities

The Minnesota Department of Education is requesting proposals for Assistance in Creating an Integrated and Coordinated Statewide System of Professional Development for Practitioners Working with Young Children with Disabilities and their Families (Birth-Five) and Program Administrators

#### Project Overview

The Minnesota Department of Education (MDE) requests proposals to assist in creating an integrated and coordinated system of regionalized professional development for practitioners working with young children with disabilities and their families (Birth-Five) and program administrators.

# State Contracts

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## Goal

The goal of this contract is to coordinate the “Centers of Excellence for Young Children with Disabilities” project in delivering a high quality, comprehensive, coordinated system of professional development that includes regionalized support, technical assistance and professional development opportunities for practitioners in early childhood to increase the probability that all young children with diverse learning abilities ages birth to kindergarten entrance, and their families, achieve positive outcomes.

## Brief Summary of Tasks

1. Provide technical assistance to early childhood practitioners working with children with disabilities (birth-five) and coordinate activities of the regional early childhood professional development facilitators;
2. Develop regional coordination capacity around professional development.
3. Develop statewide training dissemination capacity by developing learning modules and develop a system to help practitioners at the regional level access those learning modules.
4. Develop a system of reporting on objectives with the regional facilitators.
5. Develop a system of communication with the regional facilitators.
6. Develop a system of communication and ongoing reporting to MDE on progress.

The initial two year contract period is anticipated to run from early November, 2010 through approximately September, 2012. It is the Department’s intention to offer extensions of up to 3 additional years in 1 year increments based on continued funding and work performance. The Department expects that costs will not exceed \$120,000 (\$60,000 per year) for the initial two year period. Extended year contracts are estimated to cost no more than \$60,000 per year but would be negotiated each year with possible minor changes to the tasks but within the goals of the RFP. Responders should develop the proposal based on the initial two year contract.

A Request for Proposals will be available by written request or email from this office through **Friday, September 3, 2010, 3:00 pm, Central Daylight Saving Time**. Requests by phone will **NOT** be considered.

The Request for Proposal can be obtained from:

Sophie Oliver  
Minnesota Department of Education  
1500 Highway 36 West  
Roseville, Minnesota, 55113-4266  
**Phone:** (651) 582-8307  
**E-mail:** *sophie.oliver@state.mn.us*

No requests may be submitted through fax or phone.

Proposals submitted in response to the Request for Proposals must be received at the address above no later than **Friday, September 3, 2010, 3:00 pm, Central Daylight Saving Time**. Late proposals will **NOT** be considered. Fax or emailed proposals will **NOT** be considered. Please refer to the instructions in the request for proposal document.

This request does not obligate the State to complete the work contemplated in this notice or award a contract. The State reserves the right to cancel this solicitation/RFP if it is in the best interest of the state and funding is not available. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Minnesota Department of Human Services (DHS) Health Services and Medical Management Division Notice of Request for Proposals to Provide Pharmacy Prior Authorization Review Services

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals to Provide Pharmacy Prior Authorization Review Services.

Work is proposed to start January 1, 2011. For more information, or to obtain a copy of the Request for Proposal, contact:

Sara Drake  
Department of Human Services  
Health Services & Medical Management Division  
P.O. Box 64984  
444 Lafayette Road North  
St. Paul, MN 55155 0984  
**Phone:** (651) 431-2505  
**E-mail:** [sara.j.drake@state.mn.us](mailto:sara.j.drake@state.mn.us)

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **2:30 p.m., Central Daylight Time, September 8, 2010. Late proposals will not be considered.** Faxed or e-mailed proposals will **not** be considered.

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

## Legislative Coordinating Commission

### Contract Available for Providing Legislative Sign Language Interpreter Services

The Minnesota Legislative Coordinating Commission is requesting proposals from qualified individuals and organizations interested in providing sign language interpreting services for legislative hearings and meetings during fiscal years 2011-2012 to individuals who are hard of hearing, deaf, or deafblind. For a copy of the full text of the RFP, please go to <http://www.lcc.leg.mn/lcc/RFPs.htm> 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 services will be provided and must clearly state the contractor's proposed hourly rates and other charges for services provided.

