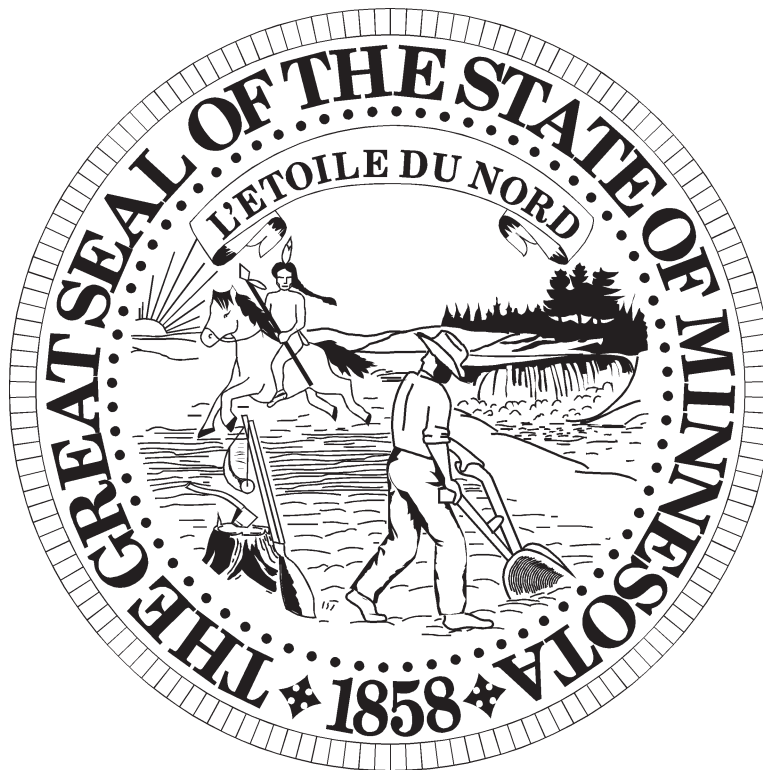


State of Minnesota

# 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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# Minnesota Rules: Amendments and Additions

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

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

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

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 Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*.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

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

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# 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*. Underlining denotes emphasis.

## Office of Administrative Hearings

### In the Matter of the Petition of the Online Lenders Alliance for a Declaration that a Press Release by the Minnesota Department of Commerce Purporting to Subject Online Payday Lenders to the Requirements of *Minnesota Statutes* § 47.60 is an Unadopted Rule

#### ORDER

On November 5, 2008, the Online Lenders Alliance ("OLA"), a trade association of lenders in the online payday loan industry, petitioned this Office for issuance of an Order under *Minnesota Statutes* § 14.381. The OLA sought an Order directing the Minnesota Department of Commerce ("Department" or "agency") to cease the planned application of the licensing requirements of *Minnesota Statutes* § 47.60 to lenders who do not have a physical presence within Minnesota.

Michael J. Ahern and Scott Peterkin, of Dorsey & Whitney LLP, filed the Petition on behalf of OLA. Michael J. Tostengard, Assistant Attorney General, submitted a responsive pleading opposing the Petition, on behalf of the Department. Neither party requested oral argument.

Based upon all of the filings by the parties, and for the reasons set out in the Memorandum below,

#### IT IS HEREBY ORDERED THAT:

1. Until such time as enforcement proceedings are authorized by statute or rule, the Department of Commerce shall cease enforcement of the policy announced in its September 5, 2008 statement "Out of state Payday Lenders now subject to Department of Commerce licensing and regulation."
2. The Department shall publish this decision in the *State Register*.
3. The Department shall bear the costs associated with this proceeding.

Dated: November 26, 2008

Signed: ERIC L. LIPMAN  
Administrative Law Judge

#### NOTICE

This decision is the final administrative decision under Minn. Stat. § 14.381. It may be appealed to the Minnesota Court of Appeals under *Minnesota Statutes* §§ 14.44 and 14.45.

#### MEMORANDUM

Pursuant to *Minnesota Statutes* § 14.381, subd. 1(a), a person may petition the Office of Administrative Hearings seeking an order of an administrative law judge determining that "an agency is enforcing or attempting to enforce a policy, guideline, bulletin, criterion, manual standard, or similar pronouncement as though it were a duly adopted rule."

At issue in these proceedings is whether the Department of Commerce's September 5, 2008, announcement amounts to interpretive rules.

The Administrative Law Judge concludes that the declarations that the licensing of consumer small loan lenders is "required regardless of whether the lender has a physical presence in Minnesota," and that "[p]ayday lenders will also be required to comply with the limits on loan amounts, fees and charges, and other requirements of state law," amount to new interpretative rules. Accordingly, a grant of OLA's (Cite 33 SR 1059)

# Commissioner's Orders

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request for relief is warranted.

