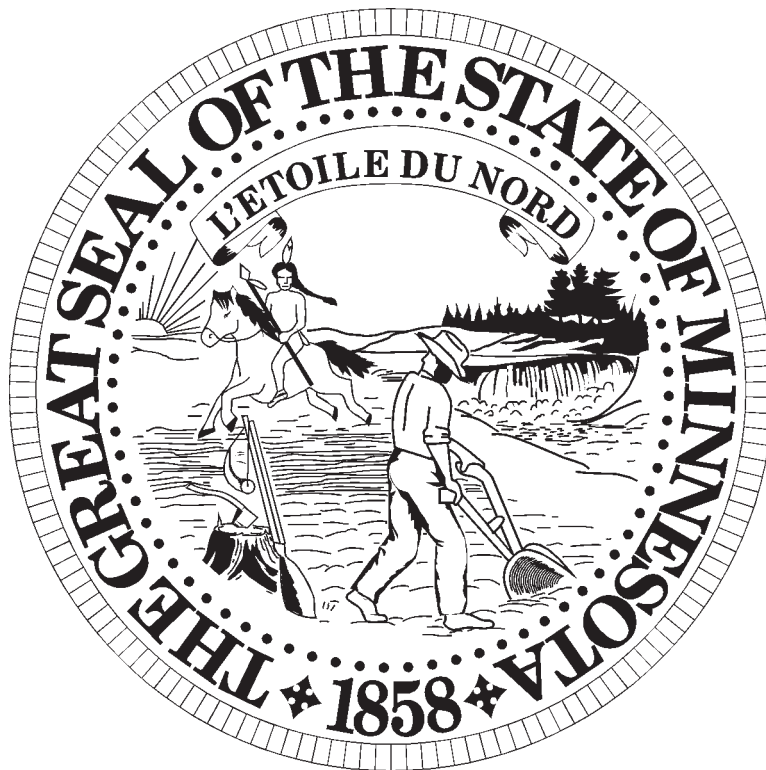


State of Minnesota

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)

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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:

- rules of state agencies
- commissioners' orders
- state grants and loans
- executive orders of the governor
- revenue notices
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- appointments
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# 33	Monday 11 February	Noon Tuesday 5 February	Noon Wednesday 30 January
# 34	TUESDAY 18 FEBRUARY	Noon Tuesday 12 February	Noon Wednesday 6 February
# 35	Monday 25 February	Noon Tuesday 18 February	Noon Wednesday 13 February

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The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

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

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

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www.mmd.admin.state.mn.us

State Register information is available from Minnesota's
 Bookstore (651) 297-3000, or (800) 657-3757, Web site:
www.minnesotasbookstore.com

Proposed Rules

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

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

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

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

Department of Commerce

Proposed Permanent Rules Relating to Minnesota Thermal Insulation Standards

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendment to *Minnesota Rules*, Chapter 7640, Known as the Rules Governing Minnesota Thermal Insulation Standards

Introduction. The Department of Commerce 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. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until March 6, 2008.

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: Bruce Nelson at the Minnesota Department of Commerce, 85 7th Place E, Suite 500, St. Paul MN 55101-2198, **phone:** (651) 297-2313, **fax:** (651) 297-7891, **e-mail:** bruce.nelson@state.mn.us. TTY users may call at (651) 297-3067.

Subject of Rules and Statutory Authority. The proposed rule amendments are about updating standards adopted by reference, deleting testing requirements for exterior foundation wall insulation, modifying the requirements for certain types of products, adding one new type of insulation product, and making other changes to be consistent with current Revisor's style and format requirements. The Commissioner's authority to adopt the rule amendments is set forth in *Minnesota Statutes*, section 325F.20, subdivision 1. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on March 6, 2008 to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. 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 March 6, 2008. 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

Proposed Rules

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

Modifications. The proposed rules may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules, unless the 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.

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. Copies of the statement may be 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 and Review of Rules. 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.

Dated: January 17, 2008

Glenn Wilson, Commissioner
Department of Commerce

7640.0100 AUTHORITY AND PURPOSE; INCORPORATIONS BY REFERENCE.

Subpart 1. Authority. The commissioner of the Department of Commerce is authorized by *Minnesota Statutes*, sections 325F.20, subdivision 1, and 325F.21, subdivisions 1 and 2, to establish standards for the product quality, safety, installation, and labeling of thermal insulation products, and to establish test programs and procedures to ensure that standards established by this chapter are met.

Subp. 2. Purpose. This chapter applies to the manufacture, distribution, sale, and installation of thermal insulation material in residential buildings within Minnesota. This chapter sets minimum standards for the product quality and safety of thermal insulation materials specified in this chapter, minimum procedures for the testing of insulation materials under these standards, and minimum standards for installation of those products.

Subp. 3. Incorporations by reference. This chapter incorporates numerous standards by reference that are published by ASTM, Conshohocken, Pennsylvania. This chapter also incorporates an ANSI/ISO/ASQ standard by reference, published by the American Society for Quality, Milwaukee, Wisconsin. This chapter also incorporates an ICC-Evaluation Services standard by reference, published by the ICC-Evaluation Service, Whittier, California. The standards and tests incorporated by reference are all an integral part of current insulation industry testing procedures. All manufacturers and testing laboratories presently possess or have access to each referenced incorporation.

All of the incorporated standards are subject to frequent change. Copies of all standards incorporated by reference are available in the Office of the Commissioner of Commerce and through interlibrary loan from the Minnesota State Law Library.

7640.0110 APPLICABILITY AND CONDUCT.

Subpart 1. ~~Types of Residential insulation products covered~~ **regulated.**

A. This chapter applies to thermal insulation products for use in residential buildings within Minnesota Residential buildings covered are those that are not more than three stories in height and contain no conditioned common space that is shared between dwellings, and each dwelling unit contains a separate means of egress.

Exception: insulation installed in prefabricated buildings.

B. ~~These~~ Insulation products regulated by this chapter include:

(1) insulation for walls, ceilings, floors, foundation walls, pipe insulation, duct insulation, and retrofit water heater blanket insulation; and

(2) any material or assembly of materials designed to provide resistance to heat flow in residential building structures, including but not limited to mineral fibrous, mineral cellular, organic fibrous, organic and plastic cellular and reflective materials, whether in loose fill, flexible, rigid, or semirigid form, and any material advertised for use in residential buildings as having energy-saving value by virtue of its thermal resistance (R value) or emissivity properties.

Not included are Exception: insulation used in ~~manufactured~~ prefabricated buildings, appliances, windows, and doors.

Subp. 2. **Conduct.** This chapter applies to the manufacture, distribution, sale, and application of residential insulation material within Minnesota. For the purpose of this chapter the sale of a building or appliance that contains installed insulating material is not considered the manufacturing and distribution of the insulating material.

A. Thermal insulation materials sold, distributed, or installed in Minnesota residential buildings must be demonstrated by test to conform with the standards set forth in part 7640.0130.

B. Industry members installing thermal insulation shall follow manufacturer's written application instructions.

C. Insulation used for exterior below-grade application must be recommended by the manufacturer for exterior below-grade application.

D. Industry members must comply with the requirements of the United States Federal Trade Commission in *Code of Federal Regulations*, title 16, part 460.

E. Any false, misleading, or unsubstantiated statements in a sales presentation, or on any label, product literature, or product intended for the purchaser, as identified in *Minnesota Statutes*, section 325F.22, 325F.67, or 325F.69, subdivision 1, are subject to the state's remedies provided in *Minnesota Statutes*, sections 325F.24 and 325F.70.

Subp. 3. **Affected parties Retail sales.** This chapter applies to industry members, as defined in part 7640.0120; Retailers of residential thermal insulation products must make available to each purchaser the manufacturer's written instructions describing the product's recommended use, proper application methods, and required or recommended installation safety measures. "Make available to each purchaser" means either providing the required materials or a conspicuous posting located where customers procure products stating that the manufacturer's written instructions describing the product's recommended use, proper application methods, and required or recommended installation safety measures are immediately available on request.

Subp. 4. [See repealer.]

Subp. 5. [Repealed, 14 SR 2633]

7640.0120 DEFINITIONS.

Subpart 1. **Applicability.** For the purposes of this chapter, the following definitions of terms apply. Technical, scientific, and engineering terms undefined by this part have the meanings given in ASTM ~~E-168~~ C168-05a, Standard Definitions of Terms Relating to Thermal Insulation Materials.

Subp. 2. [See repealer.]

Subp. 3. **Approved laboratory.** "Approved laboratory" means any testing facility, including a facility owned or operated by a manufacturer, that has been accredited by one or more of the following agencies to perform the required test:

A. United States Department of Commerce, National Voluntary Laboratory Accreditation Program (NVLAP), Gaithersburg, Maryland;

B. ~~American Association for Laboratory Accreditation, Gaithersburg, Maryland;~~ or

C. Standards Council of Canada, Ottawa, Ontario, Canada.

Exception: In the event that an approved laboratory program is temporarily delayed or is not capable of being accredited to perform a test or tests, a testing laboratory possessing the appropriate equipment, facilities, and qualified personnel to perform the required testing is an approved laboratory.

Subp. 4. [See repealer.]

Subp. 5. [See repealer.]

Subp. 6. [See repealer.]

Subp. 7. [See repealer.]

Proposed Rules

Subp. 8. [See repealer.]

Subp. 9. [See repealer.]

Subp. 10. [Repealed, 13 SR 2982]

Subp. 11. **FTC ICC-Evaluation Services Report.** ~~“FTC” means the United States Federal Trade Commission, Code of Federal Regulations, title 16, part 460, or a standard issued for thermal insulation materials by that commission. ICC-Evaluation Services Report means an evaluation service report prepared in accordance with an acceptance criteria approved by the ICC-Evaluation Service, Whittier, California.~~

Subp. 12. **Industry members.** “Industry members” means:

~~A. producers and suppliers of materials from which insulation is made who promote the sale or distribution of insulation;~~

~~B. manufacturers of insulation, jobbers, wholesalers, and retailers of insulation;~~

~~C. B. contractors and applicators who sell and install residential insulation; and~~

~~D. C. those engaged in the marketing of insulation who are, or who purport to act as, agents of manufacturers or suppliers of insulation; and~~

~~D. installers of insulation the manufacture of which is completed at the job site who significantly alter the manufacturer’s installation instructions. These installers are considered manufacturers for the purpose of this chapter.~~

Subp. 13. [See repealer.]

Subp. 14. [See repealer.]

Subp. 15. [See repealer.]

Subp. 16. [See repealer.]

[For text of subp 17, see M.R.]

Subp. 18. [See repealer.]

Subp. 19. [See repealer.]

Subp. 19a. **Quality assurance program.** “Quality assurance program” means the collective set of plans, activities, and events that are provided to ensure that the product or service will satisfy given needs. A quality assurance program must conform to ~~“Generic Guidelines for Quality Systems,” American National Standards Institute - American Society for Quality Control standard ANSI/ASQC Z-1.15-1979 ANSI/ISO/ASQ Q9001-2000: “Quality Management Systems Requirements” or an equivalent standard.~~

Subp. 20. **R or R value.** “R” or “R value” means the measure of resistance to heat flow through a material or assembly of materials. It may be stated as the reciprocal of the heat flow through a material expressed in British thermal units per hour, per square foot, per degree Fahrenheit. R value indicates “thermal performance.”

Subp. 20a. [See repealer.]

Subp. 20b. [See repealer.]

Subp. 21. [See repealer.]

Subp. 22. [See repealer.]

Subp. 23. [See repealer.]

Subp. 24. [See repealer.]

