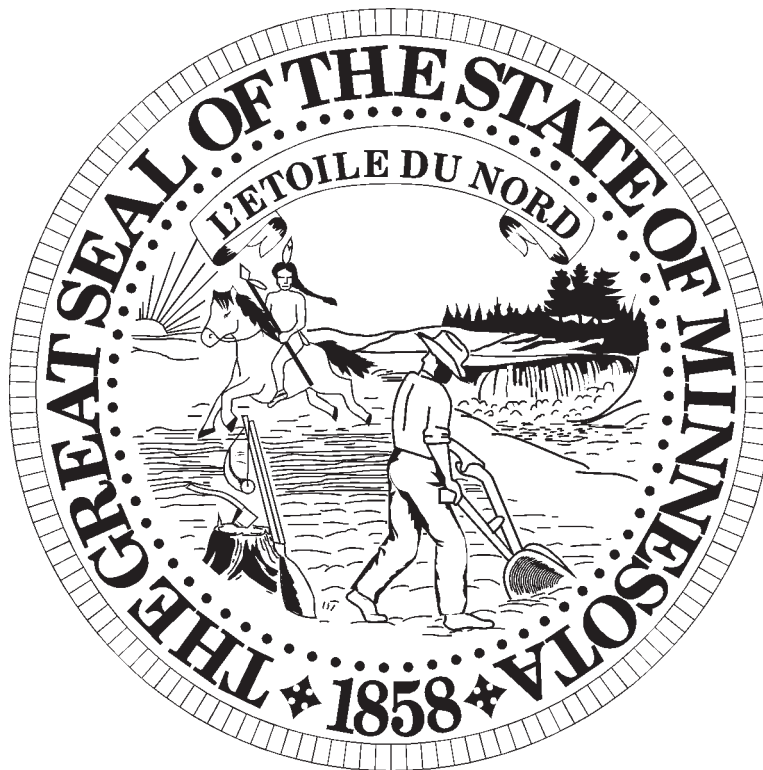


State of Minnesota

State Register



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

**Monday 12 March 2007
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State Register

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The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

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- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
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# 37	Monday	12 March	Noon Tuesday	6 March	Noon Wednesday	28 February
# 38	Monday	19 March	Noon Tuesday	13 March	Noon Wednesday	7 March
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# 40	Monday	2 April	Noon Tuesday	27 March	Noon Wednesday	21 March

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NOTICE: How to Follow State Agency Rulemaking in the State Register

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

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

Commodity, Service and Construction Contracts information is available from the Materials Management Helpline (651) 296-2600, or Web site: www.mmd.admin.state.mn.us

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

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

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

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

Minnesota Department of Labor and Industry

Construction Codes and Licensing Division

Proposed Amendment to Rules Governing Special Fire Protection Systems Rules (Optional), *Minnesota Rules*, Chapter 1306

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

Introduction. The Department of Labor and Industry intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on Wednesday, April 11, 2007, a public hearing will be held in the Minnesota Room, Department of Labor and Industry, 443 Lafayette Road North, St. Paul, Minnesota 55155, starting at 1:00 p.m. on Friday, May 4, 2007. To find out whether the rules will

Proposed Rules

be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after April 11, 2007, and before May 4, 2007.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Carrie Rohling at the Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155, e-mail at: dli.rules@state.mn.us, **telephone:** (651) 284-5217, or **fax:** (651) 284-5725. **TTY** users may call the Department at (651) 297-4198.

Subject of Rules and Statutory Authority. The proposed rules are about updating the rules governing the Minnesota provisions of the Special Fire Protection Systems (Optional), Minnesota Rules, Chapter 1306. The purpose of the proposed rule is to amend language pertaining to the sprinklering of particular occupancy classifications, which includes exempting particular structures that were inadvertently included in a previous rulemaking, and may include further modification to address residential structures. The proposed rules also provide flexibility in the methods a municipality may use to inform the Department that it has adopted these rules. Finally, the proposed rule changes agency names to reflect Governor's Order No. 193, which transferred responsibilities pertaining to the State Building Code from the Department of Administration to the Department of Labor and Industry.

The statutory authority to adopt the rules is *Minnesota Statutes*, sections 16B.59, 16B.61, and 16B.64. On May 16, 2005, the authorities granted under these statutory provisions transferred to the Department of Labor and Industry by Governor's Order No. 193. On August 15, 2006, the Office of Administrative Hearings waived the publication of the proposed rules in the *State Register*. The proposed rules are available on the Department's website at www.doli.state.mn.us. A free copy of the rules is also available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m. on Wednesday, April 11, 2007 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 desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday, April 11, 2007. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

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

In addition to modifications that may be made as a result of public comment or the rulemaking process, the proposed rules may be modified as a result of the outcome of a concurrent rulemaking pertaining to the adoption of the International Residential Code, as amended. Should the proposed rule be modified as a result of the chapter 1309 rulemaking, the modifications will be limited to rule part 1306.0030, item E.

Cancellation of Hearing. The hearing scheduled for May 4, 2007 will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 284-5217 after April 11, 2007 and before May 4, 2007 to find out whether the hearing will be held.

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

Proposed Rules

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

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

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement is available on the Department's website at www.doli.state.mn.us, and may also be reviewed and copies obtained at the cost of reproduction from the agency.

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

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

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

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

Dated: February 28, 2007

M. Scott Brener, Commissioner
Department of Labor and Industry

Adopted Rules

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

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

Board of Dentistry

Adopted Permanent Rules Relating to Licensure

The rules proposed and published at *State Register*, Volume 31, Number 2, pages 25-35, July 10, 2006 (31 SR 25), are adopted with the following modifications:

3100.0100 DEFINITIONS.

Subp. 2b. **Analgesia.** "Analgesia" means the diminution or elimination of pain as a result of the administration of an agent including, but not limited to, local anesthetic, nitrous oxide, and pharmacological and nonpharmacological methods. ~~Dose or dosages must be administered consistent with accepted drug references or publications.~~

Subp. 2c. **Anxiolysis.** "Anxiolysis" means the utilization of pharmacological or nonpharmacological methods to reduce patient anxiety including, but not limited to, behavior management, nitrous oxide, and ~~single dose~~ oral anxiolytic or analgesic medications ~~administered in doses consistent with accepted drug references or publications.~~

Subp. 8a. **Conscious sedation.** "Conscious sedation" means a minimally depressed level of consciousness produced by a pharmacological or nonpharmacological method or a combination thereof that retains the patient's ability to independently and continuously maintain an airway and respond appropriately to physical stimulation or verbal command. ~~Dose or dosages must be administered consistent with accepted drug references or publications.~~

Subp. 12a. **General anesthesia.** "General anesthesia" means an induced state of unconsciousness produced by a pharmacological or nonpharmacological method or a combination thereof and accompanied by a partial or complete loss of protective reflexes, including the inability to continually maintain an airway independently and respond purposefully to physical stimulation or verbal commands. General anesthesia is synonymous with the term "deep sedation." ~~Dose or dosages must be administered consistent with accepted drug references or publications.~~

3100.3600 ADMINISTRATION OF GENERAL ANESTHESIA, CONSCIOUS SEDATION, AND NITROUS OXIDE INHALATION ANALGESIA.

Subp. 9. **General anesthesia/conscious sedation certificate.**

B. To administer general anesthesia or conscious sedation, a dentist must obtain a certificate from the board for the requested procedure. Failure by a dentist to obtain an appropriate certificate subjects the dentist to disciplinary proceedings on grounds specified in parts 3100.6100 and 3100.6200 and *Minnesota Statutes*, section 150A.08, subdivision 1. Certificate issuance is governed by subitems (1) to (9).

(4) Upon receipt of an application for an initial general anesthesia or conscious sedation certificate, the board shall require that the dentist undergo an onsite inspection as described in subpart 11 or further review of the dentist's anesthesia/sedation credentials. The board may direct an anesthesia consultant or qualified anesthetic practitioner who has been approved by the board and provided with board-established guidelines to assist in the inspection or review.

(6) Upon receipt of an application for renewal of a general anesthesia or conscious sedation certificate, the board may require that the dentist undergo an onsite inspection as described in subpart 11 or further review of the dentist's anesthesia/sedation credentials. The board may direct an anesthesia consultant or qualified anesthetic practitioner who has been approved by the board and provided with board-established guidelines to assist in the inspection or review.

Subp. 10. **Practice and equipment requirements.**

A. Dentists who administer general anesthesia or conscious sedation or who provide dental services to patients under general anesthesia or conscious sedation must ensure that the practice requirements in subitems (1) to (3) are followed.

(2) An individual qualified to administer general anesthesia or conscious sedation, who is in charge of the administration of the anesthesia or sedation, must remain in the operatory room to continuously monitor the patient once general anesthesia or conscious sedation is achieved and until all dental services are completed on the patient returns to a level one consciousness. Thereafter, an individual qualified to administer anesthesia or sedation must ensure that the patient is appropriately monitored and discharged as described in

subparts 2, items B and C, and 3, items B and C.

Subp. 11. **Onsite inspection; requirements and procedures.** All offices in which general anesthesia or conscious sedation is conducted under the terms of this part must be in compliance with the requirements in items A to C. Besides these requirements, each office must be in compliance with the practice and equipment requirements described in subpart 10. The dentist is responsible for all costs associated with an onsite inspection.

C. On-site inspection procedures are as described in subitems (1) to (3).

(3) A dentist who fails an on-site inspection ~~may~~ shall have the general anesthesia or conscious sedation certificate suspended or be subject to disciplinary proceedings.

3100.8700 DENTAL HYGIENISTS.

Subpart 1. **Duties under general supervision.** A dental hygienist may perform the following procedures without the dentist being present in the dental office or on the premises if the procedures being performed are with prior knowledge and consent of the dentist:

C. preliminary charting of the oral cavity and surrounding structures to include case histories, perform initial and periodic examinations and assessments to ~~make a dental hygiene diagnosis of~~ determine periodontal status, and formulate a dental hygiene treatment plan in coordination with a dentist's treatment plan;

Gambling Control Board

Adopted Permanent Rules Relating to Lawful Gambling

The rules proposed and published at *State Register*, Volume 31, Number 22, pages 691-693, November 27, 2006 (31 SR 691), are adopted with the following modifications:

7861.0210 DEFINITIONS.

Subp. 13. **Continuation bingo game.** "Continuation bingo game" means a bingo game where up to three games may be played concurrently on one bingo paper sheet face, bingo hard card, or facsimile of a bingo paper sheet; all completed winning patterns are verified independently; and no restrictions are placed on the order of completing the required patterns. Each portion of the continuation game is considered a complete game, even though the numbers selected for the previous game or games are not made available again for selection until all of the games have been completed.

Subp. 47. **Sealed bingo paper sheet.** "Sealed bingo paper sheet" means a manufacturer-sealed bingo paper sheet constructed so that the bingo face is sealed in a manner that prevents revealing any part of the bingo face before the seal is opened by a bingo player.

7861.0220 LICENSED ORGANIZATION.

Subp. 2. **Organization licensing qualifications.** In addition to the qualifications in *Minnesota Statutes*, sections 349.155, subdivision 3, and 349.16, subdivision 2, an organization does not qualify for a license if:

A. an organization ~~that~~ has not been licensed to conduct lawful gambling within the preceding 12 months ~~if~~ and its current chief executive officer and a person who will be its gambling manager have not completed a gambling manager seminar;

Subp. 6. **Issuing or denying a new or renewal organization license.** The following items apply to a new or renewal organization license issued or denied by the director.