## Regulatory Background

*Minnesota Statutes* § 47.60 regulates the provision of small consumer loans – including “payday lending.” Under this statute, the amount of charges and fees that may be sought by lenders is capped and rollover loans are prohibited.<sup>1</sup>

*Minnesota Statutes* § 47.60, subdivision 3, further provides that:

Before a person other than a financial institution as defined by section 47.59 engages in the business of making consumer small loans, the person shall file with the commissioner as a consumer small loan lender. The filing must be on a form prescribed by the commissioner together with a fee of \$250 for each place of business and contain the following information in addition to the information required by the commissioner:

- (1) evidence that the filer has available for the operation of the business at the location specified, liquid assets of at least \$50,000; and
- (2) a biographical statement on the principal person responsible for the operation and management of the business to be certified.

Revocation of the filing and the right to engage in the business of a consumer small loan lender is the same as in the case of a regulated lender license in section 56.09.<sup>2</sup>

Likewise important, as noted immediately above, *Minnesota Statutes* § 47.60 links consumer small loan lending with regulated lender licensing under *Minnesota Statutes*, Chapter 56. Included within *Minnesota Statutes* § 56.18, is an important regulatory exemption:

No loan made by a person not authorized hereunder in an amount regulated by this chapter for which a greater rate of interest, consideration, or charges than is permitted by the laws of this state has been charged, contracted for, or received, wherever made, shall be enforced by a licensee in this state, and every person in anywise participating therein in this state shall be subject to the provisions of this chapter, provided, that the foregoing shall not apply to loans legally made in another state.<sup>3</sup>

## Factual Background

The OLA is a professional trade association representing lenders in the online payday loan industry. OLA's members include online payday lenders who make loans through the Internet to Minnesota consumers, but have no physical presence in Minnesota.

In 2004 and 2006 respectively, two members of the OLA wrote to the Department regarding the applicability of the licensing requirements of *Minnesota Statutes* § 47.60. In 2004, Terry R. Meyer, Chief Examiner of the Department of Commerce's Financial Examinations Division, wrote to CashnetUSA, an OLA member from Illinois, stating:

Your December 14, 2004 letter questions the need to license your firm, an on-line deferred deposit lender, in Minnesota. Without a physical location the current statutes do not permit licensing out-of-state lenders. *Minnesota Statutes*, Section 56.18, “Unlicensed persons not to make loans” addresses this in the last sentence; “that the foregoing shall not apply to loans legally made in another state”. Therefore, loans could be made to Minnesota residents as described in your letter from your licensed locations, the later being identified in the note and disclosures.<sup>4</sup>

Similarly, in September of 2006, Chief Examiner Meyer wrote to the counsel for an OLA member from Nevada, Cash America Net of Nevada, stating:

Your letter of August 25, 2006 questioned if a regulated lender license, under *Minnesota Statutes*, Chapter 56, is required for your client, Cash America Net of Nevada, LLC. That firm offers payday loans under a Nevada small loan license and would not have a physical location in Minnesota. The firm proposes to make payday loans via the internet from its Nevada location.

## (Footnotes)

<sup>1</sup> See, *Minnesota Statutes* § 47.60, subd. 2 (2006).

<sup>2</sup> See, *Minnesota Statutes* § 47.60, subd. 3 (2006) (emphasis added).

<sup>3</sup> See, *Minnesota Statutes* § 56.18 (2006) (emphasis added).

<sup>4</sup> See, OLA Petition, Exhibit B (emphasis added).

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# Commissioner's Orders

Section 56.18 entitled "Unlicensed Persons not to make Loans" would allow the activity based on its last sentence: "that the foregoing shall not apply to loans legally made in another state."<sup>5</sup>

Consistent with this guidance, the Department of Commerce's website lists among the requirements for licensure as a "Consumer Small Loan Company," a "Minnesota location."<sup>6</sup>

On or around September 5, 2008, the Minnesota Department of Commerce issued a press release with the heading "Out of state Payday Lenders now subject to Department of Commerce licensing and regulation." The release stated in part:

The Minnesota Department of Commerce announced today it is now requiring all payday lenders making small denomination, short-term loans to Minnesota residents via the internet be licensed pursuant to Minnesota law. Licensing is required regardless of whether the lender has a physical presence in Minnesota. Payday lenders will also be required to comply with the limits on loan amounts, fees and charges, and other requirements of state law.

After further review of Minnesota law and statute the Department is now of the opinion that a payday loan made via the internet is made in the state where the borrower resides and the payday lender making such a loan is subject to Minnesota laws and licensure. As a result, all payday lenders making loans to Minnesota residents via the internet must meet the new licensing requirements effective December 1, 2008.