Subp. 25. [See repealer.]

Subp. 26. [Repealed, 16 SR 2026]

7640.0130 STANDARDS FOR INSULATION MATERIALS STANDARDS AND INSTALLATION.

Subpart 1. [See repealer.]

Subp. 2. **General testing requirements.** General testing requirements for regulated thermal insulation materials in this part are as follows:

~~A. When ASTM amends, reorganizes, or modifies a standard test method and the manufacturer or testing laboratory desires to use the new version, the department may be petitioned to adopt the new test method version. Until the department adopts or decides not to adopt the new version, the petitioner may request a temporary variance to use the new test method version. Criteria or factors in granting a variance are:~~

~~(1) whether the new test method version amounts to a substantial change over the old version;~~

~~(2) whether the amendment to the test version was controversial within the ASTM decision making body;~~

~~(3) whether the department sees the new test version as an improvement in testing quality control;~~

~~(4) whether the new version adversely affects consumers or manufacturers; and~~

~~(5) whether there is strong opposition outside of the ASTM organization to the new test version.~~

~~B. A. All regulated thermal insulation materials must be tested for compliance with the standards according to subitems (1) to (4) subpart 3, 4, 5, 6, 7, or 8. An insulation product that has been tested for compliance with another version of an ASTM standard for the product type and is composed of the identical material, for example the same chemical make-up, composition, or physical properties, but~~

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that has different dimensional characteristics, such as width, length, or thickness, does not need to undergo additional testing.

(1) Required testing must be performed by an approved laboratory within two years of the filing of the initial report required by part 7640.0150.

(2) The thermal insulation material chosen for testing must be representative of material produced by the manufacturer during normal production runs.

(3) Testing for each type of insulation must be performed in accordance with the methods specified in subparts 3 to 8.

(4) Insulation must have flammability characteristics in accordance with the Uniform Building Code, sections 1712 and 1713, for its intended uses.

C. All thermal performance tests must be conducted in accordance with this item, unless additional requirements are imposed within the body of a materials standard. Insulation's thermal performance must be stated in R-value.

(1) One of the following test methods must be used: ASTM C 177, ASTM C 236, ASTM C 518, ASTM C 976, or ASTM C 1114. Manufacturers shall select the appropriate test method for the material unless a specific method or procedure is referenced within a materials specification. Thermal conductivity measurements at mean temperatures other than 75 degrees Fahrenheit are not required.

(2) R-value testing must be performed at the insulation's representative thickness, and be consistent with the requirements of *Code of Federal Regulations*, title 16, part 460. Unit R per inch must be derived from R-value testing performed to its representative thickness.

(3) For foam plastic insulations that incorporate blowing agents other than air or pentane, R-value tests must be done on samples that have been treated to fully reflect the effect of aging on the product's R-value. If criteria for treating samples to reflect the effect of aging are not specified within a material specification, the samples must be treated for either 90 days at 140 ± 2 degrees Fahrenheit (60 ± 1 degree centigrade) or six months at ambient conditions prior to conditioning and thermal resistance testing. During treating, air circulation must be provided so that all surfaces of the insulation are exposed to the surrounding environmental conditions.

(4) Except as otherwise provided within a materials standard, the thermal R-value test results must be the average of the values obtained from at least three tests.

(5) Thermal R-value as measured by test must not be more than ten percent below the stated or claimed thermal performance of the insulation material.

(6) If insulation with foil facings claim a "system R-value," the insulation material must comply with Federal Trade Commission requirements in sections 460.12(b)(6) and 460.5(D), *Code of Federal Regulations*, title 16, part 460.

D. B. Manufacturers shall have a quality assurance program in place for all regulated thermal insulation products. A quality assurance program must be in place for installers of products whose manufacture is completed at the job site.

Manufacturers and other industry members must maintain an in-house quality assurance program in order for products to meet the required standards.

If a manufactured product fails to meet those required standards, the department shall notify the industry member to pursue corrective measures.

C. Installers must follow manufacturer's installation instructions.

Subp. 3. Cellulose insulation.

A. ~~Cellulose fiber in loose-fill form~~ insulation must comply with item B, C, or D and meet the following requirements:

(1) The product must comply with ~~ASTM C 739, Standard Specification for Cellulosic Fiber (wood-base) Loose-Fill Thermal Insulation~~ or the United States Consumer Product Safety Commission Interim Safety Standard for Cellulose Insulation, *Code of Federal Regulations*, title 16, part 1209 subpart B.

[For text of subitem (2), see M.R.]

~~(3) The department shall be immediately notified by the manufacturer of any failure to meet test standards. Containers of cellulose insulation products must carry the label identifying the laboratory performing the follow-up program required by subitem (2).~~

B. ~~Cellulose fiber in loose-fill form~~ must comply with ASTM C739-05be1, Standard Specification for Cellulosic Fiber Loose-Fill Thermal Insulation. Cellulose loose-fill insulation must be installed in accordance with ASTM C1015-06, Standard Practice for Installation of Cellulosic and Mineral Fiber Loose-Fill Thermal Insulation.

B. C. Cellulose fiber spray-applied must comply with ~~ASTM C 1149~~; either:

(1) ~~If the product in loose-fill form meets the criteria in ASTM C 1149, section 4.8, for corrosion, then a test of the product in spray-applied form is unnecessary. Type II requirements of ASTM C1149-06e1, Standard Specification for Self-Supported Spray Applied Cellulosic Thermal Insulation; or~~

(2) ~~If the product in loose-fill form meets the criteria in ASTM C 1149, section 4.7, for fungi resistance, then a test of the product in spray-applied form is unnecessary. ASTM C739-05be1, Standard Specification for Cellulosic Fiber Loose-Fill Thermal Insulation. Design density and thermal resistance must be determined for specimens prepared as spray-applied according to manufacturer's installation instructions.~~

D. Cellulose fiber stabilized must comply with this item.

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(1) Thermal performance, shrinkage, and settling must be determined by sections 5.8, 5.10, and 5.11, respectively of ASTM C1497-04, Standard Specification for Cellulosic Fiber Stabilized Thermal Insulation.

(2) Corrosiveness, critical radiant flux, fungi resistance, water vapor sorption, odor emission, and smoldering combustion must be determined by the appropriate sections of either ASTM C1497-04 or ASTM C739-05be1.

E. Industry members and other persons may not engage in the mobile manufacture of cellulose insulation, which means the simultaneous on-site production and installation of cellulose insulation as an integral mechanical and manufacturing process.

Subp. 4. Mineral fiber insulation.

A. Mineral fiber in loose fill form must comply with ASTM ~~E-764~~ C764-07, Standard Specification for Mineral Fiber Loose Fill Thermal Insulation.

(1) Mineral fiber loose fill must achieve not less than stated performance at winter design conditions as shown by ASTM C1373-03, Standard Practice for Determination of Thermal Resistance of Attic Insulation Systems Under Simulated Winter Conditions.

(2) Mineral fiber loose fill must be installed in accordance with ASTM C1015-06, Standard Practice for Installation of Cellulosic and Mineral Fiber Loose-Fill Thermal Insulation.

B. Mineral fiber in batts and blankets form must comply with ASTM ~~E-665~~ C665-06, Standard Specification for Mineral Fiber Blanket Thermal Insulation for Light Frame Construction and Manufactured Housing.

C. Mineral fiber in board form must ~~meet the following requirements:~~ comply with ASTM C612-04, Standard Specification for Mineral Fiber Block and Board Thermal Insulation.

(1) ~~The basic material must be made from mineral substances such as rock, slag, or glass processed from a molten state into a fibrous form. Insulation must be composed of mineral fibers with water resistant binder added and formed into flat rectangular units. Insulation boards must be uniform in quality and free from defects, such as broken edges, splits, or loose materials which would impair the intended use.~~

(2) ~~Thermal performance and surface burning characteristics must be determined in accordance with subpart 2.~~

D. Spray applied mineral fiber must comply with ASTM ~~E-1014~~ C1014-03e1, Standard Specification for Spray Applied Mineral Fiber Thermal or Acoustical Insulation.

Subp. 5. **Foam plastic insulation.** All foam plastic insulation must achieve stated performance at 75 degrees Fahrenheit mean temperature. For foam plastic insulations that incorporate blowing agents other than air or pentane, R-value tests must be done on specimens that have been treated in accordance with ASTM C1303-07, Standard Test Method for Predicting Long-Term Thermal Resistance of Closed-Cell Foam Insulation to fully reflect the effect of aging on the product's R-value.

A. ~~Molded expanded Rigid, cellular polystyrene insulation must comply with either ASTM ~~E-578~~ C578-07, Standard Specification for Preformed Rigid, Cellular Polystyrene Thermal Insulation and the accompanying Supplementary Requirements, or item F.~~

B. ~~Extruded Polystyrene must comply with ASTM ~~C-578~~, Standard Specification for Preformed, Cellular Polystyrene Thermal Insulation and the accompanying Supplementary Requirements.~~

C. ~~Unfaced polyurethane and polyisocyanurate in board form must comply with ASTM ~~C-591~~, Standard Specification for Unfaced Preformed Rigid Cellular Polyurethane Thermal Insulation:~~

~~Exception: Aged R-value must be 5.6 per inch or greater at 75 degrees Fahrenheit.~~

D. ~~B. Faced polyurethane and polyisocyanurate in board form must comply with Federal Specification HH-I-1972, dated August 21, 1981, Insulation Board Thermal Faced Polyurethane or Polyisocyanurate either ASTM C1289-07 Standard Specification for Faced Rigid Cellular Polyisocyanurate Thermal Insulation Board, or item F.~~

E. ~~C. Field-applied urea formaldehyde foam must meet the following requirements:~~

(1) ~~The product must comply with ASTM ~~C-951~~, Standard Specification for Field-Applied Urea Formaldehyde Based, Foam in Place Insulation and its installation must conform with *Minnesota Statutes*, section 325F.18, and part 4620.1800.~~

(2) ~~Resin and foaming agent containers must be marked with conditions of proper storage and the derated R value and shrinkage of the prepared foam as certified by the manufacturer.~~

F. ~~D. Spray-applied urethane must comply with ASTM ~~E-1029~~ C1029-05a, Standard Specification for Spray Applied Rigid Polyurethane Thermal Insulation or item F.~~

G. ~~E. Rigid cellular phenolic insulation must comply with ASTM ~~E-1126~~ C1126-04, Standard Specification for Faced or Unfaced Rigid Cellular Phenolic Thermal Insulation or item F.~~

H. ~~F. Foam plastic insulation products that conforms to all requirements of ICBO Evaluation Service Acceptance Criteria for Foam Plastic for the intended application meets have a current ICC-Evaluation Services Report prepared according to ICC-ES AC12, Acceptance Criteria for Foam Plastic Insulation meet the requirements of part 7640.0130 this subpart.~~

Subp. 6. Perlite and vermiculite insulation.

A. Perlite loose fill insulation must meet the following requirements:

(1) The product must comply with ASTM ~~E-549~~ C549-06, Standard Specification for Perlite Loose Fill Insulation.

(2) The manufacturer shall disclose to the department any chemical treatment of the perlite material and the purpose of the treatment.

B. Vermiculite in loose fill form must meet the following requirements:

(1) The product must comply with ASTM ~~E 516~~ C516-02, Standard Specification for Vermiculite Loose Fill Thermal Insulation.

(2) The manufacturer shall disclose to the department any chemical treatment of the vermiculite material and the purpose of the treatment.

Subp. 7. Reflective foil insulation.