A. The director must issue a new or renewal license to an organization that:

(3) ~~and~~ is eligible to receive a license under subpart 2. The license must be issued at the same time as any new or renewal premises permits when the organization is applying for a license.

7861.0280 PULL-TABS.

Subp. 10. **Use of cash register; monthly audit and reconciliation report.** If an organization uses a cash register in the conduct of pull-tabs, the organization must:

E. ensure that the gambling employee or volunteer:

- (1) ~~use~~ uses the cash register key that corresponds to the game from which the player is purchasing the pull-tab;
- (2) ~~enter~~ enters the number of pull-tabs purchased; and
- (3) ~~enter~~ enters the dollar value of the currency given by the player;

7861.0290 TIPBOARDS.

Subp. 6. **Operation of cumulative tipboard game.** In addition to the requirements of subpart 3 the following items pertain to the conduct of a cumulative tipboard game.

Adopted Rules

A. Cumulative tipboard games may only ~~by be~~ played with deals having the same form number from the same family and manufacturer.

7863.0220 DISTRIBUTOR OPERATIONS, ACCOUNTS, REPORTS, AND RECORDS.

Subp. 3. **Registration of permanent gambling equipment.** A distributor must not sell, lease, transfer, furnish, or provide any permanent gambling equipment to an organization unless the equipment has been registered in the following manner ~~or as otherwise prescribed by the board.~~

7864.0230 MANUFACTURER STANDARDS FOR LAWFUL GAMBLING EQUIPMENT.

Subpart 1. **Manufacturing standards for pull-tab tickets and deals.** Pull-tab tickets and deals manufactured for sale in Minnesota must comply with the following standards.

A. Pull-tab tickets must be tamper-resistant so that a ticket that has been tampered with or partially opened before its sale to the public can be detected. Flares with seals and prize pool boards must be manufactured so that none of the ~~seals can be tampered with or the~~ information under the seals can be determined in advance of opening the seals in any manner or by any device including but not limited to any pattern in manufacture, assembly, packaging, markings, or by use of a light. Manufacturers are in compliance if the processes are approved by the board, and all tickets, flares with seals, and prize pool boards are produced using the approved processes. Once approved, a manufacturer may not change its processes without prior approval of the board.

Subp. 3. **Manufacturing standards for tipboards and tipboard tickets.** Tipboards and tipboard tickets manufactured for sale in Minnesota must conform to the following standards.

A. Tipboard flares and prize pool boards must be manufactured so that none of the ~~seals can be tampered with or the~~ information under the seals can be determined in advance of opening the seals in any manner or by any device, including but not limited to any pattern in manufacture, assembly, packaging, markings, or by use of a light. Manufacturers are in compliance if the processes are approved by the board and all tipboard flares and prize pool boards with seals are produced using the processes. Once approved, a manufacturer may not change its processes without prior approval of the board.

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

Adopted Expedited Emergency Game and Fish Rules: Disability Turkey Hunt Quotas and Youth Turkey Special Hunts

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 rules is *Minnesota Statutes*, sections 97A.137, 97A.435, 97B.111, 97B.112, 97B.711, 97B.723

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that annual youth and disabled turkey hunt information is not available until January.

Dated: February 20, 2007

Mark Holsten, Commissioner
Department of Natural Resources

Expedited Emergency Rules

6236.1065 PERMITS FOR DISABILITY HUNTS AND YOUTH HUNTS.

Subpart 1. Permits for disability hunts.

A. For wild turkey permit area 337, two additional permits per time period are available for individuals with disabilities participating in a special hunt on the Minnesota Valley National Wildlife Refuge.

B. For wild turkey permit area 225, two additional permits per time period are available for individuals with disabilities participating in a special hunt on the Becklin Homestead Park Wildlife Management Area. Capable Partners, the Isanti County Sportsman's Club, and the National Wild Turkey Federation Triple Gobble Chapter are the sponsoring nonprofit organizations.

C. For wild turkey permit area 223, one additional permit per time period is available for individuals with disabilities participating in a special hunt on the Sand Prairie Wildlife Management Area. Capable Partners is the sponsoring nonprofit organization.

D. For wild turkey permit area 248, up to an additional 40 permits are available April 24 through 26 for taking bearded turkey using legal shotguns, muzzleloading shotguns, or archery equipment to individuals with disabilities participating in a special hunt on the Camp Ripley Military Reservation. One nonhunting mentor must accompany each disabled hunter. The St. Cloud Veterans Administration is the sponsoring organization.

E. For wild turkey permit area 339, up to an additional eight permits are available each time period during time periods C and E for individuals with disabilities participating in a special hunt on the Phillippo Scout Reservation. The Northern Star Council of the Boy Scouts of America is the sponsoring nonprofit organization.

F. For wild turkey permit area 424, one additional permit per time periods A, B, C, and D are available for individuals with disabilities participating in a special hunt on the Claire Rollings (East Unit) Wildlife Management Area. Within the East Unit, the area east of the Chippewa River is closed to general draw permit holders during seasons A to D. The entire Claire Rollings (East Unit) Wildlife Management Area is open to general draw permit holders during seasons E to H. Claire Rollings (West Unit) and Claire Rollings (Rhode Tract) is open to general draw permit holders during all time periods. The National Wild Turkey Federation's Wheelin' Sportsmen and Capable Partners are the sponsoring nonprofit organizations.

Subp. 2. Permits for youth hunts.

A. Wildlife Science Center hunt. For wild turkey permit area 227, two additional permits per time period are authorized for youth participating in a special hunt on land owned by the Wildlife Science Center and adjoining land in Anoka County for the following time periods:

- (1) April 21 and 22;
- (2) April 28 and 29;
- (3) May 5 and 6;
- (4) May 12 and 13; and
- (5) May 19 and 20.

B. John Glenn North Country Cadets hunt. For wild turkey permit area 236, ten additional permits per time period are authorized for youth participating in a special hunt on the Wilder Forest property in Washington County for the following time periods:

- (1) April 21 and 22;
- (2) April 28 and 29;
- (3) May 5 and 6;
- (4) May 12 and 13; and
- (5) May 19 and 20.

C. Bucks and Buckthorn Club hunt. For wild turkey permit area 236, five additional permits per time period are authorized for youth participating in a special hunt at the St. Croix Research Station and Warner Nature Center for the following time periods:

- (1) April 21 and 22;
- (2) April 28 and 29;
- (3) May 5 and 6; and
- (4) May 12 and 13.

D. Minnesota Valley hunt. For wild turkey permit areas 337 and 338, 20 permits are authorized for the time period of April 21 and 22 for youth participating in a special youth hunt conducted by the National Wild Turkey Federation in Scott, Carver, Dakota, and Rice Counties.

E. Chester Woods hunt. For wild turkey permit area 343, 15 additional permits per period are authorized for youth participating in a hunt conducted by the National Wild Turkey Federation and Olmsted County Parks in Chester Woods Park for the following time periods:

- (1) April 14 and 15; and
- (2) April 21 and 22.

F. For wild turkey permit area 215, ten additional permits are authorized for youth participating in a hunt conducted by the National Wild Turkey Federation April 21 and 22.

Expedited Emergency Rules

G. For wild turkey permit area 223, ten additional permits are authorized for youth participating in a hunt conducted by the National Wild Turkey Federation April 21 and 22.

H. For wild turkey permit area 225, ten additional permits are authorized for youth participating in a hunt conducted by the National Wild Turkey Federation April 21 and 22.

I. For wild turkey permit area 227, ten additional permits are authorized for youth participating in a hunt conducted by the National Wild Turkey Federation April 21 and 22.

J. For wild turkey permit area 236, ten additional permits are authorized for youth participating in a hunt conducted by the National Wild Turkey Federation April 21 and 22.

K. For wild turkey permit area 239, ten additional permits are authorized for youth participating in a hunt conducted by the National Wild Turkey Federation April 21 and 22.

L. For wild turkey permit area 339, ten additional permits are authorized for youth participating in a hunt conducted by the National Wild Turkey Federation April 21 and 22.

M. For wild turkey permit area 341, ten additional permits are authorized for youth participating in a hunt conducted by the National Wild Turkey Federation April 21 and 22.

N. For wild turkey permit area 348, ten additional permits are authorized for youth participating in a hunt conducted by the National Wild Turkey Federation April 21 and 22.

O. For wild turkey permit area 440, ten additional permits are authorized for youth participating in a hunt conducted by the National Wild Turkey Federation April 21 and 22.

P. For wild turkey permit area 442, ten additional permits are authorized for youth participating in a hunt conducted by the National Wild Turkey Federation April 21 and 22.

Q. For wild turkey permit area 461, ten additional permits are authorized for youth participating in a hunt conducted by the National Wild Turkey Federation April 21 and 22.

6236.1070 YOUTH WILD TURKEY SPECIAL HUNTS.

Subpart 1. **Requirements.** Persons participating in youth wild turkey hunts must be at least 12 years of age and under 18 years of age by the beginning hunt date. A valid wild turkey license and firearms safety certificate must be obtained prior to being issued a permit. All participants must be accompanied by a parent or legal guardian who is at least 18 years of age. The accompanying parent or guardian may not hunt, but may assist during the hunt. All participants and their accompanying parent or guardian must attend a prehunt orientation offered by the

hunt sponsors. Participating youth hunters must be sponsored and selected by a sponsoring nonprofit or selected by lottery.

Subp. 2. **Open areas.** Youth hunt permittees may hunt in open areas and special seasons as designated by the commissioner.

Subp. 3. **2007 youth wild turkey hunt areas.** In 2007, the following areas are open for youth wild turkey hunters by permit:

A. the Wildlife Science Center property and adjoining private property in Anoka County in wild turkey permit area 227 is open for taking wild turkeys April 21 and 22, April 28 and 29, May 5 and 6, May 12 and 13, and May 19 and 20. No more than ten permits shall be issued to firsttime turkey hunters ages 12 to 17 selected by the Wildlife Science Center. No more than two permits shall be issued per open time period. The Wildlife Science Center is the sponsoring nonprofit organization;

B. the Wilder Forest in Washington County in wild turkey permit area 236 is open for taking wild turkeys April 21 and 22, April 28 and 29, May 5 and 6, May 12 and 13, and May 19 and 20. No more than 50 permits cumulatively shall be issued to hunters age 12 to 17 selected by the John Glenn Archery Club and the Safari Club International North Country Cadets. No more than ten permits shall be issued per open time period to hunters ages 12 to 17 selected by the John Glenn Archery Club. The John Glenn Archery Club and the Safari Club International North Country Cadets are the sponsoring nonprofit organizations;

C. the St. Croix Research Station and the Warner Nature Center in wild turkey permit area 236 is open for taking wild turkeys by archery April 21 and 22, April 28 and 29, May 5 and 6, May 12 and 13, and May 19 and 20. No more than five permits shall be issued per open time period to hunters ages 12 to 17 selected by the Bucks and Buckthorn Club. The Bucks and Buckthorn Club and the Science Museum of Minnesota are the sponsoring nonprofit organizations;

D. the Minnesota Valley State Recreation Area in Scott and Carver Counties, the Minnesota Valley National Wildlife Refuge in Scott and Carver Counties, and private property identified by the hunt sponsor in turkey permit areas 337 and 338, within Scott, Carver, Dakota, and Rice Counties are open April 21 and 22 for taking wild turkeys from one half hour before sunrise until noon each day. No more than 20 permits shall be issued to firsttime turkey hunters ages 12 to 17 selected by lottery. The National Wild Turkey Federation is the sponsoring nonprofit organization;