**Proposals must be received by Tuesday, August 31, 2010, 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)

### Division of Fish & Wildlife

### Request for Information in Researching the Siting of a New Shooting Range Complex in the Seven County Metropolitan Area

#### 1. INTRODUCTION

The purpose of the Request for Information (RFI) is for the Department of Natural Resources to determine interest in, and obtain information from local units of government and other vendors that might be interested in researching the siting of a new shooting range complex on either public or privately owned lands in the seven county metropolitan area: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington Counties.

# State Contracts

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## 2. OBJECTIVE

The objective of the Department of Natural Resources is to work with a non-state agency or other vendor(s) to determine the potential or feasibility of one or more sites throughout the seven county metropolitan area to serve as the location of a new shooting sports complex, that will provide a home site for the Minnesota Trap Association's annual shooting competitions, as well as providing a variety of additional users the opportunity for safe shooting sports training, as well as personal and competitive shooting usage. Trap, skeet, center and rim-fire, and archery shooters would be provided safe, state of the art facilities. The 2007-8 Legislatures provided \$300,000 in funding for the planning, design and site placement of a shooting sports complex, within the seven county metro area of Minnesota. A preliminary plan and design for such a facility had been complete, using a small portion of the appropriation. Additional funding will be available for interested and eligible applicants to use, to investigate and determine the feasibility of placing the range complex, including an RV camping facility, tent camping, and a variety of support buildings (including a classroom, dining hall, lavatory facilities, storage buildings, etc.) on a minimum of 530 acres of land.

## 3. TECHNICAL CONSIDERATIONS

All local units of government within the metropolitan area are being contacted, to determine their interest and capability in providing land under their control, to serve as the host site for the shooting range complex. Non-governmental organizations are also encouraged to consider this request for information, and respond if interested. Funding will be provided to assist respondents showing interest and capacity via an affirmative written response, to study and chronicle the feasibility of one or more selected sites. Again, total acres required are, at a minimum, 530 acres.

## 4. INFORMATION BEING REQUESTED

- Vendor Qualifications
  - Provide a general description of land under your control, and potential sites for a shooting range complex of 530 or more acres. Please provide maps of your potential site(s).
- Would your agency be interested in operating or maintaining all or part of this facility?
- Provide information regarding potential impediments to the placement of this complex on land under your control.

## 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, Tuesday, September 7, 2010**. Questions may be addressed to Chuck Niska at (612) 756-4165 or by e-mail at [chuck.niska@state.mn.us](mailto:chuck.niska@state.mn.us).

Chuck Niska, Shooting Range Coordinator  
Minnesota Department of Natural Resources  
Division of Enforcement  
500 Lafayette Road  
St. Paul, MN 55155-4047

## Department of Natural Resources (DNR) Notice of Request for Proposal for Updating National Wetland Inventory

The Minnesota Department of Natural Resources is requesting proposals to update the digital National Wetland Inventory (NWI) data for a 13-county portion of east-central Minnesota. The project area consists of the counties of: Anoka, Carver, Chisago, Dakota, Goodhue, Hennepin, Isanti, Ramsey, Rice, Scott, Sherburne, Washington, and Wright. DNR requests a cost and technical proposal for an update of the NWI in accordance with federal mapping standards and two potential product enhancements, which the state may consider as options.

The winning vendor will be expected to:

- ◆ Update the NWI for approximately 7000 square miles
- ◆ Identify wetland features from remote sensing and geographic information systems data
- ◆ Provide the data in a digital geographic database
- ◆ Classify features using the Cowardin classification system
- ◆ Provide enhanced data attributes
  - Simplified wetland plant community class
  - Simplified hydrogeomorphic characteristics

- ◆ Meet the state's accuracy and quality specifications
- ◆ Prepare full metadata records in compliance with state standards

All data will be delivered for final quality assurance review by September 30, 2012.