A. ~~The following requirements apply to Reflective foil insulation: must meet the requirements of ASTM C1224-03, Standard Specification for Reflective Insulation for Building Applications.~~

Exception: Products having a current ICC-Evaluation Services Report in accordance with ICC-AC02, Acceptance Criteria for Reflective Foil Insulation.

Reflective foil insulation must be installed according to ASTM C727-01(2007)e1 Standard Practice for Installation and Use of Reflective Insulation in Building Constructions.

(1) Specimens for tests must consist of pieces of insulation cut to approximately three by six inches, suspended in a vertical position and heated to a temperature of 180 degrees Fahrenheit (plus or minus five degrees Fahrenheit) for at least five hours. At the end of the heating period, the tester shall examine the reflective surfaces to determine whether the adhesive has bled through the surface or whether delamination has occurred.

(2) Except for radiant barrier products, thermal performance for single or multiple sheet sections must be determined according to ASTM C 976 or ASTM C 236. The test panel must consist of a panel using a wooden frame of two-by-six-inch boards 16 inches apart and at least 24 inches long, covered with a minimum of 1/2-inch gypsum wallboard or 1/2-inch plywood on each side. For tests in the vertical position, the test panel must be at least seven feet high at a mean temperature of 75 degrees Fahrenheit, with a temperature differential of 30 degrees Fahrenheit. The resultant thermal performance must be based upon the insulation and the associated air spaces.

(3) Layers of insulation composed of unsupported foil that is exposed must have a minimum thickness of 0.0004 inch. Unsupported foil that is sandwiched in multilayer sheet must have a minimum thickness of 0.00035 inch. Foil bonded to kraft paper must have a minimum thickness of 0.00025 inch.

(4) Adhesive used in bonding must be waterproof and show no sign of bleeding when tested in accordance with the test procedure identified in section V, part A, of the ICBO Evaluation Service Acceptance Criteria for Reflective Foil Insulation, June 1987, section V, part A, for adhesive bleeding requirements. Bleeding at cut edges may be disregarded.

(5) Foil must be folded in accordance with TAPPI Standard No. 512-OM86, and the folded edge smoothed using a light finger pressure. The finished insulation must not crack when folded to 180-degree bend at a temperature of 70 degrees Fahrenheit (plus or minus two degrees Fahrenheit) and a relative humidity of 50 percent (plus or minus five percent).

(6) Reflective foil insulation that conforms to all requirements of ICBO Evaluation Service Acceptance Criteria for Reflective Foil Insulation, June 1987 (with the exception that thermal performance must be tested in accordance with item B, C, or D), meets the Minnesota testing standards in this subpart.

B: Reflective insulation systems with more than one sheet must be tested according to ASTM C 976 or ASTM C 236 to determine the thermal performance for heat flow in horizontal, upward, and downward directions. The tested thermal performance in the heat-flow direction or directions of the intended application must be labeled on the material. The manufacturer shall test once in each direction of intended application; except that, for products labeled with only one heat-flow direction, the manufacturer shall test two samples in that direction. The tests must be done at a mean temperature of 75 degrees Fahrenheit, with a temperature differential of 30 degrees Fahrenheit.

C: A single sheet reflective insulation system must be tested according to ASTM E 408 to determine its emissivity. To get the R-value for the measured emissivity and a specific air space and direction of heat flow, Table 2 in chapter 22 of the ASHRAE Handbook of Fundamentals must be used. The R-value shown for 50 degrees Fahrenheit must be used, with a temperature differential of 30 degrees Fahrenheit.

~~D: B.~~ Radiant barrier products must meet the requirements of the United States Federal Trade Commission in *Code of Federal Regulations*, title 16, section 460.5, paragraphs (b) and (c) ASTM C1313-05, Standard Specification for Sheet Radiant Barriers for Building Construction Applications.

If the R-value listed on the Federal Trade Commission fact sheet is not that for a radiant barrier, the Federal Trade Commission fact sheet must also include the following statement: "These R-values are not for a radiant barrier and are likely to differ when the product is installed as a radiant barrier."

Exception: Products having a current ICC-Evaluation Services Report in accordance with ICC-EG220, Evaluation Guideline for Sheet Radiant Barriers.

Radiant barriers must be installed according to ASTM C1158-05, Standard Practice for Installation and Use of Radiant Barrier Systems (RBS) in Building Construction.

Subp. 8. **Other insulation.** Insulation other than insulation specified in subparts 1 to 7 must comply with the requirements in items A to F of this subpart. The thermal insulation material chosen for testing must be representative of material produced by the manufacturer during normal production runs.

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A. Thermal performance ~~and surface burning~~ characteristics must be determined in accordance with ~~subpart 2~~ this item.

(1) One of the following test methods must be used: ASTM C177-04, ASTM C518-04, ASTM C1199-00, or ASTM C1114-06. Manufacturers shall select the appropriate test method for the material unless a specific method or procedure is referenced within a materials specification.

(2) For foam plastic insulations that incorporate blowing agents other than air or pentane, R-value tests must be done on specimens that have been treated in accordance with ASTM C1303-07, Standard Test Method for Predicting Long-Term Thermal Resistance of Closed-Cell Foam Insulation, to fully reflect the effect of aging on the product's R-value.

(3) Thermal conductivity measurement must be performed at 75 degrees Fahrenheit mean temperature.

B. Water or moisture absorption must be determined according to one of the following methods:

(1) ~~ASTM C-272~~ C272-01;

(2) ~~ASTM C-553~~ C553-02, section 14;

(3) ~~ASTM C-739~~ C739-05, section 12; or

(4) ~~ASTM D-2842~~ D2842-06.

C. If the material is foam in place, a test ~~of~~ must be conducted to determine the shrinkage using ASTM C 951-83, section 8.5 must be used response to thermal and humid aging in accordance with ASTM C1029-05, section 10.6.

D. If the material contains formaldehyde, ~~a formaldehyde content test is necessary~~ the product and installation must conform with Minnesota Statutes, section 325F.18, and part 4620.1800.

E. The product must not produce a detectable odor that is classified as objectionable and strong or very strong by ~~two or more panel members when tested in accordance with ASTM C 739, section 13, or ASTM C 553, section 15~~ ASTM C1304-95 (2001), Standard Test Method for Assessing the Odor Emission of Thermal Insulation Materials.

F. Surface burning characteristics must be determined in accordance with ASTM E84-07b.

~~F. G.~~ The manufacturer shall provide a statement that the insulation and its intended uses are safe and effective and do not pose a threat to human health. The manufacturer shall disclose any known or reasonably suspected attributes of the product that will adversely affect its safety or effectiveness.

7640.0150 REPORTING REQUIREMENTS.

Subpart 1. **Applicability.** This subpart identifies all industry members to whom subparts 2 and 3 apply.

A. Manufacturers of insulation materials, components, or products shall file an initial report as required by subpart 2.

B. A reseller, repackager, or industry member who alters the physical properties of an insulation product manufactured by another industry member shall file an initial report as required by subpart 2.

C. An industry member that intends to sell an insulation product manufactured by another industry member under its own trade or brand name, desires to be listed as the manufacturer, and does not alter physical properties of the insulation product, shall file an initial report. The filing insulation member can comply with subpart 2, item F, by certifying that the product is the same as when it was previously filed.

~~D. Insulation products identified in part 7640.0130, subparts 3 to 8 that are composed of the identical material, for example the same chemical make-up, composition, or physical properties, but that have different dimensional characteristics, such as width, length, or thickness, need not undergo additional testing by the same manufacturer once the initial similar product meets the necessary requirements.~~

Subp. 2. **Initial report.** An industry member shall file an initial report at least 30 days before offering for sale in the state any new products, significant changes to a product already filed, or changes to product installation instructions to a product already filed.

The initial report must include the following:

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

D. product literature, including installation instructions, a copy of the label affixed to the product, a copy of the product's material safety data sheet, and a list of the intended uses of the product, including whether the product is recommended for exterior below-grade application;

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

F. a report demonstrating the performance of the product, including:

(1) results of initial tests, as required by part 7640.0130, identifying tests performed, name of laboratory, testing dates, and test results; or

(2) a current ICC-Evaluation Services Report for the product.

~~The report for "other" insulation products regulated by part 7640.0130, subpart 8, must also include the products' Material Safety Data Sheet;~~

[For text of items G to I, see M.R.]

Subp. 3. **Annual filing requirement.**

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

~~C. Additional testing information must be made available as follows:~~

Proposed Rules

(1) Upon the request of the commissioner, the manufacturer, a representative of the manufacturer, or the testing laboratory shall provide all applicable information pertaining to the testing program. The information must include test procedures and protocols, test equipment specifications and calibrations, the qualifications of test laboratory personnel exclusive of personal identifiers, full test data, and proof of an approved laboratory's certification.

(2) Upon the written request of intermediate and ultimate consumers of insulation the manufacturer shall make available a current certification of conformance to applicable test standards.

REPEALER. *Minnesota Rules*, parts 7640.0110, subpart 4; 7640.0120, subparts 2, 4, 5, 6, 7, 8, 9, 13, 14, 15, 16, 18, 19, 20a, 20b, 21, 22, 23, 24, and 25; 7640.0130, subpart 1; 7640.0140; 7640.0160; 7640.0170; and 7640.0180, are repealed.

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 # 08-05: Providing for Emergency Shelter and Other Emergency Assistance to Southern Minnesota

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 January 29, 2008, a heavy snow and strong winds moved across areas of Southern Minnesota causing whiteout conditions, extreme cold and severe wind chills; and

WHEREAS, the extreme weather conditions caused road closings;

WHEREAS, due to the weather conditions and road closures, travelers in Southern Minnesota have been stranded in various towns and along portions of Interstate 90 and Interstate 35 and are in need of emergency shelter and emergency assistance; and

WHEREAS, the Minnesota Department of Transportation, the Minnesota State Patrol, and County Sheriffs do not have adequate resources in the necessary areas for providing emergency shelter and other emergency assistance for stranded motorists; and

WHEREAS, the Minnesota Division of Homeland Security and Emergency Management has requested that the Minnesota National Guard provide emergency shelter and other emergency assistance for stranded motorists in Southern Minnesota.

Executive Orders

NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to state active duty on or about January 29, 2008, in the service of the State, such personnel and equipment of the military forces of the State as required and for such period of time as necessary to provide winter storm support to include shelter operations and other emergency assistance in Southern 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 30th day of January, 2008.

Signed: **TIM PAWLENTY**
Governor

Filed According to Law:

Signed: **MARK RITCHIE**
Secretary of State

Commissioners' Orders

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

Department of Natural Resources

Designation of Wildlife Management Areas

Order No. WMA 08-002

Pursuant to the provisions of *Minnesota Statutes*, section 97A.135, subdivision 1 and *Minnesota Statutes*, section 97A.145, subdivision 1, the following described lands that will be under the jurisdiction of the Minnesota Department of Natural Resources meet the criteria as being suited for wildlife management areas:

Tatley Wildlife Management Area, Yellow Medicine County

The Northeast Quarter (NE1/4) of Section Thirty-one (31) and the Northwest Quarter (NW1/4) of Section Thirty-two (32), Township One Hundred Fourteen (114) North, Range Forty-six (46) West.

Commissioners' Orders

Lac qui Parle Wildlife Management Area, Lac qui Parle County

The South Half of the Southeast Quarter (S1/2SE1/4) of Section Thirty-one (31), Township One Hundred and Twenty (120) North, Range Forty-three (43) West.