E. the Chester Woods Park in Olmsted County is open April 14 and 15 and April 21 and 22 for taking wild turkeys from onehalf hour before sunrise until noon each day. No more than 30 permits shall be offered to firsttime turkey hunters ages 12 to 17 selected by lottery. No more than 15 permits shall be offered per open time period. The National Wild Turkey Federation is the sponsoring nonprofit organization;

Expedited Emergency Rules

F. for wild turkey permit area 215, private property identified by the hunt sponsor is open April 21 and 22 for taking wild turkeys from onehalf hour before sunrise until noon each day. No more than ten permits shall be issued to firsttime turkey hunters ages 12 to 17 selected by lottery. The National Wild Turkey Federation is the sponsoring nonprofit organization;

G. for wild turkey permit area 223, private property identified by the hunt sponsor is open April 21 and 22 for taking wild turkeys from one half hour before sunrise until noon each day. No more than ten permits shall be issued to firsttime turkey hunters ages 12 to 17 selected by lottery. The National Wild Turkey Federation is the sponsoring nonprofit organization;

H. for wild turkey permit area 225, private property identified by the hunt sponsor is open April 21 and 22 for taking wild turkeys from onehalf hour before sunrise until noon each day. No more than ten permits shall be issued to firsttime turkey hunters ages 12 to 17 selected by lottery. The National Wild Turkey Federation is the sponsoring nonprofit organization;

I. for wild turkey permit area 227, private property identified by the hunt sponsor is open April 21 and 22 for taking wild turkeys from onehalf hour before sunrise until noon each day. No more than ten permits shall be issued to firsttime turkey hunters ages 12 to 17 selected by lottery. The National Wild Turkey Federation is the sponsoring nonprofit organization;

J. for wild turkey permit area 236, private property identified by the hunt sponsor is open April 21 and 22 for taking wild turkeys from onehalf hour before sunrise until noon each day. No more than ten permits shall be issued to firsttime turkey hunters ages 12 to 17 selected by lottery. The National Wild Turkey Federation is the sponsoring nonprofit organization;

K. for wild turkey permit area 239, private property identified by the hunt sponsor is open April 21 and 22 for taking wild turkeys from onehalf hour before sunrise until noon each day. No more than ten permits shall be issued to firsttime turkey hunters ages 12 to 17 selected by lottery. The National Wild Turkey Federation is the sponsoring nonprofit organization;

L. for wild turkey permit area 339, private property identified by the hunt sponsor is open April 21 and 22 for taking wild turkeys from onehalf hour before sunrise until noon each day. No more than ten permits shall be issued to firsttime turkey hunters ages 12 to 17 selected by lottery. The National Wild Turkey Federation is the sponsoring nonprofit organization;

M. for wild turkey permit area 341, private property identified by the hunt sponsor is open April 21 and 22 for taking wild turkeys from onehalf hour before sunrise until noon each day. No more than ten permits shall be issued to firsttime turkey hunters ages 12 to 17 selected by lottery. The National Wild Turkey Federation is the sponsoring nonprofit organization;

N. for wild turkey permit area 348, private property identified by the hunt sponsor is open April 21 and 22 for taking wild turkeys from onehalf hour before sunrise until noon each day. No more than ten permits shall be issued to firsttime turkey hunters ages 12 to 17 selected by lottery. The National Wild Turkey Federation is the sponsoring nonprofit organization;

O. for wild turkey permit area 440, private property identified by the hunt sponsor is open April 21 and 22 for taking wild turkeys from onehalf hour before sunrise until noon each day. No more than ten permits shall be issued to firsttime turkey hunters ages 12 to 17 selected by lottery. The National Wild Turkey Federation is the sponsoring nonprofit organization;

P. for wild turkey permit area 442, private property identified by the hunt sponsor is open April 21 and 22 for taking wild turkeys from onehalf hour before sunrise until noon each day. No more than ten permits shall be issued to firsttime turkey hunters ages 12 to 17 selected by lottery. The National Wild Turkey Federation is the sponsoring nonprofit organization; and

Q. for wild turkey permit area 461, private property identified by the hunt sponsor is open April 21 and 22 for taking wild turkeys from onehalf hour before sunrise until noon each day. No more than ten permits shall be issued to firsttime turkey hunters ages 12 to 17 selected by lottery. The National Wild Turkey Federation is the sponsoring nonprofit organization.

EFFECTIVE DATE. *Minnesota Rules*, parts 6236.1065; and 6236.1070, subpart 3, expire July 1, 2007.

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules: Invasive Species and Designated Infested Waters

NOTICE IS HEREBY GIVEN that the above entitled rule has 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 84D.03, subdivision 1, and 84D.12, subdivision 3.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459 are that, since the previous designations of infested waters in permanent and emergency rules, 13 additional waters have been confirmed to contain Eurasian watermilfoil, four additional waters have been confirmed to contain spiny waterfleas or are contiguous with or connected to waters with reproducing populations of spiny waterfleas such that they are expected to contain populations of spiny waterfleas, and four additional waters have been confirmed to contain zebra mussels or are contiguous with or connected to waters with reproducing populations of zebra mussels such that they are expected to contain populations of zebra mussels.

Permanent rule amendments to designate all of these waters infested with zebra mussels, and one of these waters infested with spiny

Expedited Emergency Rules

waterfleas are in process, but may not be completed before the open water season. All of the waters confirmed to contain Eurasian watermilfoil and three of the waters confirmed to contain spiny waterfleas, or connected to waters confirmed to contain spiny waterfleas, were identified too late to be incorporated into the permanent rules now in process. They will be listed in permanent rule sometime in the future. It is necessary to designate these waters promptly to help prevent the further spread of these invasive species and be able to enforce the laws related to infested waters.

Dated: February 12, 2007

Mark Holsten, Commissioner
Department of Natural Resources

6216.0350 DESIGNATED INFESTED WATERS.

Subpart 1. ~~Listing of waters infested with Eurasian water milfoil~~ **Designation listings.** The water bodies listed in this part are designated as infested with the species indicated. Activities at these waters are subject to the invasive species rules in parts 6216.0100 to 6216.0600 and *Minnesota Statutes*, chapter 84D. A lake in more than one county is listed under the county corresponding to its protected waters inventory number; nevertheless, the designation applies to the entire lake.

Subp. 1a. **Listing of waters infested with Eurasian water milfoil.** The following water bodies are designated by the commissioner as infested with Eurasian water milfoil (*Myriophyllum spicatum*) and its hybrids. ~~Activities at these waters are subject to parts 6216.0100 to 6216.0600, *Minnesota Statutes*, section 84D.13, and other applicable laws.~~

Name	DNR Protected Waters Inventory Number
[For text of items A and B, see 30 SR 1057]	
C. Carver County	
(1) Ann Lake	10-0012
(2) Auburn Lake	10-0044
(3) Bavaria Lake	10-0019
(4) Burandt	10-0084
(5) Eagle Lake	10-0121
(6) Firemen's Lake	10-0226
(7) Lotus Lake	10-0006
(8) Lake Minnewashta	10-0009
(9) Lucy Lake	<u>10-0007</u>
(9) (10) Parley Lake	10-0042
(10) (11) Pierson Lake	10-0053
(11) (12) Riley Lake	10-0002
(12) (13) Schutz Lake	10-0018
(13) (14) Steiger Lake	10-0045
(14) (15) Stone Lake	10-0056
(15) (16) Susan Lake	10-0013
(16) (17) Lake Virginia	10-0015
(17) (18) Lake Waconia	10-0059
(18) (19) Wasserman Lake	10-0048
(19) (20) Lake Zumbra	10-0041
D. Cass County	
(1) Leech Lake	11-0203
E. Chisago County	
(1) Ellen Lake	13-0047
(2) Fish Lake	<u>13-0068</u>
(2) (3) Green Lake	13-0041
(3) (4) North Lindstrom	13-0035
(4) (5) Rush Lake	13-0069
F. Crow Wing County	

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(1) Bay Lake	18-0034
(2) Ossawinnamakee Lake	18-0352
(3) Ripple River, between Bay Lake and Tame Fish Lake	18-0000
(4) Ruth Lake	18-0212

G. Dakota County

(1) Crystal Lake	19-0027
(2) Early Lake	19-0033
(3) Keller Lake	19-0025
(4) Lac Lavon	19-0347 <u>19-0446</u>
(5) Lake Marion	19-0026
(6) Quarry Lake	<u>19-0128</u>
(6) (7) Schultz Lake	19-0075
(7) (8) Sunset Pond	19-0451
(8) (9) Twin Lakes	19-0028
(9) (10) Unnamed pond in Valley Park	19-0348

H. Douglas County

(1) Oscar Lake	21-0257
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I. Hennepin County

(1) Arbor Lake located in the S 1/2 of the SW 1/4 of S23, T119N, R22W	private
(2) Arbor Lake North located in the NW 1/4 of the SW 1/4 of S23, T119N, R22W	private
(3) Arbor Lake West	27-1130
(4) Arrowhead Lake	27-0045
(5) Bass Lake	27-0098
(6) Brownie Lake	27-0038
(7) Bryant Lake	27-0067
(8) Bush Lake	27-0047
(9) Lake Calhoun	27-0031
(10) Cedar Lake	27-0039
(11) Christmas Lake	27-0137
(12) Dutch Lake	27-0181
(13) Eagle Lake	27-0111
(14) Fish Lake	27-0118
(15) Forest Lake	27-0139
(16) Galpin Lake	27-0144
(17) Gleason Lake	27-0095
(18) Lake Harriet	27- 0016
(19) Hiawatha Lake	27-0018
(20) Lake Independence	27-0176
(21) Lake of the Isles	27-0040
(22) Lakewood Cemetery	<u>27-0017</u>
(22) (23) Libbs Lake	27-0085
(23) (24) Little Long Lake	27-0179
(24) (25) Long Lake	27-0160
(25) (26) Medicine Lake	27-0104
(26) (27) Minnehaha Creek	27-0000

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(27) (28) Lake Minnetonka	27-0133
(28) (29) Mitchell Lake	27-0070
(29) (30) Niccum's Pond located in the NW 1/4 of the SW 1/4 of S10, T117N, R24W	private
(30) (31) Lake Nokomis	27-0019
(31) (32) Parker's Lake	27-0107
(32) (33) Peavy Lake	27-0138
(33) (34) Lake Rebecca	27-0192
(34) (35) Rice Lake	27-0116
(35) (36) Round Lake	27-0071
(36) (37) Lake Sarah	27-0191
(37) (38) Schmidt Lake	27-0102
(38) (39) Snelling Lake	27-0001
(39) (40) Swan Lake located in the NW 1/4 of the NW 1/4 of S4, T117N, R23W	private
(40) (41) Tanager Lake	27-0141
(42) <u>Twin Lake</u>	<u>27-0042</u>
(41) (43) Unnamed wetland	27-0900
(42) (44) Whaletail Lake	27-0184
(43) (45) Wirth Lake	27-0037
(44) (46) Wolfe Lake	27-0664

J. Isanti County

(1) Green Lake	30-0136
(2) <u>Long Lake</u>	<u>30-0072</u>

[For text of items K to BB, see 30 SR 1057]

CC. Washington County

(1) Big Marine Lake	82-0052
(2) <u>Bone Lake</u>	<u>82-0054</u>
(3) <u>Camp Galilee Lake</u>	<u>82-0502</u>
(4) <u>Clear Lake</u>	<u>82-0163</u>
(2) (5) Lake Elmo	82-0106
(3) (6) Long Lake	82-0118
(7) <u>Mud Lake</u>	<u>82-0168</u>
(4) (8) Powers Lake	82-0092
(5) (9) St. Croix River	82-0001
(6) (10) Sunset Lake	82-0153
(7) (11) White Bear Lake	82-0167