A Request for Proposal will be available by mail or e-mail through from this office through August 9, 2010. The Request for Proposal can be obtained from:

Steve Kloiber, Project Coordinator  
Minnesota Department of Natural Resources  
500 Lafayette Road North  
St. Paul, MN 55155  
**E-mail:** [steve.kloiber@state.mn.us](mailto:steve.kloiber@state.mn.us)  
**Telephone:** (651) 259-5164

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 2:30 p.m. Central Time, August 23, 2010. **Late proposals will NOT be considered.** Faxed or emailed 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 Public Safety Fire Marshal Division Reposting of Request for Proposals for Medical Response Unit Reimbursement Pilot Program

The Minnesota Department of Public Safety, Fire Marshall Division is requesting proposals from Medical Response Units that are registered with the State of Minnesota Emergency Medical Services Regulatory Board to participate in a Medical First Responder Reimbursement Pilot Project. Up to five Medical Response Units may be awarded a contract to participate in the project if they meet the selection criteria. Those Medical Response Units awarded contracts will need to submit required documents and participate in all aspects outlined in the project Request for Proposals (RFP).

Details are contained in a complete RFP which may be obtained by e-mail from Lance Ross: [lance.ross@state.mn.us](mailto:lance.ross@state.mn.us). All questions concerning this RFP must be submitted via e-mail to Lance Ross: [lance.ross@state.mn.us](mailto:lance.ross@state.mn.us), no later than 2:00 P.M., Central Daylight Time, on August 18, 2010. Answers to questions will be sent via email to all vendors requesting a complete copy of the RFP by end of business on August 20, 2010. Final date for submitting proposals is 2:00 P.M., Central Daylight Time, on August 30, 2010. Late proposals will not be considered.

This request for Proposal does not obligate the State to complete the proposed project and the State reserves the right to cancel solicitation if it is considered to be in the State's best interest. All expenses incurred in responding to this notice shall be borne by the responder.

It is anticipated that contract(s) for this project will begin on or about September 7, 2010 and contract(s) with awarded Medical Response Units will end on or before December 31, 2010. The project will end once the allocated program dollars have been disbursed.

# State Contracts

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## Department of Transportation (Mn/DOT)

### Engineering Services Division

#### Notice of Potential Availability of Contracting Opportunities for a Variety of General Organizational Related Activities

This document is available in alternative formats for persons with disabilities by calling Melissa McGinnis at (651) 366-4644; for persons who are hearing or speech impaired by calling the Minnesota Relay Service at 1-800-627-3529.

Mn/DOT, in conjunction with the Department of Administration, have developed a streamlined approach for fast-tracking select general organization service projects. These general organizational projects may include, but are not limited to, work in the following categories: 1) Develop, implement and summarize internal and external surveys; 2) Recommend best practices in an organizational structure; 3) Assist with organizational health structure; 4) Provide marketing support; 5) Develop, implement and provide support of ad hoc forums; 6) Establish and facilitate collaborative groups, including cross-organization and public-private teams; 7) Provide project management for non-technical initiatives; and 8) Facilitate non-technical activities and events.

This streamlined approach includes developing an email list of firms that are interested in receiving direct notification of general organizational projects. Firms will be added on an on-going basis. Fast-tracked projects will have a shorter advertising period and turn-around time. Firms will be asked to submit responses within 5 business days and will be required to work diligently with Mn/DOT toward establishing a contract upon selection. All projects will be advertised to the public. Your firm will be directly notified that there is a project posted on the Consultant Services Website ([www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult)) that requires general organizational skills. Please note that this notice is not a solicitation or request for proposals of any kind. Being placed on the list does not guarantee work nor does it obligate Mn/DOT to provide any contracting opportunities under this program

Interested firms should send the following information to the email address below: Firm name, firm contact person, phone number, and email address.

**Contact:** Melissa McGinnis, Contract Administrator  
**E-mail:** [melissa.mcginis@state.mn.us](mailto:melissa.mcginis@state.mn.us)  
**Telephone:** (651) 366-4644

## 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.

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  
St. Paul, MN 55155

## 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.

## Minnesota Zoo Request for Proposals from Qualified and Experienced Vendors to Provide, Customize, and Maintain an Online Group Scheduling and Registration Software System

The Minnesota Zoo seeks to provide convenient online scheduling and support for school programs and group sales. Through the new system, schools and groups will be able to register for field trips and programs via a secure online system, indicate arrival and departure times, choose add-on options, and choose payment methods, including purchase orders and delayed invoicing. Our internal schedulers will also be able to input and manipulate reservations, assign classrooms, and arrange tracked schedules as necessary. The program database will be accessed for regular reporting needs and data analysis.