Minn-Kota Wildlife Management Area, Lincoln County

All of Government Lot Three (3) and that part of Government Lot Four (4), Section Six (6), Township One Hundred Thirteen (113) North, Range Forty-six (46) West, in Lincoln County, Minnesota as is North of the Quarter line running East and West through Section Three (3), Township One Hundred Thirteen (113) North, Range Forty-seven (47) West, Deuel County, South Dakota, extended East through Government Lot Four (4).

Roger M. Holmes Wildlife Management Area, Douglas County

The West Half of the Southeast Quarter (W1/2SE1/4), the South Half of the South Half of the Northwest Quarter (S1/2S1/2NW1/4), and the Southwest Quarter (SW1/4) of Section Two (2), Township One Hundred Twenty-nine (129) North, Range Thirty-six (36) West.

The South Half of the Northeast Quarter (S1/2NE1/4) and the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) of Section Three (3); and the Northeast Quarter of the Northeast Quarter (SE1/4NE1/4) and that portion of the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) lying north and east of the Long Prairie River of Section Ten (10), Township One Hundred Twenty-nine (129) North, Range Thirty-six (36) West.

EXCEPTING THEREFROM THE FOLLOWING TWO TRACTS:

TRACT I. That part of the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) of said Section 3 described as follows:

Beginning at the northwest corner of the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) of Section 3; thence east and along the north line of the Southeast Quarter of the Northwest Quarter a distance of 466.0 feet to the center of the Township Road; thence southeasterly and along the center of said Township Road a distance of 825.0 feet; thence south 679.0 feet to the south line of said Southeast Quarter of the Northwest Quarter; thence west and along said south line a distance of 907.0 feet to the southwest corner of the Southeast Quarter of the Northwest Quarter; thence north and along the west line of said Southeast Quarter of the Northwest Quarter a distance of 1320.0 feet to the point of beginning.

TRACT II. That part of the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) and that part of the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4) of said Section 3 described as follows:

Beginning at the northwest corner of the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) of Section 3; thence east and along the north line of the Southeast Quarter of the Northwest Quarter a distance of 466.0 feet to the center of the Township Road; thence southeasterly and along the center of said Township Road a distance of 15.1 chains; thence east 12.2 chains; thence north 12 chains; thence west 21.0 chains to the point of beginning.

The Northwest Quarter (NW1/4); the North Half of the Southwest Quarter (N1/2SW1/4); the West Half of the Northeast Quarter (W1/2NE1/4); and the South Half of the Southwest Quarter (S1/2SW1/4) of Section Eleven (11), Township One Hundred Twenty-nine (129) North, Range Thirty-six (36) West.

The Northeast Quarter of the Northwest Quarter (NE1/4NW1/4) of Section Fourteen (14), Township One Hundred Twenty-nine (129) North, Range Thirty-six (36) West, **EXCEPTING THEREFROM** a parcel of land described as follows:

Beginning at the northwest corner of said Northeast Quarter; thence west to the road; thence in a southerly direction along the road a distance of 1 rod; thence east to the quarter line; thence north to the point of beginning.

The Northeast Quarter of the Southeast Quarter (NE1/4SE1/4) of Section Fourteen (14), Township One Hundred Twenty-nine (129) North, Range Thirty-six (36) West, which lies west of Douglas County Road Number 3.

The South Half of the Northwest Quarter (S1/2NW1/4), the North Half of the Southwest Quarter (N1/2SW1/4), the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4), the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) and the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4) of Section Fourteen (14), Township One Hundred Twenty-nine (129) North, Range Thirty-six (36) West, **EXCEPTING THEREFROM** that part lying east of State Aid Road Number 3.

Commissioner's Orders

EXCEPTING THEREFROM

That part of the West Half of the Southwest Quarter (W1/2SW1/4) of Section Eleven (11), Township One Hundred Twenty-nine (129) North, Range Thirty-six (36) West, described as follows:

Beginning at the southwest corner of said Section 11; thence North 01 degree 15 minutes 06 seconds West, assumed bearing, along the west line of said West Half of the Southwest Quarter 2024 feet, more or less, to the southerly line of the Long Prairie River; thence easterly and southerly along said southerly line of the Long Prairie River and along the westerly line of said Long Prairie River to the south line of said West Half of the Southwest Quarter; thence South 89 degrees 55 minutes 44 seconds West along said south line 516 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM

That part of the East Half of the Northwest Quarter (E1/2NW1/4), that part of the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4), and that part of the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of Section Fourteen (14), Township One Hundred Twenty-nine (129) North, Range Thirty-six (36) West, lying westerly, northerly, northwesterly and northerly of the following described line:

Commencing at the northwest corner of said Section 14; thence South 88 degrees 57 minutes 18 seconds East along the north line of said Section 14 a distance of 1678.89 feet to the point of beginning; thence South 03 degrees 57 minutes 18 seconds East 932.39 feet; thence South 22 degrees 39 minutes 50 seconds East 436.37 feet; thence South 84 degrees 37 minutes 38 seconds West 364.40 feet; thence South 51 degrees 58 minutes 02 seconds West 208.69 feet; thence South 32 degrees 19 minutes 34 seconds West 725.80 feet; thence South 31 degrees 15 minutes 45 seconds West 480.26 feet; thence South 27 degrees 12 minutes 44 seconds West 249.51 feet; thence South 52 degrees 11 minutes 28 seconds West 165.96 feet; thence North 90 degrees 00 minutes 00 seconds West 575.36 feet to the west line of said Northwest Quarter of the Southwest Quarter and there terminating.

Dovray Wildlife Management Area, Murray County

Government Lot One (1), Government Lot Two (2), and the South 1120 feet of Government Lot Three (3), Section Eighteen (18), Township One Hundred and Seven (107) North, Range Thirty-nine (39) West.

AND

The North Half of the Northwest Quarter (N 1/2 NW 1/4) of Section Nineteen (19), Township One Hundred and Seven (107) North, Range Thirty-nine (39) West, **EXCEPTING THEREFROM** the following two tracts:

TRACT 1

Commencing at the northwest corner of said Section 19; thence South 00 degrees 47 minutes 30 seconds East, 759.09 feet on and along the west line of said Section 19 to the Point of Beginning; thence South 00 degrees 47 minutes 30 seconds East, 561.00 feet on and along said west line of Section 19 to its intersection with the North one sixteenth line of said Section 19; thence North 88 degrees 29 minutes 45 seconds East, 891.00 feet on and along said North onesixteenth line of said Section 19; thence North 00 degrees 47 minutes 30 seconds West, 561.00 feet; thence South 88 degrees 29 minutes 45 seconds West, 891.00 feet to a point on the West line of said Section 19 and the Point of Beginning.

TRACT 2

The North 600 feet of the West 1325 feet of said North Half of the Northwest Quarter.

AND

That part of the South Half of the Northwest Quarter (S 1/2 NW 1/4) of Section Nineteen (19), Township One Hundred and Seven (107) North, Range Thirty-nine (39) West bounded by the following described lines:

Commencing at the northwest corner of said Section 19; thence South 00 degrees 47 minutes 30 seconds East, 1320.09 feet on and along the west line of said Section 19 to its intersection with the North onesixteenth line of said Section 19; thence North 88 degrees 29 minutes 45 seconds East, 891.00 feet on and along said North one--sixteenth line to the Point of Beginning; thence North 88 degrees 29 minutes 45 seconds East, 1639.84 feet on and along said North onesixteenth line to its intersection with the North South Quarter line of said Section 19; thence South 00 degrees 55 minutes 00 seconds East 800.00 feet on and along said North South Quarter line of Section 19; thence North 61 degrees 04 minutes 43 seconds West, 1036.65 feet; thence South 88 degrees 29 minutes 45 seconds West, 564.37 feet; thence North 33 degrees 44 minutes 11 seconds West, 325.07 feet to a point on said North one--sixteenth line of Section 19, and the Point of Beginning.

Commissioner's Orders

Haverhill Wildlife Management Area, Olmsted County

The East Half of the Southeast Quarter, Section Twenty-two (22); the West Half of the Northwest Quarter, Section Twenty-six (26); and the East Half of the Northeast Quarter, Section Twenty-seven (27), all in Township One Hundred Seven (107) North, Range Thirteen (13) West, EXCEPTING therefrom the following described two parcels:

Parcel A: That part of the East One-Half of the Northeast Quarter (E1/2NE1/4) of Section Twenty-seven (27), Township One Hundred Seven (107) North, Range Thirteen (13) West described as follows: Beginning at the southeast corner of the Northeast Quarter of said Section 27; thence North 1 Degree, 16 Minutes, 28 seconds West, assumed bearing, along the east line of said Northeast Quarter, 940.00 feet; thence South 89 degrees 4 minutes 47 seconds West 455.00 feet; thence North 1 degree 52 minutes 35 seconds West, 448.05 feet; thence South 83 degrees 10 minutes 23 seconds West, 581.37 feet; thence South 1 degree 31 minutes 57 seconds East, 364.78 feet; thence South 26 degrees 14 minutes 35 seconds East, 335.73 feet; thence South 1 degree 16 minutes 28 seconds East, parallel with the east line of said Northeast Quarter, 560.00 feet; thence South 89 degrees 4 minutes 30 seconds West parallel with the south line of said Northeast Quarter, 419.26 feet to the west line of the East One-Half of said Northeast Quarter; thence South 1 degree 20 minutes 52 seconds East, along said west line, 100.00 feet to the southwest corner of the East One-Half of said Northeast Quarter; thence North 89 degrees 4 minutes 30 seconds East, along the south line of said Northeast Quarter, 1314.13 feet to the point of beginning.

Parcel B: That part of the Southwest Quarter of the Northwest Quarter of Section Twenty-six (26), Township One Hundred Seven (107) North, Range Thirteen (13) West, described as follows: Beginning at the southwest corner of the Northwest Quarter of said Section 26 thence North 89 degrees 4 minutes 47 seconds East, assumed bearing, along the south line of said Northwest Quarter, 100.00 feet; thence North 1 degree 16 minutes 78 seconds West, parallel with the west line of said Northwest Quarter, 940.00 feet, thence South 89 degrees 4 minutes 47 seconds West, parallel with the south line of said Northwest Quarter, 100.00 feet to the west line of said Northwest Quarter; thence South 1 degree 16 minutes 28 seconds East, along said west line 940.00 feet to the point of beginning.

Bethel Wildlife Management Area, Isanti County

The South 20 acres of the West Half of the Southwest Quarter (W1/2SW1/4), Section Twenty-three (23), Township Thirty-four (34) North, Range Twenty-four (24) West; and

That part of the West Half of the Southwest Quarter (W1/2SW1/4), Section Twenty-three (23), Township Thirty-four (34) North, Range Twenty-four (24) West being described as a strip of land 66.00 feet in width, lying westerly of and adjacent to the following described line:

Beginning at the northeast corner of the South 20 acres of said W1/2SW1/4; thence North, a distance of 1980 feet, more or less, along the east line of said W1/2SW1/4 to the northwest corner thereof and there terminating.

Nora Wildlife Management Area, Pope County

Southeast Quarter of the Southwest Quarter (SE1/4SW1/4), Section Thirtyfour (34), Township One Hundred Twentysix (126) North, Range Forty (40) West;

AND

The Southeast Quarter (SE1/4) of Section Thirtyfour (34), Township One Hundred Twentysix (126) North, Range Forty (40) West, EXCEPT the following described tracts of land:

That part of the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) Section Thirtyfour (34), Township One Hundred Twentysix (126) North, Range Forty (40) West deeded to the State of Minnesota by Deed recorded in Book 78 Deeds page 550;

That part of the SE1/4, Section 34, Section Thirtyfour (34), Township One Hundred Twentysix (126) North, Range Forty (40) West, described as follows:

Beginning at an iron monument at the east quarter corner of said Section 34; thence along the east line of said Section 34, South 00 degrees 00 minute 50 seconds West 2634.55 feet to an iron monument at the southeast corner of said Section 34; thence along the south line of said Section 34, South 89 degrees 24 minutes 00 seconds West 1963.14 feet; thence North 00 degrees 11 minutes 00 seconds East 2636.14 feet to a point in the north line of said SE1/4; thence along said north line North 89 degrees 26 minutes 34 seconds East 1954.04 feet to the point of beginning.