DD. Winona County

(1) <u>Winona Lake</u>	<u>85-0011</u>
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~~DD~~: EE. Wright County

(1) Augusta Lake	86-0284
(2) Beebe Lake	86-0023
(3) Buffalo Lake	86-0090
(4) Clearwater Lake	86-0252
(5) Clearwater River, downstream of Clearwater Lake	86-0000
(6) Deer Lake	86-0107
(7) <u>Emma Lake</u>	<u>86-0188</u>

Expedited Emergency Rules

(7) (8) Fish Lake	86-0183
(8) (9) French Lake	86-0273
(9) (10) Goose Lake	86-0108
(10) (11) Howard Lake	86-0199
(11) (12) Indian Lake	86-0223
(13) Little Mary Lake	86-0139
(12) (14) Lake Mary	86-0156
(13) (15) Mink Lake	86-0088
(14) (16) Little Waverly Lake	86-0106
(15) (17) Lake Pulaski	86-0053
(16) (18) Ramsey Lake	86-0120
(17) (19) Rock Lake	86-0182
(18) (20) Sugar Lake	86-0233
(19) (21) Waverly Lake	86-0114
(20) (22) Weigand Lake	86-0242

EE: FF. Multiple counties

- (1) Mississippi River,
downstream of St. Anthony Falls

Subp. 2. **Listing of waters infested with round goby.** The following water bodies are designated by the commissioner as infested with round goby (*Neogobius melanostomus*). ~~Activities at these waters are subject to parts 6216.0100 to 6216.0600, Minnesota Statutes, section 84D.13, and other applicable laws.~~

Name	DNR Protected Waters
	Inventory Number
Multiple Counties	
(1) Lake Superior	16-0001
(2) St. Louis River, downstream of the Fond du Lac dam	

Subp. 3. **Listing of waters infested with ruffe.** The following water bodies are designated by the commissioner as infested with ruffe (*Gymnocephalus cernuus*). ~~Activities at these waters are subject to parts 6216.0100 to 6216.0600, Minnesota Statutes, section 84D.13, and other applicable laws.~~

Name	DNR Protected Waters
	Inventory Number
Multiple Counties	
(1) Lake Superior	16-0001
(2) St. Louis River, downstream of the Fond du Lac dam	

Subp. 4. **Listing of waters infested with spiny water flea.** The following water bodies are designated by the commissioner as infested with spiny water flea (*Bythotrephes cederstroemi*). ~~Activities at these waters are subject to parts 6216.0100 to 6216.0600, Minnesota Statutes, section 84D.13, and other applicable laws.~~

Name	DNR Protected Waters
	Inventory Number
A. Cook County	
(1) Flour Lake	16-0147
(2) Greenwood Lake	16-0077
(3) McFarland Lake	16-0027
(4) Pine Lake	16-0041
(5) Lake Saganaga	16-0633

Expedited Emergency Rules

B. Lake of the Woods County

(1) <u>Lake of the Woods</u>	<u>39-0002</u>
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~~B.~~ C. St. Louis County

(1) Fish Lake	69-0491
(2) Island Lake	69-0372
(3) <u>Namakan Lake</u>	<u>69-0693</u>
(4) <u>Rainy Lake</u>	<u>69-0694</u>

~~C.~~ D. Multiple Counties

(1) Lake Superior	16-0001
(2) Cloquet River from Island Lake to the St. Louis River	
(3) <u>Rainy River from Rainy Lake to Lake of the Woods</u>	
(3) (4) <u>St. Louis River, downstream of the Cloquet River</u>	

Subp. 5. **Listing of waters infested with white perch.** The following water bodies are designated by the commissioner as infested with white perch (*Morone americana*). Activities at these waters are subject to parts 6216.0100 to 6216.0600, *Minnesota Statutes*, section 84D.13, and other applicable laws.

Name	DNR Protected Waters Inventory Number
Multiple Counties	
(1) Lake Superior	16-0001
(2) St. Louis River, downstream of the Fond du Lac dam	

Subp. 6. **Listing of waters infested with zebra mussels.** The following water bodies are designated by the commissioner as infested with zebra mussels (*Dreissena* spp.). Activities at these waters are subject to parts 6216.0100 to 6216.0600, *Minnesota Statutes*, section 84D.13, and other applicable laws.

Name	DNR Protected Waters Inventory Number
[For text of items A and B, see 30 SR 1057]	
C. Mille Lacs County	
(1) Lake Mille Lacs	48-0002
(2) All tributaries to Lake Mille Lacs from the mouth to the first public road
(3) <u>Ogechie Lake</u>	<u>48-0014</u>
(4) <u>Onamia Lake</u>	<u>48-0009</u>
(5) <u>Shakopee Lake</u>	<u>48-0012</u>

[For text of items D to F, see 30 SR 1057]

G. Multiple Counties

(1) Lake Superior	16-0001
(2) Mississippi River, from the mouth of the Pine River in Crow Wing County to the Minnesota-Iowa border	

Expedited Emergency Rules

- (3) Rum River
(3) (4) St. Louis River,
downstream of the
Fond du Lac dam
(4) (5) Zumbro River, downstream
of Lake Zumbro

Executive Orders

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

Office of the Governor

Emergency Executive Order # 07-03: Providing for Winter Storm Assistance to Local Civil Authorities

I, TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and applicable laws, do hereby issue this emergency executive order:

WHEREAS, on March 1, 2007, a severe winter storm hit the state of Minnesota;

WHEREAS, the storm has brought to many areas ice, snow and high winds creating blizzard-like conditions and causing road and highway closures; and

WHEREAS, these conditions create a potential for power outages and stranded motorists; and

WHEREAS, local authorities in some affected areas do not have adequate local resources for providing power generation, shelter or humanitarian relief to persons affected by the severe winter storm; and

WHEREAS, local civil authorities have requested power generation assets, facilities for shelter, personnel on standby for rescue missions, and other related assistance from the Minnesota National Guard.

NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to state active duty on or about March 1, 2007, in the service of the State, such

Executive Orders

personnel and equipment of the military forces of the State as required, and for such period of time as necessary to assist and support of power generation, search and rescue operations and humanitarian relief in affected areas of Minnesota.

2. The Adjutant General is authorized to purchase, lease or contract goods or services necessary to accomplish the mission.

3. The cost of subsistence, transportation, fuel, pay and allowances of said individuals shall be defrayed from the general fund of the State, as provided for in *Minnesota Statutes* 2006, Sections 192.49, 192.52 and 192.54.

Pursuant to *Minnesota Statutes* 2006, Section 4.035, Subdivision 2, this Order is effective immediately and shall remain in effect until such date as elements of the military forces of the State are no longer required.

IN TESTIMONY WHEREOF, I have set my hand this 1st day of March, 2007.

Signed: TIM PAWLENTY
Governor

Filed According to Law:

Signed: Mark Ritchie
Secretary of State

Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

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Minnesota Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond under *Minnesota Statutes*, Chapter 41C on Behalf of Ian V. Sandager

NOTICE IS HEREBY GIVEN that a public hearing will be held on April 2, 2007, at 9:00 a.m., Department of Agriculture Building, Agricultural Finance Division, 625 Robert Street North, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under Minnesota Statutes, Chapter 41C, in order to finance the construction of a 2,000 head swine

finishing building located 1 3/4 miles west of Hills, MN on Highway 270; NW1/4 of Section 29, Martin Township, Rock County, Minnesota on behalf of Ian V. Sandager, (the Borrower/s).

The maximum aggregate face amount of the proposed bond issue is \$250,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: March 7, 2007

Jim Boerboom, RFA Director
Minnesota Rural Finance Authority

Minnesota Department of Commerce

Division of Market Assurance

Request for Comments on Possible Adoption of, Amendment to, and Repeal of Rules Governing the Regulation of Securities, *Minnesota Rules, 2875.0110-.9970*

Subject of Rules. The Minnesota Department of Commerce requests comments on the possible adoption of, amendment to, and repeal of rules governing the regulation of securities. In 2006, the Minnesota State Legislature repealed the existing scheme of securities regulation in *Minnesota Statutes*, sections 80A.01-31, and replaced it with a modified version of the Uniform Securities Act of 2002, which is now codified at sections 80A.40-90.

Because sections 80A.40-90 will become effective on August 1, 2007, the rules promulgated pursuant to the predecessor act alone will be automatically repealed effective August 1, 2007. However, the new act is replete with provisions authorizing rulemaking. Thus, the Department is considering which of the rules promulgated under the predecessor act may be repromulgated with suitably amended language. The Department is also considering allowing to lapse rules that (1) are inconsistent with the new act; (2) are not authorized under the new act; or (3) have been preempted by federal laws. Finally, the Department is considering the adoption of new rules related to registrations required by; exemptions from certain provisions of; enforcement of; and administration of the new act.

Persons Affected. The additions to, amendments to, and repeal of the rules would likely affect issuers of securities, agents of issuers, broker-dealers, agents of broker-dealers, investment advisers, investment adviser representatives, institutional investors, accredited investors, other investors, and cooperatives.

Statutory Authority. Sections 80A.65, subd. 3 and 80A.88(a) require the Department to adopt rules. The new act also provides for seventy-two instances authorizing the Department to adopt rules. In addition, section 80A.82 authorizes the Department to adopt rules chapterwide. To request a list identifying all sections requiring/authorizing rulemaking, please contact the agency contact person at the address or telephone number listed below.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules.

The Department has appointed an advisory committee to comment on the subject matter of possible rulemaking under active consideration within the agency. Committee Co-Chairs: Thomas G. Lovett, IV (Lindquist & Vennum PLLP) & Bruce A. MacKenzie (Dorsey & Whitney LLP). Committee Members: Jean M. Davis (Gray Plant Mooty); Michael W. Schley (Larkin Hoffman Daly & Lindgren Ltd.); Todd A. Taylor (Leonard, O'Brien, Spencer, Gale & Sayre, Ltd.); Erik T. Nelson (Dorsey & Whitney LLP); Ron McFall (Lindquist & Vennum PLLP); David Rosedahl (Briggs and Morgan); Margaret Goetze (Briggs and Morgan); Tom Jensen (Leonard, Street and Deinard); Daniel Sexton (Minnesota Department of Commerce); Brett L. Bordelon (Minnesota Department of Commerce). This committee has been meeting and continues to meet approximately every three weeks.

Rules Drafts. The Department does not anticipate that a draft of the rules and amendments or list of repealed rules will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to: Brett Bordelon at the Minnesota Department of Commerce 85 7th Place East / Suite 500 Saint Paul, MN 55101; **Fax:** (651) 284-4106; brett.bordelon@state.mn.us. TTY users may call the Department at (651) 296-2860.

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

Official Notices

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: February 6, 2007

Glenn Wilson, Commissioner
Department of Commerce

Minnesota Department of Health Division of Environmental Health Indoor Environments and Radiation Section Request for Comments for Possible Amendment to Rules Governing Asbestos Abatement, *Minnesota Rules*, Chapter 4620, parts 4620.3100 through 4620.3410

Subject of Rules. The Minnesota Department of Health requests comments on its possible rules governing asbestos abatement, *Minnesota Rules*, Chapter 4620, parts 4620.3100 through 4620.3410. The Department is considering rule amendments that affect educational requirements for asbestos workers, conducting air quality monitoring, and eliminating unnecessary documentation when applying for asbestos licenses, certifications and asbestos project permits. The proposed rules affect the following rule parts only:

Minnesota Rules, part 4620.3100, subpart 2b. Defining “air quality monitoring” for clarification of proposed
Minnesota Rules, part 4620.3250, item C.