Details are included in the complete Request for Proposals which is available by e-mailing Carol Strecker, Minnesota Zoo School Programs Supervisor at [carol.strecker@state.mn.us](mailto:carol.strecker@state.mn.us). The deadline for submitting a proposal is 3:30PM., CST, August 25, 2010.

This Request for Proposals does not obligate the State of Minnesota or the Minnesota Zoo to complete the work contemplated in this notice and the State reserves the right to cancel this solicitation. All expenses incurred in response to this notice are solely the responsibility of the responder.

# 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.

## Increase Profits

The *State Register* offers one of the cheapest, yet far reaching methods, of notifying the public about your agency's bids, contracts and grants. It is available to any government, non-profit, or private agency. Space is charged at the current rate of \$13.60 per each 1/10th of a page used in the *State Register*. Agencies are only billed for the space used in the *State Register*.

Agencies wishing to take advantage of this offer should submit what you want printed in the *State Register* via e-mail to: [robin.panlener@state.mn.us](mailto:robin.panlener@state.mn.us). Attach to your entry a short note indicating when you wish the notice to be published (one, or many dates), if you want a copy of the issue your notice appears in (a TEAR SHEET will be sent free with your bill), and whether you want an "Affidavit of Publication."

## City of Golden Valley, Minnesota

### Notice of Availability of Contract for Preliminary Design of Douglas Drive (CSAH 102) between TH 55 and Medicine Lake Road (CSAH 70)

The City of Golden Valley is requesting proposals for the purpose of performing preliminary design for the reconstruction of CSAH 102 between TH 55 and CSAH 70 (Medicine Lake Road) in Golden Valley, MN.

Work is proposed to start after November 2010.

A Request for Proposals is available by mail through August 31, 2010. **A written request (by direct mail or fax) is required to receive the Request for Proposals.** After August 31, 2010, the Request for Proposals must be picked up in person.

The Request for Proposals can be obtained from:

City of Golden Valley  
Public Works Department  
7800 Golden Valley Road  
Golden Valley, MN 55427  
**Phone:** (763) 593-8030  
**Fax:** (763) 593-3988  
**Website:** [www.ci.golden-valley.mn.us](http://www.ci.golden-valley.mn.us)

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than September 15, 2010. **Late proposals will NOT be considered.** No time extensions will be granted.

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

All interested persons may appear in person or by counsel and be heard. If you require auxiliary aids or services to participate or communicate in this meeting, please contact Judy Nally at (763) 593-3991; TTY: (763) 593-3968, at least 48 hours before the meeting time to make a request. Examples of auxiliary aids or services may include sign language interpreter, assistive listening device, accessible meeting location, etc.



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# Non-State Public Bids, Contracts & Grants

## Metropolitan Airports Commission (MAC)

### Sealed Bids Sought for 2010-2011 Glycol Recovery Program

**Project Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2010-2011 Glycol Recovery Program  
**MAC Contract No.** 33792 SC  
**Bids Close At:** 2:00 PM on August 17, 2010

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated.

This project provides for the installation and removal of sewer by-pass plugs in existing storm sewer pipes at various locations on the airfield; collection of glycol/water mixtures resulting from aircraft deicing operations at Minneapolis-St. Paul International Airport and transportation of this material to the Owners Glycol Management Facility shown on the Location Plan; cleaning the interiors of existing Glycol Tanks in preparation for inspection by the Owner, and repairs to the Glycol Tank liners. NOTE: Glycol Tank liner repairs will be performed by a qualified subcontractor retained by the Contractor.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 1.3%.

**Bid Security:** Each Bid shall be accompanied by a "Bid-Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of TKDA, the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Plan Room; NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from TKDA; 444 Cedar Street, Suite 1500; St. Paul, MN, 55101; **phone:** (651) 292-4400; **fax:** (651) 292-0083. Make checks payable to TKDA. Deposit per set (refundable) \$50.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids (Document 00020) for this project will be available on MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids) on August 2, 2010.

## 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.

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.