Commissioner's Orders

Gores Wildlife Management Area, Dakota County

That part of Lot Seven (7) in Section Twenty-five (25), Township One Hundred Fifteen (115) North, Range Seventeen (17) West commencing at the northeast corner of said Lot 7; thence South 83 rods; thence in a northwesterly direction to the center of said Lot 7; thence North 70 rods to the Mississippi River; thence southeasterly along the bank of said river to the point of beginning.

Lake Maria Wildlife Management Area, Murray County

All that part of Sections Seven (7) and Eight (8), Township One Hundred Eight (108) North, Range Forty-one (41) West, described as: Beginning at a point where the North line of said Section 7 Intersects with the West meander line of Lake Maria, thence West along the said North line of said Section 7 to the point of intersection with the center line of the Township Road as now established, which is 2769.50 feet East of the northwest corner of said Section 7; thence South along the centerline of the Township Road a distance of 4705.50 feet; thence East at an interior angle of 90 degrees 32 minutes a distance of 464 feet; thence South on a line parallel to the centerline of said Township Road a distance of 547 feet, which is 3244.20 feet East of the West line of said Section 7; thence East on a line parallel and 55 feet North of the South line of said Section 7 to the West meander line of Lake Maria; thence Northwesterly along the West meander line of Lake Maria to the point of beginning, and there terminating;

and

All that part of Sections Seven (7) and Eighteen (18), Township One Hundred Eight (108) North, Range Forty-one (41) West, described as: Beginning at the Northwest corner of Section 7, Township 108, Range 41, thence running Easterly along the North line of said Section 7 a distance of 2769.50 feet to intersection with the centerline of the Township Road; thence Southerly along the centerline of said Township Road a distance of 2653.75 feet; thence deflecting 0 degrees 31 minutes right and continuing along the centerline of said Township road a distance of 2051.75 feet; thence Easterly and parallel to the South line of the Southwest quarter of the Southeast quarter (SW1/4 of SE1/4) of Section 7 a distance of 464 feet; thence South and parallel to the West line of the Northeast Quarter (NE1/4) of Section 18, Township 108, Range 41, a distance of 3198 feet; thence Westerly along the South line of said Northeast Quarter (NE1/4) of Section 18 a distance of 919.60 feet; thence Northerly along the West line of the Northeast Quarter (NE1/4) of said Section 18 a distance of 2592.00 feet to the quarter corner of Section 7 and 18, Township 108, Range 41 West; thence Westerly along the North line of the Northwest Quarter (NW 1/4) of the above mentioned Section 18 a distance of 2342.60 feet to the Northwest corner of said Section 18; thence Northerly a distance of 5307.50 feet to the point of beginning.

Chetomba Creek Wildlife Management Area, Renville County

The North Half of the Northwest Quarter (N1/2NW1/4) of Section Seventeen (17), Township One Hundred Sixteen (116) North, Range Thirty-seven (37) West.

Janet Johnson Memorial Wildlife Management Area, Chisago County

The Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) and the Easterly 175 feet of the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4), Section Thirty-five (35), Township Thirty-five (35) North, Range Twenty-one (21) West.

Robina Wildlife Management Area, Hennepin County

The Southwest Quarter of the Southeast Quarter, Section Eight (8), Township One Hundred Eighteen (118) North, Range Twenty-four (24) West.

That part of the Southeast Quarter of the Southwest Quarter of Section Eight (8), Township One Hundred Eighteen (118) North, Range Twenty-four (24) West, lying Northerly of the Northerly line of Great Northern Railway except the North 475.00 feet thereof.

That part of Government Lot 3, Section Eight (8), Township One Hundred Eighteen (118) North, Range Twenty-four (24) West, lying Easterly of the centerline of travel of the town road; and lying Northerly of the Northerly line of Great Northern Railway; and lying South of a line drawn parallel with and distant 475.00 feet South of the North line of the Southeast Quarter of the Southwest Quarter of said Section 8 extended West.

That part of the Northeast Quarter of the Northwest Quarter of Section Seventeen (17), Township One Hundred Eighteen (118) North, Range Twenty-four (24) West., lying Northerly of the Northerly right-of-way line of the Great Northern Railway Company.

That part of Government Lot 3, Section Eight (8), Township One Hundred Eighteen (118) North, Range Twenty-four (24) West lying Southerly of the Southerly line of Great Northern Railway and Easterly of the centerline of the town road.

Government Lot 4 of Section Eight (8), Township One Hundred Eighteen (118) North, Range Twenty-four (24) West.

Government Lot 1 of Section Nine (9), Township One Hundred Eighteen (118) North, Range Twenty-four (24) West.

That part of the West Half of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter and Government Lot 1, all in Section Seventeen (17), Township One Hundred Eighteen (118) North, Range Twenty-four (24) West, lying Northerly of the Northerly right-of-way line of the Burlington Northern Santa Fe Railway;

Commissioners' Orders

That part of Government Lot 5 of Section Sixteen (16), Township One Hundred Eighteen (118) North, Range Twenty-four (24) West, lying Northerly of the Northerly right-of-way line of the Burlington Northern Santa Fe Railway; and
Government Lot 1, Section Sixteen (16), Township One Hundred Eighteen (118) North, Range Twenty-four (24) West.

Root River Wildlife Management Area, Houston County

That part of the West Half of the Southwest Quarter (W1/2SW1/4) of Section Thirty-three (33), Township One Hundred and Four (104) North, of Range Five (5) West lying northerly of State Highway No. 16 and westerly of the township road; and

The South Half of the Southwest Quarter of the Northwest quarter (S1/2SW1/4NW1/4). Also a piece of land described as beginning at a point 60 rods south of the northwest corner of the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4), running thence in a southeasterly direction along the Mound Prairie Station Road to the south line of said SE1/4NW1/4 thence in a southwesterly direction along the Mound Prairie Station Road to the west line of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4), thence north 68 rods to the place of beginning, containing 2 5/8 acres, said strip of land running along in line with Mound Prairie Station Road from beginning to end, and including all the land lying west of said road in said SE1/4NW1/4 and NE1/4SW1/4, all of said land being in Section Thirty-three (33), Township One Hundred and Four (104) North, of Range Five (5) West.

Bean Dam Wildlife Management Area, Kanabec County

The Southwest Quarter of the Northeast Quarter (SW1/4NE1/4) of Section Twenty-four (24), Township Forty-two (42) North, Range Twenty-three (23) West.

Rooney Run Wildlife Management Area, Martin County

The West Half of the Southeast Quarter (W1/2SE1/4) of Section Ten (10), Township One Hundred Three (103) North, Range Thirty-two (32) West.

Green Valley Wildlife Management Area, Lyon County

That part of Government Lot Three (3), that part of Government Lot Four (4), that part of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) and that part of the South Half of the Southeast Quarter (S1/2 SE1/4) of Section Eighteen (18), Township One Hundred Twelve (112) North, Range Forty (40) West described as follows:

Commencing at the southwest corner of said Section Eighteen (18); thence North 00 degrees 00 minutes 00 seconds East, assumed bearing along the west line of the Southwest Quarter (SW1/4) of said Section, a distance of 1827.30 feet; thence South 88 degrees 30 minutes 47 seconds East a distance of 1246.30 feet to the point of beginning of the tract to be described, said point also being located on the East line of said Government Lot 3; thence North 88 degrees 30 minutes 47 seconds West a distance of 1246.30 feet to a point on the west line of said Southwest Quarter (SW1/4); thence South 00 degrees 00 minutes 00 seconds East, along said west line a distance of 355.90 feet; thence South 88 degrees 10 minutes 54 seconds East a distance of 306.00 feet; thence South 00 degrees 06 minutes 33 seconds East a distance of 722.00 feet; thence South 89 degrees 14 minutes 18 seconds East a distance of 938.00 feet; thence South 54 degrees 28 minutes 23 seconds East a distance of 215.00 feet; thence South 67 degrees 21 minutes 48 seconds East a distance of 230.00 feet; thence South 82 degrees 54 minutes 08 seconds East a distance of 245.00 feet; thence South 00 degrees 42 minutes 08 seconds East a distance of 265.10 feet; thence North 66 degrees 01 minutes 12 seconds East a distance of 119.00 feet; thence South 88 degrees 40 minutes 58 seconds East a distance of 905.00 feet; thence South 12 degrees 46 minutes 18 seconds East a distance of 167.00 feet; thence South 13 degrees 52 minutes 16 seconds West a distance of 135.63 feet to a point on the south line of the Southeast Quarter (SE1/4) of said Section; thence South 89 degrees 11 minutes 20 seconds East, along the south line of said Southeast Quarter (SE1/4), a distance of 1220.90 feet more or less, to the southwest corner of an existing tract previously deeded to the State of Minnesota; thence North 00 degrees 15 minutes 45 seconds East, along the west line of said existing tract, a distance of 145 feet more or less to the center line of the Redwood River; thence northerly and westerly along said river center line to a point on a line bearing South 00 degrees 05 minutes 07 seconds West from the point of beginning, said point also being located on the east line of said Government Lot 4; thence North 00 degrees 05 minutes 07 seconds East, along said line, a distance of 770 feet more or less to the point of beginning. Said tract contains 48.19 acres more or less and is subject to any easements of record.

Spring Creek Wildlife Management Area, Becker County

Government Lots two (2) and three (3), Section Seven (7), Township One Hundred Forty-two (142) North, Range Forty-one (41) West,

Commissioner's Orders

Excepting therefrom the right of way of trunk highway no. 59 as now located and established which lies easterly of a line run parallel with and distant 65 feet westerly of Line 1 described below;

Line 1. Beginning at a point on Line 2 described below distant 1400 feet southerly of its point of termination; thence run southerly on said line 2 for 600 feet and there terminating;

Line 2. Beginning at a point on the south line of Section Eighteen (18), Township One Hundred Forty-two (142) North, Range Forty-one (41) West distant 1323 feet west of the south quarter corner thereof; thence run northerly at an angle of 90 degrees 26 minutes 12 seconds from said South section line (measured from east to north) for 2628.20 feet; thence deflect to the right at an angle of 00 degrees 08 minutes 37 seconds for 2676.12 feet; thence deflect to the left at an angle of 00 degrees 03 minutes 48 seconds for 4063.11 feet and there terminating.

Government Lots Five (5) and Six (6), Seven (7), Township One Hundred Forty-two (142) North, Range Forty-one (41) West.

Government Lot One (1) Section Eighteen (18), Township One Hundred Forty-two (142) North, Range Forty-one (41) West, excepting therefrom the railway; Also excepting therefrom the right of way of trunk highway no. 59 as now located and established which lies easterly of a line run parallel with and distant 65 feet westerly of Line 1 described below:

Line 1. Beginning at a point on Line 2 described below distant 1400 feet southerly of its point of termination; thence run southerly on said line 2 for 600 feet and there terminating;

Line 2. Beginning at a point on the South line of Section 18, Township 142 North, Range 41 West distant 1323 feet west of the South quarter corner thereof; thence run northerly at an angle of 90 degrees 26 minutes 12 seconds from said South section line (measured from east to north) for 2628.20 feet; thence deflect to the right at an angle of 00 degrees 08 minutes 37 seconds for 2676.12 feet; thence deflect to the left at an angle of 00 degrees 03 minutes 48 seconds for 4063.11 feet and there terminating.