Minnesota Rules, part 4620.3250, item C. The current rule requires that an asbestos site supervisor be present at the work site during all times when asbestos-related work is performed, including air quality monitoring. The proposed rule would allow a certified asbestos worker to conduct air quality monitoring at a regulated project site without the presence of a certified asbestos site supervisor. This would be allowed only if no other asbestos-related work is being conducted by that certified worker’s company at that specific project site. The effect of this proposed rule would be to decrease the cost of the project and that savings benefit can be passed onto the contracting entity or building owner.

Minnesota Rules, part 4620.3300, subpart 2, item B. The proposed rule would allow an additional education option for individuals who have completed two years of post secondary schooling in designated related fields and desire to become certified asbestos workers. This rule change would benefit college students trying to obtain job-related work experience during the summers as they continue working towards their bachelor degree. It would also benefit vocational and college students who have completed their vocational training, or two-year or four-year degrees in obtaining positions in the environmental and safety fields. In turn, this would provide a larger pool of eligible applicants to recruit from to conduct asbestos-related work.

Minnesota Rules, part 4620.3200, subpart 2, items D, E and F; *Minnesota Rules*, part 4620.3200, subpart 2a, item B; *Minnesota Rules*, part 4620.3300, subpart 4, item C; *Minnesota Rules*, part 4620.3310, 4620.3330 and 4620.3340, subpart 5, items C; *Minnesota Rules*, part 4620.3350, subpart 5, item D; and *Minnesota Rules*, part 4620.3410, subpart 2. These current rules require that additional documentation be submitted with applications and project permit notices. With changes in computer technology, the Department has found that these additional documents are unnecessary. The proposed rules would eliminate these additional documents whenever individuals or companies apply for an asbestos discipline certificate, an asbestos contractor license or an asbestos project permit.

Persons Affected. The proposed rules would likely affect individuals who have completed two years of post secondary schooling in appropriate related fields and desire to become Minnesota certified asbestos workers, firms and individuals who apply for asbestos contractor licenses and certified asbestos disciplines, and current Minnesota licensed asbestos contractors.

Statutory Authority. *Minnesota Statutes*, section 326.78, subdivision 1, requires the Department to adopt and enforce rules necessary to implement *Minnesota Statutes*, sections 326.70 to 326.81.

Public Comment. Interested persons or groups may submit written comments or information on these proposed rules within 30 days

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after the publication of this notice in the *State Register*. The Department met with members of the Minnesota Environmental Contractors Association, and representatives from the Construction Laborers' Education, Apprenticeship & Training Fund of Minnesota and North Dakota and an environmental consulting firm. Therefore, the Department does not contemplate appointing an advisory committee to comment on the proposed rules.

Rules Drafts. The Department has prepared a draft of the proposed rules. A copy of the rules draft is available on the Department's website at www.health.state.mn.us or upon request.

Agency Contact Person. Written comments, questions, requests to receive drafts of the rules, SONAR, and requests for more information should be directed to:

Nancy La Plante
Minnesota Department of Health
Environmental Health Division
PO Box 64975
St. Paul, Minnesota 55164-0975
Phone: (651) 201-4608
Fax: (651) 201-4606
E-mail: nancyjo.laplante@health.state.mn.us
TDD users may call the Department at (651) 201-5797.

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.

John Linc Stine, Director
Environmental Health Division

Minnesota Office of Higher Education

Request for Comments for Possible Amendment to Rules Governing Supplemental Student Loan SELF Program, *Minnesota Rules*, 4850.0010 to 4850.0018

Subject of Rules. The Minnesota Office of Higher Education requests comments on its possible amendment to rules governing its supplemental student loan SELF Program. The Office of Higher Education is considering rule amendments that would:

- Allow for nonaccrual of interest or payment for up to three years for someone with a temporary total disability.
- Allow for a one-time rehabilitation of a loan within two years of a default date.
- Allow for a loan interest rate reduction for active duty military personnel.
- Increase the cosigner minimum age from 18 to 24 unless the cosigner is a sibling of the loan originator.
- Increase the acceptable limit of negative credit items from \$50 to \$300 to be an eligible cosigner.
- Eliminate the personal financial statement as an alternative to a credit report for cosigner credit approval.
- Expedite the loan and further eliminate paper loans by adding language allowing electronic signatures when the process has been adopted by the agency.
- Add language to clarify when a loan is cancelled due to total and permanent disability.

Persons Affected. The amendment to the rules would likely affect:

- People with temporary total disabilities who would now be exempt from loan interest and loan payments for up to three years.
- Military personnel who may be eligible for reduced interest while on active duty.
- People who defaulted on their loan would now have the one time opportunity to rehabilitate their defaulted loan, and clear their credit history if permitted by the credit bureau.
- People between the ages of 18 to 24 who currently qualify as cosigners and would now not be eligible to cosign a student loan.
- Parent's of dependent students who do not want their children to cosign loans for other students.
- Cosigners with credit disputes up to \$300 who would now qualify.
- People who do not have a credit report and could no longer qualify to cosign a loan.

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Statutory Authority. *Minnesota Statutes*, 131A.16, Subd. 2., authorizes the Office of Higher Education to adopt rules to carry out the purposes of sections 136A.15 to 136A.1702.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until 4:00 p.m. on May 23, 2007. The Office of Higher Education does not contemplate appointing an advisory committee to comment on the possible rules.

Rules Drafts. The Office of Higher Education has prepared a draft of the possible rules amendments. The rules draft can be found at www.ohe.state.mn.us.

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules changes should be directed to: Marilyn Kosir, Minnesota Office of Higher Education, 1450 Energy Park Drive, Suite 350, St. Paul MN 55108, or marilyn.kosir@state.mn.us.

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 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 fo

Dated: March 6, 2007

Susan Heegaard, Director
Minnesota Office of Higher Education

Department of Human Services

Health Services and Medical Management Division

Health Care Administration

Notice is Hereby Given to Recipients, Providers of Services, and to the Public of Modifications to Specialty Pharmacy Reimbursement

The State Legislature granted authority to the Department of Human Services to negotiate reimbursement rates lower than the average wholesale price (AWP) minus 12% for "specialty pharmaceutical products".

Specialty pharmacy products are defined as those used by a small number of recipients or recipients with complex and chronic diseases that require expensive and challenging drug regimens. Examples of these conditions include, but are not limited to: multiple sclerosis, HIV/AIDS, transplantation, hepatitis C, growth hormone deficiency, Crohn's Disease, rheumatoid arthritis, and certain forms of cancer. Specialty pharmaceutical products include injectable and infusion therapies, biotechnology drugs, high-cost therapies, and therapies that require complex care.

Minnesota Medicaid Specialty Pharmacy Reimbursement Table Effective March 1, 2007

Drug Name or Class	% discount from AWP
Drugs for Multiple Sclerosis	15.5%
Disease Modifying AntiRheumatic Drugs	15.5%
Hepatis C	15.5%
Anemia, Neutropenia, Thrombocytopenia	15.5%
Enzyme Replacement	15.5%
Immune Globulin	15.5%
HIV Antivirals	15.5%
Growth Hormone	15.5%
Oral Chemotherapy and Oral Pulmonary Hypertension	17%
Actimmune	15.5%
Aldurazyme	15.5%
Apokyn	15.5%
Baraclude	15.5%
Forteo	15.5%

Fuzeon	15.5%
Hyalgan	15.5%
Leuprolide acetate	15.5%
Octreotide	15.5%
Remodulin	15.5%
Risperdal consta	15.5%
Rituxan	15.5%
Sensipar	15.5%
Synvisc	15.5%
Temodar	15.5%
Thyrogen	15.5%
Tobi	17%
Ventavis	15.5%
Xeloda	15.5%
Xolair	15.5%
Zavesca	15.5%
Zoladex	15.5%

Minnesota Pollution Control Agency Municipal Division

Notice of Intent to Issue National Pollutant Discharge Elimination System (NPDES) and State Disposal System (SDS) Permit MNG550000 Minor Mechanical Wastewater Treatment Facility General Permit

Description of Permitted Facility

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) intends to issue a General National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Permit (general permit) for Minor Mechanical Wastewater Treatment Systems. The general permit will be issued for a term of approximately five years. **The public comment period begins March 12, 2007, and ends at 4:30 on April 11, 2007.** This general permit proposes to cover mechanical treatment systems that provide secondary treatment and are required to meet secondary treatment standards for 5-day Carbonaceous Biochemical Oxygen Demand (CBOD₅), Total Suspended Solids (TSS), and pH (Category 1), treatment works that provide secondary treatment and are required to meet secondary treatment standards for CBOD₅ and pH and equivalent to secondary treatment standards for TSS (Category 2), and treatment works that provide secondary treatment and discharge to Class 7 waters that are, by rule required to meet secondary treatment standards for TSS and pH, and more stringent CBOD₅ standards (Category 3).

Coverage under this Permit is limited to Publicly Owned Treatment Works (POTWs) and Sewage Treatment Plants (STPs) that treat predominantly domestic sewage, have a continuous discharge, have predetermined effluent limitations, do not treat industrial wastes that result in additional influent and effluent monitoring, and are not located in the Lake Superior Basin or within the boundaries of an Indian Reservation. Many small POTWs and STPs that will be covered under the general permit consist of: (1) preliminary processes (pumping, screening, grit removal), (2) primary sedimentation to remove heavy solids and floatable materials, and (3) biological treatment. Biological treatment for these facilities consists primarily of either activated sludge systems or aerated ponds, although other types of biological treatment such as trickling filters and rotating biological contactors can be used. Activated sludge systems achieve what is called secondary levels of treatment while aerated ponds and trickling filters achieve what is commonly referred to as equivalent to secondary levels of treatment. This Permit would be for existing facilities with a design flow of less than one million gallons per day and meet all other specified conditions of coverage.

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

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

Official Notices

The MPCA Commissioner has made a preliminary determination to issue this NPDES/SDS permit for a term of approximately five years. A draft general permit, fact sheet and public notice are available for review at the MPCA office at the St. Paul address listed below[Locate address for outstate office at the following link] <http://www.pca.state.mn.us/about/regions/index.html> . A copy of the draft permit and fact sheet will be mailed to you if the MPCA receives your written or oral request. If you have questions about this draft permit or the Commissioner's preliminary determination, please contact Elise Doucette at (651) 296-7290.

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

Department of Public Safety Office of Pipeline Safety

Notice of Intent to Grant Waiver Request: Camp Ripley Propane Air Plant

NOTICE IS HEREBY GIVEN that the Minnesota Office of Pipeline Safety (MNOPS) pursuant to *Minnesota Statutes* 299F.57, Subd. 5, intends to grant a waiver request concerning testing of storage tank relief devices at the Camp Ripley Propane Air Plant (PAP).

The governing standard is NFPA 59, Section 10.1.4 (2004), which requires storage tank relief devices to be tested for proper operation at intervals not exceeding five years. The storage tanks in question are not equipped with multi-port relief valve manifolds, so the required test involves complete evacuation of each tank prior to relief valve testing or replacement. The tank evacuations would increase the costs and hazards associated with system operation.

Northwest Gas, contract operator of the Camp Ripley PAP, on behalf of Camp Ripley, formally requests a waiver from compliance with NFPA 59, Section 10.1.4 (2004), proposing alternatively to visually inspect each relief valve once each calendar year at intervals not to exceed 15 months, and to conduct set-point and flow testing or replacement of the relief valves at ten year intervals.

MNOPS finds that the proposed alternative measures provide an equivalent or enhanced level of safety, and that granting the waiver request would not be inconsistent with pipeline safety. The proposed effective date of the waiver is May 7, 2007. The waiver is proposed to remain in effect until May 7, 2020.

Written comments or requests for a public hearing will be accepted at the below address until 12:00 noon on Friday, April 13, 2007.

Minnesota Office of Pipeline Safety
444 Cedar Street, Suite 147
St. Paul, MN 55101-5147
Phone: (651) 201-7230
Fax: (651) 296-9641
E-mail: dps.mnops.response@state.mn.us

Dated this 12th day of March, 2007.

Jerry Rosendahl, Director MNOPS/
State Fire Marshal

Department of Public Safety Office of Pipeline Safety

Notice of Intent to Grant Waiver Request: Great Plains Natural Gas – Atmospheric Corrosion Surveys

NOTICE IS HEREBY GIVEN that the Minnesota Office of Pipeline Safety (MNOPS), pursuant to *Minnesota Statutes* 299F.57, Subd. 5, intends to grant a waiver request concerning the frequency of atmospheric corrosion surveys conducted by Great Plains Natural Gas (GPN) on facilities jurisdictional to 49 CFR Part 192.

The governing standard for monitoring atmospheric corrosion of natural gas pipeline facilities is 49 CFR Part 192.481, which requires onshore pipelines that are exposed to the atmosphere to be inspected for evidence of atmospheric corrosion at least once every three years, but with intervals not exceeding 39 months. Distribution leakage surveys are required by Part 192.723 to be conducted once every five years outside of business districts.

GPN formally requests a partial waiver from compliance with 192.481, proposing alternatively to conduct atmospheric corrosion surveys every four years, but with intervals not exceeding 51 months. GPN proposes to conduct distribution leakage surveys in conjunction with the atmospheric corrosion surveys, effectively increasing the required frequency of leakage surveys from five years to

four years. Efficiency and effectiveness are increased by performing the tasks at the same time, and utilizing generally higher skilled leak survey technicians to perform visual examinations of above ground facilities.

Based on a similar proceeding in the State of Illinois, the following conditions will be imposed:

1. Atmospheric corrosion control monitoring will be conducted in conjunction with distribution system leakage surveys:
 - a. Outside of business districts, atmospheric corrosion control monitoring and leakage surveys must be conducted at least once every four calendar years at intervals not exceeding 51 months.
 - b. Inside of business districts, atmospheric corrosion control monitoring and leakage surveys must be conducted at least once every calendar year at intervals not exceeding 15 months.
2. The operator must identify, inspect, and notify MNOPS of those areas requiring atmospheric corrosion control monitoring more frequently than once every three calendar years. These areas include "hot spots" where there are greater atmospheric corrosion rates.
 - a. Above ground pipelines where there is a greater exposure to road salts and chemicals;
 - b. Areas where pipelines could have accelerated atmospheric corrosion due to industrial chemicals in the atmosphere;
 - c. Pipelines that may experience sweating due to pressure drop, such as regulator stations, and large customer meter/regulator settings;
 - d. Inside regulator/meter sets that are subject to corrosive environments; and
 - e. Other areas that show accelerated atmospheric corrosion.
3. The operator shall train and qualify Meter Readers to report atmospheric corrosion as well as any abnormal operating conditions discovered when reading gas meters.

MNOPS finds that the proposed alternative measures provide an equivalent or enhanced level of safety, and that granting the waiver request would not be inconsistent with pipeline safety. The proposed effective date of the waiver is May 15, 2007. The waiver is proposed to remain in effect until such time that circumstances indicate alternative safety measures are warranted. The waiver status will be reviewed with the operator on an annual basis, as part of routine MNOPS inspections.

Written comments or requests for a public hearing will be accepted at the below address until 12:00 noon on Friday, April 13, 2007.

Minnesota Office of Pipeline Safety
444 Cedar Street, Suite 147
St. Paul, MN 55101-5147
Phone: (651) 201-7230
Fax: (651) 296-9641
E-mail: dps.mnops.response@state.mn.us

Dated this 12th day of March, 2007.

Jerry Rosendahl, Director MNOPS/
State Fire Marshal

State Rehabilitation Council

Meeting of the State Rehabilitation Council on April 18, 2007

The State Rehabilitation Council will meet on April 18, 2007 at the location designated below. For more information, please contact the Department of Employment and Economic Development at: **phone:** (800) 328-9095; (651) 296-5629. **TTY:** (800) 657-3973; (651) 296-3900. If accommodations are required, please request them no later than one week in advance.

PLEASE NOTE THAT THIS IS A CHANGE FROM THE TYPICAL FOURTH WEDNESDAY OF THE MONTH. IT IS SCHEDULED FOR THE THIRD WEDNESDAY OF APRIL.

APRIL 18, 2007
Radisson Hotel Roseville
2540 North Cleveland Avenue
Roseville, MN 55113
9:00 to 2:00

State Grants & Loans

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

Department of Administration

Minnesota STAR Program

Notice of Request for Proposals to Improve Access to Assistive Technology Devices

The Minnesota STAR Program requests proposals to improve access to assistive technology (AT) devices and services for persons with disabilities of all ages and disabilities in Minnesota through device demonstration and loan. The STAR Program intends to work toward this outcome by subgranting with seven established AT loan programs throughout the state that provide an array of services enabling persons with disabilities access to appropriate assistive technology that advances their individual interests and goals.

Subgrants under this initiative will be for an initial period of 24 months from the award date (projected to be June 6, 2007 to June 6, 2009) with one-year renewal options. Per State law, the total subgrant period will not exceed five years. In the first year, a pool of \$70,000.00 will be evenly distributed among the regions (\$10,000.00 per region). Subgrant amounts for subsequent one-year terms will be dependent upon performance, federal requirements and the availability of funds. One responder will be chosen from each region to serve as the AT subgrantee in that region (see below) for the purpose of this subgrant. Responders must be located in the region they will be serving. Individual proposals must be submitted from each region. Coalitions from *within a region* are acceptable as long as a lead agency is identified and has the authority to sign the subgrant. Responders shall be willing to work collaboratively with STAR, and other agencies/AT resources that serve people with disabilities.

STAR seeks to distribute the funds statewide. The regions (and their counties) for the subgrants are listed below.

Northwest: Beltrami, Clearwater, Hubbard, Kittson, Lake of the Woods, Mahnommen, Marshall, Norman, Polk, Pennington, Red Lake, Roseau

Northeast: Aitkin, Carlton, Cook, Itasca, Koochiching, Lake, St. Louis

West Central: Becker, Clay, Douglas, Grant, Otter Tail, Pope, Stevens, Traverse, Wilkin

East Central: Benton, Cass, Chisago, Crow Wing, Isanti, Kanabec, Mille Lacs, Morrison, Pine, Sherburne, Stearns, Todd, Wadena, Wright

Southwest: Big Stone, Chippewa, Cottonwood, Jackson, Kandiyohi, Lac qui Parle, Lincoln, Lyon, McLeod, Meeker, Murray, Nobles, Pipestone, Redwood, Renville, Rock, Swift, Yellow Medicine

Southeast: Blue Earth, Brown, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Houston, Le Sueur, Martin, Mower, Nicollet, Olmsted, Rice, Sibley, Steele, Wabasha, Waseca, Watonwan, Winona

Metro: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, Washington

If you are interested in making a proposal for this grant call Joan Gillum at (651) 201-2640 or **e-mail:** joan.gillum@state.mn.us

Minnesota Department of Corrections

Notice of Availability of Funds to Operate Remote Electronic Alcohol Monitoring Programs

The Minnesota Department of Corrections, Community Services Division, announces the availability of funds to operate Remote Electronic Alcohol Monitoring (REAM) programs for driving-while-intoxicated offenders under court order to abstain from alcohol use.

A total of \$608,000 is available for statewide grants for the twelve-month periods of July 1, 2007, through June 30, 2008, and July 1,

State Grants & Loans

2008, through June 30, 2009. These funds are available to judicial districts, counties, and community corrections act agencies.

The state reserves the right to cancel this solicitation.

The deadline for proposal submission is April 16, 2007, at 12:00 noon. To receive a copy of the request for proposal that describes in detail how to apply for this funding, contact:

Lynda Davis
Minnesota Department of Corrections
Community Services Division
1450 Energy Park Drive, Suite 200
St. Paul, MN 55108-5219
Telephone: (651) 361-7166
TTY: (800) 627-3529
E-mail: ldavis@co.doc.state.mn.us

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

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

A participating business is limited to one active grant in each grant program at any given time, with the exception of businesses that have multiple locations or businesses engaged in projects that involve a consortium of businesses. Low Income Worker Training Program grants are now limited to a maximum of \$200,000.

The deadline for submission of proposals is 4:30 p.m. on Monday, May 7, 2007, with the exception of HELP Loan and Short Form applications, which must be submitted by 4:30 p.m. on Tuesday, May 29, 2007. Proposals must be delivered to DEED, Workforce Partnerships Division, MJSP, 1st National Bank Building, 332 Minnesota Street, Suite E200, St. Paul, MN 55101-1351. No late proposals will be considered. Ten final copies must be submitted at that time for consideration at the MJSP Board meeting to be held on Monday, June 18, 2007. You must also e-mail your proposal to mjsp@deed.state.mn.us. It is important to use the current application forms that are available on the web at <http://www.deed.state.mn.us/mjsp/forms.htm> or by calling the Job Skills Partnership at (651) 297-3154.

Department of Health Division of Community and Family Health Notice of Grant Availability for Family Planning Special Projects (FPSP)

The Minnesota Department of Health announces the availability of approximately \$7,548,000 in state funds to be granted to nonprofit organizations, community health boards, and tribal governments by competitive process in eight family planning regions in Minnesota. An additional \$1,000,000 is available to family planning clinics serving Greater Minnesota that demonstrate financial need. Funding is to be used for family planning services for high risk and low income individuals. Five per cent of total available funds or \$100,000 per year, whichever is less, is to be allocated to a grant for the Minnesota Family Planning Hotline. The grant cycle is planned for a two year period July 1, 2007, through June 30, 2009.

FPSP funds must be used to provide services that reduce the incidence of unintended pregnancy in high-risk populations. High risk populations include women and men who have difficulty accessing family planning services because of poverty, race, ethnicity, age, culture, lack of insurance, or concerns about confidentiality. Funds can be used for public information, outreach, counseling, method provision, follow-up and referral.

The Application materials are available on March 12, 2007 on the Minnesota Department of Health Family Planning website:

<http://www.health.state.mn.us/divs/fh/mch/familyplanning/index.html>.

Completed applications will be due to the Minnesota Department of Health on May 1, 2007. It is anticipated that award decisions will be made by June 1, 2007, and that grants will begin July 1, 2007.

Questions should be directed to:

Gary Greenfield
Family Planning Special Projects Coordinator

State Grants & Loans

Division of Community and Family Health
Maternal and Child Health Section
Minnesota Department of Health
P.O. Box 64882
St. Paul, MN 55164-0882
Phone: (651) 201-3743
Fax: (651) 201-3590
E-mail: gary.greenfield@health.state.mn.us
Web: <http://www.health.state.mn.us/divs/fh/mch/familyplanning/index.html>

Minnesota Department of Human Services Managed Care Development and Purchasing Division Notice of Request for Proposals to Provide Health Care Services under Prepaid Medical Assistance Program (PMAP), MinnesotaCare and Minnesota Senior Care Plus (MSC+)

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals from qualified Managed Care Organizations (MCOs) to provide health care services to public program recipients in Beltrami, Clearwater, Hubbard, Lake of the Woods and Olmsted counties of Minnesota. The services provided by successful responders to the Request for Proposals will begin:

- January 1, 2008 for Olmsted County; and
- March 1, 2008 for Beltrami, Clearwater, Hubbard and Lake of the Woods Counties.