NOW THEREFORE, IT IS HEREBY ORDERED that the lands described above are designated as wildlife management areas upon acquisition.

Dated: January 18, 2008

Mark Holsten, Commissioner
Department of Natural Resources

Revenue Notices

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

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

Department of Revenue

Revenue Notice # 08-01: Sales and Use Tax – Agricultural Production – Grain Drying

Background

Minnesota Statutes, section 297A.61, subdivision 36, defines agricultural production to include the raising and harvesting of agricultural crops. *Minnesota Statutes*, section 297A.69, subdivision 2, provides a sales tax exemption for fuels, electricity, gas and steam used or consumed in the agricultural production of tangible personal property intended to be sold ultimately at retail. *Minnesota Rule* 8130.5500, subpart 1, excludes the handling, movement, storage, and preservation of completed goods from the production process.

Department Position

It is the department's position that the purchase of fuels, electricity, gas and steam used to dry grain is consumed and used in the agricultural production process and is therefore exempt from the sales tax. The agricultural production process, including the harvesting of grains, continues until the grain reaches a saleable state or until it can be acceptably commingled with other grain. Grain drying has a direct effect upon the grain by reducing excessive moisture content and results in the production of tangible personal property to be sold ultimately at retail. Fuels, electricity, gas, and steam purchased for grain drying, by farmers and third parties including grain elevator operators, are exempt from the sales tax regardless of when title to the grain passes. It is the department's position that fuels, electricity, gas and steam used in the storage of grain including the aeration of grain to prevent spoilage, control insects or to reduce dust and sweating is not part of the agricultural production process and the use of fuels, electricity, gas and steam for those purposes are subject to the sales tax.

Publication Date: February 4, 2008

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

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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Governor's Office

Council on Faith and Community Service Initiatives

REVISED DATES: Notice of 2008 Meetings

NOTICE IS HEREBY GIVEN that the Governor's Council on Faith and Community Service Initiatives will meet on the below dates and location to make recommendations on how to develop a closer connection between government and faith and community organizations. The 2008 meetings are bi-monthly from 4:00 pm to 6:00 pm. The meeting dates and locations are as follows:

February 14, 2008

State of Minnesota, Centennial Office Building,
658 Cedar Street, Ground Floor, Lady Slipper Conference Room,
Saint Paul, MN 55155

April 10, 2008

State of Minnesota, Centennial Office Building,
658 Cedar Street, Ground Floor, Ladyslipper Conference Room,
Saint Paul, MN 55155

June 12, 2008

State of Minnesota, Administration Building,
50 Sherburne Avenue, Conference Room 116B,
Saint Paul, MN 55155.

August 14, 2008

State of Minnesota, Administration Building,
50 Sherburne Avenue, Conference Room 116B,
Saint Paul, MN 55155.

October 9, 2008

State of Minnesota, Administration Building,
50 Sherburne Avenue, Conference Room 116B,
Saint Paul, MN 55155.

December 11, 2008

State of Minnesota, Administration Building,
50 Sherburne Avenue, Conference Room 116B,
Saint Paul, MN 55155.

NOTE: Change of venue effective: June 12th.

Lee Buckley, Special Advisor / Faith and Community Service Initiatives
Office of Governor Tim Pawlenty
50 Sherburne Ave. Suite 200
Saint Paul, MN 55155
Phone: (651) 201-2567
Fax: (651) 297-7909
E-mail: Lee.buckley@state.mn.us
Website: www.faithandcommunity.state.mn.us

Minnesota Higher Education Facilities Authority Notice of Public Hearing on Revenue Obligations on Behalf of Carleton College

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds or other obligations on behalf of Carleton College (the "College"), as owner and operator of the College, at the Authority's office at Suite 450, 380 Jackson Street, Saint Paul, Minnesota on February 20, 2008 at 2:00 p.m. Under the proposal, the Authority would issue its revenue bonds or other obligations in an original principal amount of up to approximately \$30,000,000 to finance a project generally described as construction of student housing consisting of two four-story buildings with a total of approximately 210 beds (and, with related furnishings, equipment and site improvements, the "Project"), all owned and operated by the College and located on the College campus along First Avenue between Nevada Street and Maple Street, the principal mailing address of which is One North College Street, Northfield, Minnesota 55057.

At said time and place the Authority shall give all parties who appear or who have submitted written comments and opportunity to express their views with respect to the proposal to undertake and finance the Project.

Dated February 4, 2008

By Order of the Minnesota Higher Education
Facilities Authority
Marianne Remedios, Executive Director

Minnesota Housing Finance Agency Notice of Hearing on Bond Issues for Qualified Mortgage Bonds

NOTICE IS HEREBY GIVEN that the Minnesota Housing Finance Agency (the "Agency") will hold a public hearing at 9:30 a.m. on Wednesday, February 20, 2008 at the Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101, for the purposes of taking public testimony regarding the issuance of qualified mortgage bonds, comprising one or more series, in an aggregate principal amount not exceeding \$350,000,000. The bonds will be issued as qualified mortgage bonds subject to the mortgage eligibility requirements of Section 143 of the Internal Revenue Code of 1986, as amended, and, after payment of expenses and funding of reserves, will provide approximately \$340,000,000 of mortgage loans to certain low and moderate income, first-time homebuyers of single family

Official Notices

owner-occupied residences located throughout the State of Minnesota, which homebuyers qualify under the Agency's single family mortgage program and applicable federal tax law.

The Agency's single family mortgage program is further described in the MHFA Mortgage Program Procedural Manual, a copy of which may be obtained from the Agency. Said bonds may be issued either as refunding bonds to refund certain outstanding bonds of the Agency or as "new money" bonds using a portion of the Agency's state bond volume allocation, and may be issued either as short-term bonds, subject to refunding or remarketing at a subsequent date on a long-term, fixed or variable rate basis, or as long-term, fixed or variable rate bonds on original issuance. The bonds covered by this hearing notice, up to an aggregate principal amount not exceeding \$350,000,000, are anticipated to be issued periodically to fund the Program during the calendar years 2008 and 2009, until fully utilized.

Parties wishing to comment on the financing program may appear in person at the hearing or may submit written comments to the undersigned prior to the hearing, which comments will be considered at the hearing. Parties desiring additional information should contact Ms. Sharon Bjostad of the Agency (651-282-2577).

Timothy E. Marx, Commissioner
Minnesota Housing Finance Agency

Department of Human Services Provider Enrollment Unit

Notice of Availability of the Minnesota Health Care Programs Provider Participation List [*Minnesota Rules*, Parts 9505.5200 to 9505.5240, also Known as DHS Rule 101-Provider Compliance List]

NOTICE IS HEREBY GIVEN that the Minnesota Health Care Programs provider participation list for *December 2007* is now available. The provider participation list is a compilation of health care providers who are in compliance with DHS Rule 101 (*Minnesota Rules*, Parts 9505.5200 to 9505.5240). If a provider name is not on the list, the Department considers the provider non-compliant. The list of providers is separated by provider type, each section is in alphabetical order by provider name, and there is no additional information on the list other than the provider's name. This list is distributed on a quarterly basis to the Department of Employee Relations, the Department of Labor and Industry, and the Department of Commerce. To obtain the list, contact Julie Hervas, Rule 101 Specialist, at (651) 431-2704 or toll-free at 1-800-366-5411. You may fax your request to (651) 431-7462 or mail to the Department of Human Services, PO Box 64987, St. Paul, MN 55164-0987.

Cal Ludeman, Commissioner
Department of Human Services

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.

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Department of Human Services

Chemical Health Division

Request for Proposals to Provide Chemical Health Services for Hispanic/Latino Individuals

PURPOSE: The Minnesota Department of Human Services Chemical Health Division is seeking proposals from qualified responders to provide culturally appropriate, population specific chemical health services for Hispanic/ Latino individuals. These services should address issues of accessibility and availability, treatment support, and/or recovery maintenance services for chemical health.

OBJECTIVE: The objective of this RFP is to contract with qualified responders to perform the tasks and services set forth in this RFP. The term of any resulting contract is anticipated to be for four years – July 1, 2008 through June 30, 2012.

The intent of this request for proposals is to respond to and anticipate the current and projected demographic changes in the State of Minnesota and to enhance the Chemical Health system to meet the changing need its diverse communities. The Department of Human Services - Chemical Health Division is working to address long-standing disparities in the availability and quality of chemical health services for people of diverse racial, ethnic and linguistically challenged populations, with consideration toward gender, sexual orientation, and disability or special needs of individuals.

Funds available: \$250,000 from Federal Substance Abuse Prevention and Treatment Block Grant is available annually.

NOTE: Services mandated under 256E (primarily detox and chemical use assessment) or funded under 254B (the Consolidated Chemical Dependency Treatment Fund) are not appropriate for projects funded through this RFP.

A complete Request for Proposal and application can be obtained from:

Tina Austin, Grants Assistant
DHS/Chemical Health Division
Elmer Andersen Building

State Grants & Loans

540 Cedar Street
P.O. Box 64977
St. Paul, MN 55164-0977
Phone: (651) 431-3433
E-mail: tina.austin@state.mn.us

Proposal questions must be addressed to Karen Christensen, Principal Planner, at (651) 431-4236 or e-mail at:
Karen.D.Christensen@state.mn.us

The deadline for receipt of proposals is Thursday, April 13, 2008, 4:00 pm Central Standard time. Late proposals will not be considered.

Department of Human Services Aging and Adult Services Division Community Service/ Community Services Development (CS/SD) Addendum to Notice of Request for Proposals to Expand Home and Community- Based Services for Older Adults

NOTICE IS HEREBY GIVEN that The Minnesota Department of Human Services (DHS), Aging and Adults Services Division, is seeking proposals from qualified responders for state fiscal year 2009, July 1, 2008-June 30, 2009, to expand and integrate home and community-based services for older adults that allow local communities to rebalance their long-term care service delivery system, support people in their own homes, expand the caregiver support and respite care network and promote independence, as directed by Minnesota Statutes, sections 256.9754 and 256B.0917, subd.6 and 13. The addendum is to modify Appendix C, Affidavit of Noncollusion, of the original Request for Proposals.

Funds available: Approximately \$6.4 million is available annually. **Request per application may not exceed \$250,000 per year.**

The complete RFP and application including directions are available online on the DHS Community Service/Community Services Development Web site at <http://www.dhs.state.mn.us/cssd>

The deadline for receipt of proposals is February 29, 2008, 4:00 p.m. Central Standard Time. Late, faxed and emailed proposals will not be considered.

For more information contact:

Jacqueline Peichel
Community Program Policy Consultant
Aging and Adult Services
Department of Human Services
PO Box 64976
St. Paul, MN 55164-0976
Phone: (651) 431-2583
E-mail: Jacqueline.s.peichel@state.mn.us

This is the only person designated to answer questions regarding the request for proposal. Other department personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline.

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

Assistance with Contracts

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- LINKS, LINKS, LINKS
- Easy Access to *State Register* Archives
- Updates to Index to Vol. 31
- "Contracts & Grants" Open for Bid
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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 Real Estate Management Division Notice of State Real Property in Gilbert, Minnesota for Sale

NOTICE IS HEREBY GIVEN that the Department of Administration is offering the real property located at 115 Florida Avenue West, Gilbert, Minnesota, for sale by sealed bid. The property includes a 2 bedroom, 1 bath, one-story house with a 2-car detached garage. The minimum bid is \$82,000. To obtain a copy of the complete bid package, visit www.admin.state.mn.us/recs/sas/sas-psl.html, send an e-mail to susan.maki@state.mn.us, or call (651) 201-2549. Written bids must be received no later than 2:30 p.m. on Thursday, February 14, 2007.