A Request for Proposals will be available by accessing the Department of Human Services public website after 12:00 noon (Central Time) on March 12, 2007 at:

http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_000102.

To obtain a paper copy of the Request for Proposals, please contact Pam Olson at pam.r.olson@state.mn.us or call (651) 431-2526. Proposals submitted in response to this Request for Proposals must be sent by courier to:

Request for Proposals Response

Attention: Pam Olson – Anderson Bldg - 0984
Managed Care Development and Purchasing Division
Department of Human Services
540 Cedar Street
St. Paul, MN 55155
Phone (651)431-2526

no later than:

- May 4, 2007 at 4 p.m. (Central Time) for Olmsted County; and
- June 8, 2007 at 4 p.m. (Central Time) for Beltrami, Clearwater, Hubbard and Lake of the Woods Counties.

Late proposals will not be considered and will be returned unopened to the submitting party. Faxed or emailed proposals will not be accepted.

This request does not obligate the State to complete the work contemplated in the 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 Human Services

Managed Care Development and Purchasing Division

Notice of Request for Proposals to Provide Integrated Health Care and Long Term Care Services with Managed Care for Seniors

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is seeking Proposals from qualified managed care organizations (MCOs) to provide prepaid health care and homes and community-based services under the Minnesota Senior Care Plus (MSC+) program to eligible Medical Assistance (MA) enrollees age 65 years and older in Aitkin, Becker, Benton, Blue Earth, Carlton, Chippewa, Chisago, Clay, Cook, Cottonwood, Dodge, Faribault, Fillmore, Houston, Isanti, Jackson, Kandiyohi, Kittson, Koochiching, Lac Qui Parle, Lake, Le Sueur, Lincoln, Lyon, Mahnommen, Marshall, Martin, Mille Lacs, Mower, Murray, Nicollet, Nobles, Norman, Otter Tail, Pennington, Pine, Polk, Red Lake, Redwood, Rice, Rock, Roseau, Saint Louis, Sherburne, Stearns, Swift, Wabasha, Watonwan, Wilkin, Winona, Wright, and Yellow Medicine counties.

Services to be provided by successful Responders to this RFP will start on January 1, 2008. A Request for Proposals will be available by accessing the Department of Human Services public website after 12:00 noon (CDT) on March 12, 2007 at:

http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_000102

To obtain a paper copy of the RFP, please print a copy from the website or contact Cara Bailey at: Cara.Bailey@state.mn.us or call (651) 431-2515.

Proposals submitted in response to the Request for Proposals in this notice must be received by 4:00 p.m. (CDT) on April 20, 2007, addressed as follows:

Attention: Cara Bailey – Anderson Bldg – 0984
Health Care Purchasing and Delivery Systems Division
Department of Human Services
540 Cedar Street, 5th Floor
St. Paul, MN 55155
Phone: (651) 431-2515

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

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

State Contracts

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

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

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

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

This Piece is for You

Obtain MORE and FASTER information. You receive much more with a SUBSCRIPTION than viewing the *State Register* on our website. Subscribe and receive many LINKS to the *State Register*. Open the *State Register* and click on Bookmarks in the upper right corner. You will also receive ALL the current rules, with an INDEX, and previous years' indices. You also receive a summarized "Contracts & Grants" section to review. Subscriptions cost \$180 a year (normal cost \$260 - an \$80 savings). Here's what you receive:

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

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

Department of Administration

Division of State Architect's Office

Notice of Request for Qualifications (RFQ) and Fee Schedule for Professional Services of Minnesota Registered Architects, Engineers, Interior Designers, Land Surveyors, Landscape Architects, and Geoscientists

The Department of Administration, State Architect's Office ("State"), requests qualifications of Minnesota registered architects, engineers, interior designers, land surveyors, and geoscientists ("Consultant") to assist the State in providing studies, predesigns, design through construction documents, construction administration, post construction services, interior design, land surveys, geoscience, and project-related professional services as needed for up to a five-year period.. These projects will be varied in nature and scope and will involve new construction and remodeling, which includes but is not limited to buildings, commissioning, bridges, parking structures, site and utility work, roadways, and land development.

Unless otherwise provided in *Minnesota Statutes* § 16B.33, the following guidelines apply when using the Master Roster. State agency construction projects requiring a primary designer will have an estimated cost of construction of no greater than \$2,000,000.00; or a study, report, or predesign for a state agency planning project will have a consultant estimated fee no greater than \$200,000.00. Higher education construction projects requiring a primary designer will have an estimated cost of construction of no greater than \$2,000,000.00; and a study, report or predesign for a planning project will have a consultant estimated fee no greater than \$200,000.00. Primary Designers for Projects to construct, erect, or remodel a building with an estimated cost in excess of these amounts will be selected by the State Designer Selection Board in accordance with *Minnesota Statutes* §16B.33.

The Request for Qualifications document may be found online at: www.sao.admin.state.mn.us. Copies of the RFQ may also be requested from:

Contracts Officer
State Architect's Office
301 Centennial Building, 658 Cedar Street
St. Paul, MN 55155-1625
(651) 201-2399

The Request for Qualifications and Fee Schedule will remain open continually to enable individuals and firms not currently on the Roster to submit their qualifications and fee schedules. One year after a completed response is added to the Master Roster, the firm will be asked whether it wants to remain on the roster. If the responder wants to continue to remain on the roster it will be able to update its fee schedule, and will be required to submit updated written documents. If no response is received within 30 days of the notice, the responder's name will be removed from the Master Roster until such time as it has re-submitted a complete response to the RFQ.

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 this Master Roster program 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

Notice of Request for Information (RFI) for Architectural, Owner's Representative, Real Estate and other related Professional and Technical services for a Master List of Consultants

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities ("MnSCU"), requests information of Minnesota registered consultants, as appropriate, to assist MnSCU in providing Architectural/Engineering, Owner Representative, Real Estate and other related Professional and Technical services as needed for up to a five-year period. Projects will vary in scope and may involve due diligence services, new construction, remodeling, commissioning, site and utility work, facilities, roads and grounds, and land development.

The Request for Information documents can be found **online** at: www.facilities.mnscu.edu under Solicitation Announcements. Copies of the RFI may also be requested from:

Nancy Marandola
Minnesota State Colleges & Universities
Wells Fargo Place, 30 Seventh Street East, Suite 350
St. Paul, Minnesota 55101-7804
Telephone: (651) 297-7862
E-mail: Nancy.marandola@so.mnscu.edu

An information meeting has been scheduled for March 20, 2007 at 2:00 P.M. CST in the Auditorium (Room 150) at Saint Paul College, 235 Marshall Avenue, Saint Paul, Minnesota 55102.

Proposals must be delivered to:

Minnesota State Colleges & Universities
ATTN: Construction and Support Services
30 Seventh Street East, Suite 350
St. Paul, Minnesota 55101-7804

Proposals must be received **NOT** later than April 13, 2007 at 4:00 P.M. CST; late responses will not be considered.

MnSCU reserves the right to cancel this solicitation if it is considered to be in its best interest. The RFI is not a guarantee of work and does not obligate MnSCU to award any contracts. MnSCU reserves the right to discontinue the use or cancel all or any part of this Master List of Consultants program 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)

Office of the Chancellor

Request for Proposal of Master Lease Contracts of Microcomputers and Related Products

NOTICE IS HEREBY GIVEN that proposals are being solicited to select one or more financing institutions to provide Information Technology (IT) equipment lease financing services (i.e. "straight leasing" not lease-purchasing financing) for the Minnesota State Colleges and Universities system, including its Office of the Chancellor (aka System Office) and the 32 two-year and four-year state colleges and

State Contracts

universities that comprise the system.

For additional information or to request a copy of the Request for Proposal, please contact:

Kevin Marsh, Director of Financial Planning
Minnesota State Colleges and Universities
30 7th Street East, Suite 350
St. Paul, MN 55101-7804
Telephone: (651) 296-7506
Fax: (651) 649-5762
E-mail: *Kevin.Marsh@so.mnscu.edu*

Proposals are due at the Office of the Chancellor by 5:00 p.m. CT on Monday, March 26, 2007.

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

Minnesota State Colleges and Universities Minneapolis Community & Technical College NOTICE OF INTENT to Request Bids for Health Sciences Renovation

Project Scope: Renovation of approx. 80,100 SF 3-story (plus basement) 1301 Hennepin Avenue Building referred to as Building "A"; removal of approx. 6,115 SF of adjacent 31,100 SF 1-story building referred to as Building "B" and renovation of approx. 6,000 SF of this building; remodel of five (5) science laboratories in Kopp Hall (K-Building); mechanical utility work in existing T-Building.

Pre-bid meeting: **Mandatory pre-bid meeting on Tuesday, March 27, 2007 at 10:00am.** Interested parties shall convene at the building entrance at 1300 Harmon Place, Minneapolis, MN 55403. The Architects, Engineers, and/or College Representatives will review the bidding procedures, Bidding Documents, other conditions, and answer questions.

Sealed Proposals to be submitted to:

Mary Prozeller
Minneapolis Community & Tech. College
T-Building, Room T.0600
Minneapolis, MN 55403
Telephone: 612-659-6800

Due Date & Time: Public opening will take place **Tuesday, April 10, 2007 at 2:00 pm.** Proposals must be received prior to opening.

Bid Documents: Bid documents as prepared by the Project Architect/Engineer, Architectural Alliance are on file at the following offices:

- 1) Architectural Alliance
- 2) Minneapolis and St. Paul Builders' Exchanges
- 3) McGraw Hill Construction Plan Room
- 4) Reed Construction Data Plan Room
- 5) MEDA Minority Contractors Plan Room
- 6) National Association of Minority Contractors/Upper Midwest

Complete sets only of Bidding Documents for use by Bidders in submitting a bid may be obtained at the following address:

Architectural Alliance
400 Clifton Avenue South
Minneapolis, MN 55403
Telephone: (612) 871-5703
Fax: (612) 871-7212

A refundable deposit of \$200.00 is required for each set.

Prospective Bidders requesting Bidding Documents (complete sets only) by mail may send a separate non-refundable payment (check made out to the Architect) for **\$50.00 per set for shipping & handling** (in addition to the \$200.00 refundable deposit) to the Architect. Such deposits and payments may be sent prior to **March 29, 2007**. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

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

Minnesota State Colleges and Universities (MnSCU) St. Cloud Technical College

Request for Proposals for Water Filtration Systems

NOTICE IS HEREBY GIVEN that St. Cloud Technical College will receive proposals for the procurement, delivery and installation of WATER FILTRATION SYSTEMS in the Water Environment Technologies lab. The complete Request for Proposal will be available on Monday, March 5, 2007, on the website <http://www.sctc.edu/rfp>.

Proposal responses must be delivered in a sealed envelope or package clearly marked "Water Filtration Systems RFP" to Paula Andrist at St. Cloud Technical College, Room 1-401H, 1540 Northway Drive, St. Cloud, MN 56303 by 2:00 p.m. on Friday, March 23, 2007. St. Cloud Technical College reserves the right to reject any or all proposals, or portions thereof, or to waive any irregularities or informalities, in proposals received.

Background/Purpose:

The purpose of this Request for Proposal (RFP) is to evaluate and select a vendor to construct, deliver and install a complete water filtration system at St. Cloud Technical College's Water Environment Technologies lab, located at 1540 Northway Drive, St. Cloud, Minnesota.

Questions:

All questions and inquiries related to this RFP must be in writing and directed to Bruce Peterson, Academic Dean, St. Cloud Technical College, 1540 Northway Drive, St. Cloud, MN 56303, e-mail: bpeterson@sctc.edu, phone (320) 290-2185. Other department personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline.

Minnesota Historical Society

Notice of Request for Bids for the Charles A. Lindbergh Historic Site, Visitor Center HVAC Replacement and Modification, Little Falls, Minnesota

The Minnesota Historical Society is seeking bids from qualified firms to provide all labor, materials, equipment, and supplies to complete a partial replacement and modifications to the HVAC system in the Visitor Center at the Charles A. Lindbergh Historic Site in Little Falls, Minnesota. The Work consists of the replacement and modification of the existing HVAC building systems to correct equipment deficiencies and enhance the humidification/dehumidification control. New air handling equipment (including supply fans, heating and cooling coils, compressor/condenser unit, humidifier, digital temperature controls) needs to be installed, but the existing ductwork systems will be re-used as currently installed. The project requires mechanical, electrical, and general construction services.

There will be a **MANDATORY pre-bid meeting** for all interested parties on Thursday, March 22, 2007, at 2:00 p.m. Local Time at the Lindbergh Historic Site's Visitor Center.

The Request for Bids and other front-end documents are available by contacting Mary Green-Toussaint, Purchasing Coordinator, Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, Minnesota 55102, **telephone:** (651) 259-3175 or **e-mail:** mary.green-toussaint@mnhs.org.

All bids must be received no later than **2:00 P. M. Local Time, Tuesday, April 3, 2007**. A public bid opening will be conducted at that time. Late bids will not be considered.

Dated: March 12, 2007

State Contracts

Minnesota Pollution Control Agency Regional Division

Notice of Availability of Contract for Feedlot Air Quality Field Assessment

The Minnesota Pollution Control Agency is requesting proposals for the purpose of: This project is offered as a means to evaluate the predictive accuracy of our current environmental review process as it pertains to air emissions from livestock production facilities. The expected contract is designed specifically for technical services that include air quality monitoring, chemical analysis and ambient air quality dispersion modeling of a livestock operation. The duration of the assessment is approximately one year in order to assess the diurnal and seasonal emission characteristics from a livestock production unit. The air emission and modeling information will be presented in a final report that will be subject to a third-party review at the end of the contract period.

Work is proposed to start in April 2007.

A Request for Proposals will be available by mail from this office. **A written request (by direct mail, e-mail or fax) is required to receive the Request for Proposal.**

The Request for Proposal can be obtained from:

Dennis M. Devereaux
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55101
Phone: (651) 296-8421
E-mail: dennis.devereaux@pca.state.mn.us

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **Monday, April 2, 2007, at 2:00 p.m. Late proposals will not be considered.** Fax or e-mailed proposals will **not** be considered. Responders should submit in writing a list of questions they would like addressed. Questions must be mailed, faxed, or e-mailed to Dennis M. Devereaux and received by **2:00 p.m. on Thursday, March 22, 2007.**

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

Department of Public Safety Driver & Vehicle Services

Notice of Request for Proposal to Solicit and Sell Advertising for the Minnesota Drivers Manuals

The Minnesota Department of Public Safety, Driver & Vehicle Services Division is requesting proposals for the purpose of seeking qualified vendors to provide professional technical services to the State of Minnesota.

Qualified vendors shall be considered who have:

- 1) background and experience with the sale and production of advertising, production and printing of publications, and familiarity or experience working with governmental interests.
- 2) experience in identifying potential advertisers appropriate for the publication material, and target market audience.

Work is proposed to start on or after May 1, 2007.

This request for proposal 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.

Details are contained in a complete Request for Proposal (RFP) that may be obtained by contacting the following person:

Larry Sheehan, Contract Coordinator
Department of Public Safety, Driver & Vehicle Services
445 Minnesota Street, Suite 196, St. Paul, MN 55101
Phone: (651) 201-7631
Fax: (651) 282-2462
E-mail: larry.sheehan@state.mn.us

All questions concerning this RFP should be in writing and e-mailed or faxed to the above address no later than 2:00 P.M. Central

Non-State Bids, Contracts & Grants

Standard Time (CST) on Friday, March 16, 2007. All answers to questions will be in writing and sent to all entities requesting a complete RFP. Final date for submitting proposals is **2:00 P.M. CST on Monday, April 2, 2007**. Late proposals will not be considered. Faxed or e-mailed proposals will not be considered. The Department of Public Safety will retain an option to extend the contract for three additional one-year periods.

Department of Transportation (Mn/DOT) Engineering Services Division

Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (the "Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling (651) 296-1361 for persons who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529.

Mn/DOT, working in conjunction with the Consultant Reform Committee, the Minnesota Consulting Engineers Council, and the Department of Administration, has developed the Consultant Pre-qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT anticipates that most consultant contracts for highway-related technical activities will be awarded using this method, however, Mn/DOT also reserves the right to use RFP or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to complete or use the Consultant Pre-qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available at this time. Following the advertisement of particular category of services, applications will be accepted on a continual basis.

All expenses incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and application forms are available on Mn/DOT's **web site** at: <http://www.dot.state.mn.us/consult>

Send completed application material to:

Ron Bisek
Consultant Services
Office of Technical Support
Minnesota Department of Transportation
Consultant Services
395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680
St. Paul, MN 55155

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

Department of Transportation (Mn/DOT) Engineering Services Division

Notice Concerning Professional/Technical Contract Opportunities

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

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

Non-State Bids, Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Metropolitan Council

Notice of Invitation for Bids (IFB) for Procurement of Process Chemicals for M.C.E.S. Reference Number 07P026

The Metropolitan Council is requesting bids for furnishing and delivery of Process Chemicals.

Issue Invitation for Bids	March 12, 2007
Bids Due	March 29, 2007
Award Contract	May 2007

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

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

Metropolitan Council

Notice of Request for Proposals for Master Contract for Construction Inspection Services

Contract Number 07P009

The Metropolitan Council is soliciting proposals for architectural/engineering services to support its Metropolitan Council Environmental Services Division by providing on an as-needed (master contract) basis: civil, structural, mechanical, and electrical construction inspection.

The Council plans to execute contracts with three proposers that are able to provide the above services.

The anticipated schedule for this procurement is:

Issue Request for Proposals	March 6, 2007
Proposal Due Date	April 3, 2007
Selection of Firms	April 2007
Execution of Contracts	May 2007

All firms interested in providing these services should request a copy of the Request for Proposals. Send or fax requests to:

Miriam Lopez-Rieth
Metropolitan Council
390 N. Robert Street
St. Paul, MN 55101
Phone: (651) 602-1095
Fax: (651) 602-1083
E-mail: Miriam.Lopez-Rieth@metc.state.mn.us

Non-State Bids, Contracts & Grants

Metropolitan Council

Notice of Request for Proposals for Master Contract for Construction Scheduling Contract Number 07P008

The Metropolitan Council is soliciting proposals for architectural/engineering services to support its Metropolitan Council Environmental Services Division by providing on an as-needed (master contract) basis: construction scheduling analysis on construction contracts.

The Council plans to execute a contract with a single proposer that is able to provide the above services.

The anticipated schedule for this procurement is:

<i>Issue Request for Proposals</i>	March 6, 2007
<i>Proposal Due Date</i>	April 3, 2007
<i>Selection of Firms</i>	April 2007
<i>Execution of Contracts</i>	May 2007

All firms interested in providing these services should request a copy of the Request for Proposals. Send or fax requests to:

Miriam Lopez-Rieth
Metropolitan Council
390 N. Robert Street
St. Paul, MN 55101
Phone: (651) 602-1095
Fax: (651) 602-1083
E-mail: Miriam.Lopez-Rieth@metc.state.mn.us

Metropolitan Council

Notice of Request for Proposals for Master Contract for Interceptor Sewer Tunneling

Contract Number 07P011

The Metropolitan Council is soliciting proposals for architectural/engineering services to support its Metropolitan Council Environmental Services Division by providing on an as-needed (master contract) basis: bedrock and soft ground tunnel rehabilitation/modification.

The Council plans to execute a contract with one proposer that is able to provide the above services.

The anticipated schedule for this procurement is:

<i>Issue Request for Proposals</i>	March 6, 2007
<i>Proposal Due Date</i>	April 9, 2007
<i>Selection of Firms</i>	April 2007
<i>Execution of Contracts</i>	May 2007

All firms interested in providing these services should request a copy of the Request for Proposals. Send or fax requests to:

Miriam Lopez-Rieth
Metropolitan Council
390 N. Robert Street
St. Paul, MN 55101
Phone: (651) 602-1095
Fax: (651) 602-1083
E-mail: Miriam.Lopez-Rieth@metc.state.mn.us

Metropolitan Council

Notice of Request for Proposals for Master Contract for Independent Technical Review

Contract Number 07P012

The Metropolitan Council is soliciting proposals for architectural/engineering services to support its Metropolitan Council Environmental Services Division by providing on an as-needed (master contract) basis: review of preliminary engineering reports and plans and

Non-State Bids, Contracts & Grants

specifications for quality, cost, and constructability.

The Council plans to execute contracts with three proposers that are able to provide the above services.

The anticipated schedule for this procurement is:

<i>Issue Request for Proposals</i>	March 6, 2007
<i>Proposal Due Date</i>	April 9, 2007
<i>Selection of Firms</i>	April 2007
<i>Execution of Contracts</i>	May 2007

All firms interested in providing these services should request a copy of the Request for Proposals. Send or fax requests to:

Miriam Lopez-Rieth
Metropolitan Council
390 N. Robert Street
St. Paul, MN 55101
Phone: (651) 602-1095
Fax: (651) 602-1083
E-mail: Miriam.Lopez-Rieth@metc.state.mn.us

Metropolitan Council

Notice of Request for Proposals (RFP) for Investigative Services

Reference Number 07P023

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

<i>Issue Request for Proposals</i>	March 5, 2007
<i>Questions Due</i>	March 19, 2007
<i>Proposals Due</i>	March 30, 2007
<i>Award Contract</i>	May 2007

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

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

Metropolitan Council - Metro Transit

Invitation for Bids for Diesel Fuel Supply

Procurement #7354

Metro Transit, a division of the Metropolitan Council, is seeking sealed bids for supplying Metro Transit and Metro Mobility service providers with diesel fuel. The specified diesel fuel is an ultra-low sulfur diesel fuel to be blended with a biodiesel content to be established by the Council. Approximately ten million gallons of diesel fuel will be required annually. Deliveries will be made to eight locations within the Minneapolis-St. Paul Metropolitan Area.

The contract term is for two years, effective July 1, 2007, with an option to extend the term for a third year and a fourth year.

Bids are due by 2:00 p.m. on March 29, 2007.

Firms interested in receiving an Invitation for Bids document should contact:

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

Metropolitan Council - Metro Transit Metro Transit Contactless SmartCards

Metro Transit a division of the Metropolitan Council is soliciting sealed bids for 60,000 Contactless SmartCards for use with Cubic TR2 SmartCard readers. Bids are due at 2:00 PM on March 29, 2007. Bids must be submitted in accordance with the Invitation for Bids document available from:

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

University of Minnesota Subscribe to Bid Information Service (BIS)

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

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



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