Minnesota State Colleges and Universities (MnSCU) Office of the Chancellor, Public Affairs Request for Proposal: Development of 2008 *Go Places* Viewbook

The Minnesota State Colleges and Universities system is requesting proposals from qualified design firms for the design of the 2008 edition of *Go Places*, a viewbook for all 32 Minnesota State Colleges and Universities produced annually by the Public Affairs division in the Office of the Chancellor. In its eleventh year of publication, the colorful 40- to 44-page viewbook contains college and university profile information, a program grid showing which institutions offer various programs, application procedures, and admissions and financial aid information for prospective students.

State Contracts

Proposers should review current and past editions of Go Places and other system publications, available on the Web at: <http://www.pa.mnscu.edu/goplacesrfp> , and should be prepared to submit a one- to three-page critique of the 2007-2008 edition design.

Planning for the project will involve meeting with one focus group of high school counselors and one focus group of high school students to gain feedback on previous issues and gather ideas for future issues. The selected vendor will be accountable to the public affairs unit within the Office of the Chancellor for the Minnesota State Colleges and Universities system.

Request for proposal specifications are available by visiting the website: <http://www.mnscu.edu/goplacesrfp> or by contacting Paul Berger, director of marketing, Minnesota State Colleges and Universities, Wells Fargo Place, 30 7th St. E., Suite 350, St. Paul, Minnesota 55101; **phone:** (651) 296-9450; or **e-mail:** paul.berger@so.mnscu.edu . Sealed proposals must be received by Friday, February 22, 2008, noon CST. Other department personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline.

This request does not obligate Minnesota State Colleges and Universities to complete the proposed project, and the system reserves the right to cancel this solicitation if it is considered to be in its best interest.

The Minnesota State Colleges and Universities system is an Equal Opportunity employer and educator.

Minnesota State Colleges and Universities (MnSCU) Office of the Chancellor, Public Affairs Request for Proposal: Development of Integrated Marketing Communications Campaign

The Minnesota State Colleges and Universities system is requesting proposals from qualified firms to develop an integrated marketing communications campaign aimed at state leaders, opinion and decision-makers to build awareness and appreciation of the beneficial value and scope of positive contributions the system brings to Minnesota's economy and quality of life.

The 2008 integrated marketing communications campaign is being planned as Phase One of a three-year plan. Proposers should present rationale and specific strategies for Phase One as well as a cohesive continued vision for a three-year campaign.

Specifications are available by visiting the website: www.mnscu.edu/marketingrfp or by contacting Paul Berger, director of marketing, Minnesota State Colleges and Universities, Wells Fargo Place, 30 7th St. E., Suite 350, St. Paul, Minnesota 55101; **phone:** (651) 296-9650; or **e-mail:** paul.berger@so.mnscu.edu . Sealed proposals must be received by Friday, February 22, 2008, noon CST. Other department personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline.

This request does not obligate Minnesota State Colleges and Universities to complete the proposed project, and the system reserves the right to cancel this solicitation if it is considered to be in its best interest.

The Minnesota State Colleges and Universities system is an Equal Opportunity employer and educator.

**Minnesota State Colleges and Universities (MnSCU)
Minneapolis Community and Technical College
Sealed Bids for Health Sciences Renovation – Audio Visual RFB**

Sealed Bids for: **Minneapolis Community and Technical College**
Health Sciences Renovation – Audio Visual RFB
1301 Hennepin Avenue
Minneapolis, MN 55403

will be received by: **Michael Noble-Olson**
Minneapolis Community and Technical College
1415 Hennepin Avenue T Building Room T2700
Minneapolis, MN 55403

Or by mail to: **1501 Hennepin Avenue**
Minneapolis, MN 55403

Until **1:00 PM, local time, February 28th, 2008** at which time the bids will be opened and publicly read aloud in Room T4150.

Project Scope: In general, the work will include the installation of classroom AV Multimedia system.

A **MANDATORY** pre-bid meeting will be held at 10:00 AM, February 21st, 2008 in Room T0550. The Project consultant and/or College Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding documents as prepared by the Project consultant, **Elert & Associates** are on file at the offices of the:

- 1.) Elert & Associates Technology Consultants.
- 2.) Following Builders Exchanges: **Minneapolis, & St. Paul**
- 3.) McGraw Hill Construction Plan Room
- 4.) Reed Construction Data Plan Room
- 5.) National Association of Minority Contractors of Upper Midwest
- 6.) MEDA Minority Contractors Plan Room

Complete sets only of bid forms and Drawings and Specifications for use by Bidders in submitting a bid may be obtained at the following address:

Tony Chojnowski, RCDD
Elert & Associates Technology Consultants
140 3rd Street South
Stillwater, MN 55082
Phone: (651) 705-1228

A deposit of \$50.00 is required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable payment (check made out to the Consultant) for [\$30.00] per set for shipping & handling (in addition to the \$50.00 deposit) to the Architect. Such deposits and payments may be sent prior to **February 25th, 2008** Documents will be sent to street addresses only (P.O. Boxes not acceptable).

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

State Contracts

Minnesota State Colleges and Universities (MnSCU) Rochester Community and Technical College Advertisement for Bids for 2008 West Parking Lot Expansion

Sealed Bids for: 2008 West Parking Lot Expansion
Rochester Community and Technical College
Rochester, Minnesota

will be received by: June Meitzner, Purchasing Manager
Rochester Community and Technical College
Business Office, Room SS 153
851 30th Ave SE
Rochester, Minnesota 55904

Until 2:00 PM, local time, Thursday, February 28, 2008 at which time the bids will be opened and publicly read aloud.

Project Scope: This Project consists of constructing approximately 7.0 acres of additional parking to the existing west parking lot located at University Center Rochester campus. The existing baseball field and adjacent areas will be graded to accommodate the parking lot expansion. **The Work includes, but is not limited to: demolition, clearing and grubbing, earthwork, curb and gutter, concrete sidewalks, bituminous paving, storm sewer, drainage swales, infiltration ponds, landscaping. Electrical work will consist of parking lot lighting and "CODE BLUE" emergency call stations.**

A **Pre-Bid Meeting** will be held at 1:00 PM, Friday, February 15, 2008, in Room AT102, Main Building, Rochester Community and Technical College. The Architect/Engineer and College Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding Documents as prepared by the Project Architect/Engineer; McGhie and Betts, Inc., are on file at the offices of the:

- 1) McGhie and Betts, Inc.
- 2) following Builders' Exchanges:
 - Minneapolis Builders Exchange Plan Room
 - St. Paul Builders Exchange Plan Room
 - Builders Exchange of Rochester Plan Room
 - Mankato Builders Exchange Plan Room
 - Austin Builders Exchange Plan Room
 - Albert Lea Builders Exchange Plan Room

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

McGhie and Betts, Inc.
1648 Third Avenue S.E.
Rochester, MN 55904
Attn: Jacob Gasper
(507) 289-3919

A non-refundable deposit of \$80.00 is required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable payment for \$25.00 per set for shipping & handling, in addition to the \$80.00 deposit) to the McGhie & Betts, Inc. Such deposits and payments may be prior to Monday, **February 18, 2008**. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

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

Department of Commerce

Notice of Availability of Contract for Administering Sales of the Minnesota No-Call Registrants List

The Minnesota Department of Commerce is requesting proposals for the purpose of contracting with a vendor to administer sales of the Minnesota No-Call Registrants list.

Work is proposed to start after April 30, 2008.

A Request for Proposals will be available by mail from this office through February 15, 2008. **A written request (by e-mail) is required to receive the Request for Proposal.** After February 15, 2008, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Robert Commodore
Minnesota Department of Commerce
85 - 7th Place East Suite 500
St Paul, MN 55101
E-mail: *robert.commodore@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 2:30 p.m., CST, February 29, 2008. **Late proposals will not be considered.** Proposals submitted by fax or e-mail will **not** be considered.

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

Minnesota Department of Corrections

Notice of Request for Proposals for Culturally-Specific, Pre- and Post-Release Services to African American Offenders

The Minnesota Department of Corrections (DOC) is seeking proposals to provide pre- and post-release services to African American offenders housed at Minnesota correctional facilities at Lino Lakes, Rush City, and Moose Lake. Services must focus on problem-solving; self-regulation; building and maintaining positive relationships; goal-setting; managing stress; and maintaining physical, mental, and chemical health.

The contract period is April 1, 2007, through June 30, 2009. The contract cost for services is estimated not to exceed \$140,000 for the contract period. However, this request for proposals (RFP) does not obligate the DOC to spend the estimated dollar amount.

The full RFP will be sent free-of-charge in response to written, e-mailed, or faxed requests to the contact person listed below. Proposals must be submitted to the DOC contact person. Other personnel are NOT allowed to discuss the RFP with anyone, including responders, before the proposal submission deadline. Proposals must be received by the contact person listed below no later than 2:30 p.m. Central Time, February 29, 2008.

Lynda Davis
Department of Corrections Grants & Subsidies Unit
1450 Energy Park Drive Suite 200, St. Paul, MN 55108-5219
Telephone: (651) 361-7166
Fax: (651) 642-0292
TTY: (800) 627-3529
E-mail: *ldavis@co.doc.state.mn.us*

State Contracts

Department of Health

Amended Timeline from January 28, 2008 Posting - Notice of Availability of Contract for Conference Management

The Minnesota Department of Health is requesting proposals for the purpose of *seeking professional assistance with a full range of services required to plan, administer, and assist with the implementation of the 2008, "Ready to Respond" Preparedness Conference, scheduled May 6-7, 2008 at a Twin Cities Location, in coordination with the Minnesota Department of Health and other outside partners.*

Work is proposed to start after February 20, 2008.

A Request for Proposals will be available by mail from this office through February 18, 2008. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** February 18, 2008, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Tina Firkus
Office of Emergency Preparedness
625 Robert Street N. - Freeman Building
PO Box 64975
St Paul, MN 55164-0975
Fax: (651) 201-5720

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than February 19, 2008. **Late proposals will not be considered.** Fax or e-mailed proposals will **not** be considered.

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

Minnesota Historical Society

(On Behalf of the Minnesota Sesquicentennial Commission)

Notice of Request for Proposals for an Audio Visual Company for the Minnesota Sesquicentennial

The Minnesota Historical Society, on behalf of the Minnesota Sesquicentennial Commission, is seeking competitive proposals from qualified Audio Visual firms to manage the audio visual needs for the Minnesota Sesquicentennial Statehood Weekend, May 16 through May 18, 2008, at the State Capitol grounds.

The Request for Proposals is available by calling or writing Mary Green-Toussaint, Contracting & Purchasing Coordinator, Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, MN 55102. Telephone is 651-259-3175; e-mail is:

mary.green-toussaint@mnhs.org

Bids must be received no later than 2:00 p.m., Local Time, Wednesday, February 20, 2008. A public bid opening will be conducted at that time. No late bids will be accepted.

Dated: February 4, 2008

Minnesota Historical Society**(On Behalf of the Minnesota Sesquicentennial Commission)****Notice of Request for Proposals for a Tent and Staging Company for the Minnesota Sesquicentennial**

The Minnesota Historical Society, on behalf of the Minnesota Sesquicentennial Commission, is seeking competitive proposals from qualified firms to manage the tent and staging needs for the Minnesota Sesquicentennial Statehood Weekend, May 16 through May 18, 2008.

The Request for Proposals is available by calling or writing Mary Green-Toussaint, Contracting & Purchasing Coordinator, Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, MN 55102. Telephone is 651-259-3175; e-mail is:

mary.green-toussaint@mnhs.org

Bids must be received no later than 2:00 p.m., Local Time, Wednesday, February 20, 2008. A public bid opening will be conducted at that time. No late bids will be accepted.

Dated: February 4, 2008

Minnesota Historical Society**(On Behalf of the Minnesota Sesquicentennial Commission)****Notice of Request for Proposals for a Transportation Company for the Minnesota Sesquicentennial**

The Minnesota Historical Society, on behalf of the Minnesota Sesquicentennial Commission, is seeking competitive proposals from qualified firms to manage the transportation and shuttle needs for the Minnesota Sesquicentennial Statehood Weekend, May 16 through May 18, 2008.

The Request for Proposals is available by calling or writing Mary Green-Toussaint, Contracting & Purchasing Coordinator, Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, MN 55102. Telephone is 651-259-3175; e-mail is:

mary.green-toussaint@mnhs.org

Bids must be received no later than 2:00 p.m., Local Time, Wednesday, February 20, 2008. A public bid opening will be conducted at that time. No late bids will be accepted.

Dated: February 4, 2008

Minnesota Historical Society**(On Behalf of the Minnesota Sesquicentennial Commission)****Notice of Request for Proposals for Pyrotechnics for the Minnesota Sesquicentennial**

The Minnesota Historical Society, on behalf of the Minnesota Sesquicentennial Commission, is seeking competitive proposals from qualified pyrotechnics firms to create and execute the fireworks show for the Minnesota Sesquicentennial Statehood event on Sunday, May 18, 2008 at approximately 8:00 p.m.

The Request for Proposals is available by calling or writing Mary Green-Toussaint, Contracting & Purchasing Coordinator, Minnesota

State Contracts

Historical Society, 345 Kellogg Boulevard West, Saint Paul, MN 55102. Telephone is 651-259-3175; e-mail is:

mary.green-toussaint@mnhs.org

Proposals must be received no later than 2:00 p.m., Local Time, Wednesday, February 20, 2008. A public bid opening will be conducted at that time. No late bids will be accepted.

Dated: February 4, 2008

Minnesota Department of Human Services Community Partnerships Division Child Development Services **CORRECTION NOTICE for RFPs for Contractors to Perform a Comprehensive Evaluation of the Minnesota Early School-Age Care Professional Development System**

Notice of Request for Proposals (RFP) for Qualified Contractor to Perform a Comprehensive Evaluation of the Minnesota Early Childhood and School-Age Care Professional Development System stated the proposal submission deadline as 4:00 p.m. Central Time on Friday, February 19, 2008. The correct proposal submission deadline is 4:00 p.m. Central Time on **Tuesday, February 19, 2008**.

The Minnesota Department of Human Services (DHS) Child Development Services (CDS) team through the Division of Community Partnerships is soliciting proposals from qualified responders with expertise in providing evaluation support, guidance and technical assistance to evaluate the five interconnected components of the Professional Development system: Core Knowledge, Qualifications, Credential and Pathways, Funding Support, Quality Assurance, Access and Outreach along with an evaluative analysis of the overall system. The evaluation will include the creation of pertinent logic models, a corresponding evaluation research framework, design and implementation of evaluation research, development of a data plan, and the creation of a continuous improvement system.

Terms of Contract: The term of any resulting contract is anticipated to be for approximately 27 months from April 2008 until June 30, 2010. DHS will award one contract to a single organization or a representative of a collaboration of partners with expertise in designing and implementing evaluations, previous experience evaluating professional development systems especially those that are emerging (under development), and knowledgeable in early childhood and school-age professional development concepts not to exceed a maximum of \$150,000.

To access the RFP, go to: *www.dhs.state.mn.us* under "Partners and Providers," "Grants and RFPs." For further information or to request a paper copy of the Request for Proposals, please contact:

Kathy Gaida, Grants Coordinator
Community Partnerships Division
Department of Human Services
PO Box 64962
St. Paul, MN 55164-0962
E-mail: *Kathy.gaida@state.mn.us*

Proposals must be physically received (not postmarked) by **4:00 p.m. Central Time on Tuesday, February 19, 2008** to be considered. Faxed or e-mailed proposals will **not** be considered. This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Non-State Bids, Contracts & Grants

Department of Human Services

State Operated Services

Request for Proposals to Provide a Polygraph Examiner to Perform Polygraphs on Select Patients

Nature of Work/Contract Title: Provide a polygraph examiner to perform polygraphs on select patients.

Description of Work: A polygraph examiner will use a polygraph instrument to collect physiological data from the patient. The examiner will discuss the test with the patient and familiarize the patient with the testing procedure. During the test the examiner will ask the patient a variety of questions while administering and collecting polygraph charts. The examiner will then analyze the charts and render an opinion as to the truthfulness of the person taking the test.

Estimated Cost: Contract ranging from \$55,000.00 to \$90,000.00 per fiscal year

Contracting Agency: Department of Human Services/State Operated Services

Location of Work: Moose Lake Sexual Psychopathic Treatment Center located in Moose Lake, MN and State Operated Forensic Services located in St. Peter, MN.

Agency Contract Person: Thomas Lundquist
E-Mail address: *Thomas.Lundquist@state.mn.us*
Phone: (218) 485-5300
Fax: (218) 485-5316

Minnesota State Lottery

Request for Proposals for Sponsorship Agreements

Description of Opportunity

The Minnesota State Lottery develops sponsorship agreements throughout the year with organizations, events, and sports teams to create excitement for lottery players, to interest new players and increase the visibility of lottery games. The Lottery encourages and continually seeks new sponsorship agreements to help achieve current Lottery marketing goals.

Proposal Content

A sponsorship proposal presented to the Lottery should meet the following three criteria:

1. Maximize Lottery Visibility – the event, sports or tie-in proposal should draw a large number of desired participants (typically 50,000 or more) whose demographics match the Lottery player profile. The Lottery is interested in effectively delivering its message of fun and entertainment to Minnesota adults whose demographics skew primarily towards those aged 25-64, with a household income of \$35,000-\$75,000, and having an educational background of some college or higher. The Lottery does not market to those under the age of 18, and family events with high levels of children present are generally not accepted. Attendance, on-site signage visibility and paid media exposure will be critical components that will be evaluated.

2. Enhance Lottery Image- – the event, sports or tie-in proposal should inherently project the attitude that the Lottery is a fun and socially acceptable part of the community. The Lottery's presence should fit well within the lineup of other sponsors. The Lottery is interested in creating opportunities whereby the sponsorship can translate into sales revenue, either via on-site sales from a Lottery booth, from sales-generating promotions with Lottery retailers or from joint programs with the sponsor's media partners.

3. Provide Promotional Extensions – the event, sports or tie-in proposal should offer exciting, value-added ways to interact with our players and have opportunities to motivate attendees, listeners and viewers to participate in and purchase Lottery games. The proposal must include proper staffing availability or other considerations to help the Lottery implement any appropriate promotional

Non-State Bids, Contracts & Grants

extension ideas.

Proposals should address all pertinent elements of the sponsorship and how the Lottery criteria as stated above and on the Evaluation Form are to be met. To view or print copies of the Request for Proposal go to: <http://www.mnlottery.com/vendorops.html>

This Solicitation does not obligate the state to award a contract or pursue a proposed sponsorship opportunity, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

Questions

Questions concerning this Solicitation should be directed to:

John Mellein, Marketing Director
Minnesota State Lottery
2645 Long Lake Road
Roseville, MN 55113
Telephone: (651) 635-8230
Toll-free: (888) 568-8379 ext. 230
Fax: (651) 297-7496
TTY: (651) 635-8268
E-mail: johnm@mnlottery.com

Other personnel are not authorized to answer questions regarding this Solicitation.

Response Delivery

All responses must be in writing and delivered to the contact noted above. Proposals will be accepted on an ongoing basis.

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

This document is available in alternative formats for persons with disabilities by calling Juanita Voigt at (651) 366-4774 for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop the Consultant Pre-Qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to use the Consultant Pre-Qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT’s Consultant Services web site, indicated below, to see which highway related professional/technical services are available for application. Applications are accepted on a continual basis. All expenses are incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

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

Send completed application material to:

Juanita Voigt
Consultant Services

Non-State Bids, Contracts & Grants

Office of Technical Support
Minnesota Department of Transportation
395 John Ireland Blvd. Mail Stop 680
St. Paul, Minnesota 55155

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

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

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

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

Non-State Bids, Contracts & Grants

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

Metropolitan Council Notice of Invitation for Bids (IFB) for the Purchase of a Closed-Circuit Television Inspection Vehicle Reference Number 07P160

The Metropolitan Council is requesting bids for the purchase of a Closed-Circuit Color Television Inspection System in a customized four-wheel drive van.

Issue Invitation for Bids
Bids Due
Award Contract

January 28, 2008
February 14, 2008
March 2008

Non-State Bids, Contracts & Grants

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

Sunny Jo Emerson
Senior Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
390 Robert Street North
St. Paul, MN 55101 -1801
Phone: (651) 602-1499
Fax: (651) 602-1083
E-mail: *sunnyjo.emerson@metc.state.mn.us*

Metropolitan Council - Metro Transit Request for Proposals for Consultant Services for Urban Partnership Agreement (UPA) Transit Technology Projects

Procurement Number 7650 Contract Number 08P017

Metro Transit, a division of the Metropolitan Council, is seeking the services of a qualified firm for Consultant Services for Urban Partnership Agreement (UPA) Transit Technology Projects. The project includes professional design services, pre-bid and bid services, and support services during construction/system implementation.

The RFP will be issued January 25, 2008

A Pre-Proposal Conference will be held at 11:00 AM on Tuesday, February 12, 2008 at the Metro Transit Control Center training room located at 519 Tenth Avenue North, Minneapolis, Minnesota 55411.

Proposers are encouraged to attend and participate in the Pre-Proposal Conference.

Proposals are due by 2:00 p.m. on February 26, 2008.

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

Metropolitan Council
Metro Transit Purchasing Department
Attn: Candace Osiecki
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 Request for Proposals for Bus Inspection Services

Metro Transit, a division of the Metropolitan Council, is seeking proposals from qualified firms to provide bus inspection services in accordance with Buy America requirements for the production of 132 low-floor, forty-foot transit buses. The 132 buses will be manufactured in Hayward, California during three separate production runs throughout 2008.

Proposals are due no later than 2:00 p.m. on February 22, 2008.

Non-State Bids, Contracts & Grants

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

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

PrimeWest Health Notice of Request for Proposals for Self Care Guides

PrimeWest Health (PrimeWest) is seeking a qualified vendor to provide specific Self Care Guides for the calendar year 2008 to support a Medicaid-managed health plan and its members.

This Request for Proposals is available on PrimeWest's website at www.primewest.org or from:

Jennifer Bundy
Disease Management Care Coordinator
PrimeWest Health System
2209 Jefferson St, Ste 101
Alexandria, MN 56308
Telephone: (320) 335-5351
E-mail: jennifer.bundy@primewest.org

Written Letters of Intent to respond to this RFP are due by 4:00 p.m. on February 20, 2008. Letters of Intent (LOI) will also be accepted via FAX or email. Responders should provide an email address to which PrimeWest can communicate regarding receipt of the LOI and respond to any formal questions that may be submitted. PrimeWest reserves the right to reject any or all proposals and bids.

Dated: January 30, 2008

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.