Financial institutions, including state or federally chartered banks or savings associations, industrial loan and thrift companies licensed under Chapter 53, regulated lenders licensed under Chapter 56, or any operating subsidiary of a financial institution, are not subject to the licensing requirements of Section 47.60, the Consumer Small Loan statute. As an alternative, a payday lender may apply for an industrial loan and thrift company license under Chapter 53 of the Minnesota Statutes; however, the Chapter 53 license requires a physical presence in Minnesota.<sup>7</sup>

In its petition for relief from this Office, the OLA asserts that the "September 5, 2008 Press Release represents a complete reversal of interpretation and legal application as previously articulated by the Department and as understood by OLA and its members."<sup>8</sup>

## Analysis

### 1. Does the September 5, 2008 Pronouncement Qualify as a Rule?

The Minnesota Administrative Procedure Act (MAPA) defines a "rule" as: every agency statement of general applicability and future effect, including amendments, suspensions, and repeals of rules, adopted to implement or make specific the law enforced or administered by that agency or to govern its organization or procedure.<sup>9</sup>

Further, those interpretations of existing rules which "make specific the law enforced or administered by the agency," and are not either long-standing positions of the agency or within the plain meaning of the statute, are deemed to be "interpretative rules."<sup>10</sup> Like substantive rules, an agency's interpretative rules are valid only if they are promulgated in accordance with MAPA.<sup>11</sup>

## (Footnotes)

<sup>5</sup> See, OLA Petition, Ex. C (emphasis added).

<sup>6</sup> See, OLA Petition, Ex. D (<http://www.state.mn.us/portal/mn/jsp/content.do?subchannel=-536893539&programid=536914608&sc3=null&sc2=null&id=-536881352&agency=Commerce/>)

<sup>7</sup> See, OLA Petition, Ex. A (emphasis added).

<sup>8</sup> See, OLA Petition, at 3.

<sup>9</sup> *Minnesota Statutes* § 14.02, subd. 4 (2006).

<sup>10</sup> See, e.g., *Mapleton Community Home, Inc. v. Minnesota Dep't of Human Services*, 391 N.W.2d 798, 801 (Minn. 1986) ("[a]n agency interpretation that 'make[s] specific the law enforced or administered by the agency' is an interpretive rule that is valid only if promulgated in accordance with the [Minnesota Administrative Procedures Act]" (quoting *Minnesota-Dakotas Retail Hardware Ass'n v. State*, 279 N.W.2d 360, 364 (Minn. 1979))).

<sup>11</sup> See, *In re Application of Q Petroleum*, 498 N.W.2d 772, 780 (Minn. App.), review denied (Minn. 1993) (citing, *Mapleton Community Home, and Minnesota-Dakotas Retail Hardware Ass'n*, supra).

# Commissioner's Orders

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Likewise important, is that Executive Branch agencies are granted considerable discretion to decide whether to develop regulatory policy “deductively,” by promulgating a new rule, or “inductively,” through a series of individual adjudications.<sup>12</sup> The appellate courts have instructed that every executive branch agency has the “flexibility and discretion to depart from formal rulemaking” when application of a given legal standard to a particular set of facts seems clear.<sup>13</sup>

A few points deserve special emphasis. The first is that the Department’s September 5, 2008 announcement is a “statement of general applicability.” The Department declared that “all payday lenders making small denomination, short-term loans to Minnesota residents via the internet be licensed pursuant to Minnesota law” and that “all payday lenders making loans to Minnesota residents via the internet must meet the new licensing requirements effective December 1, 2008.” This declaration makes clear that the Department’s plan is to apply the state’s licensing requirements to all small loan lenders after December 1 and that no policy will be developed on a case-by-case basis.<sup>14</sup>

Second, the Department’s September 5, 2008 announcement is a “statement of future effect.” The Department declared that “payday lenders making loans to Minnesota residents via the internet must meet the new licensing requirements effective December 1, 2008.” The Department does not apparently claim that it has always insisted such lenders must meet Minnesota’s licensing requirements, or that such lenders needed to be licensed in September, October or November of 2008. In the Department’s view, the licensing requirements are effective 87 days after the agency gave fair warning to the industry.<sup>15</sup>

Third, the Department’s September 5, 2008 announcement was “adopted to implement or make specific the law enforced or administered by that agency.” As the Department explained in its release, it is “now of the opinion that a payday loan made via the internet is made in the state where the borrower resides and the payday lender making such a loan is subject to Minnesota laws and licensure.” The announced change in the Department’s view was circulated to implement and make specific the Consumer Small Loan statutes administered by the agency.<sup>16</sup>

For these reasons, unless some exception to the requirement to promulgate an interpretative rule applies in this case, the prospective inclusion of now-unregulated companies under Minnesota’s licensing standards amounts to a rule.<sup>17</sup>

## 2. Does the Agency Pronouncement Follow Directly from the Plain Meaning of the Statute?

It is important to note that when an agency’s interpretation of the law follows from the plain meaning of a statute, the agency is not deemed to have engaged in rulemaking.<sup>18</sup> As the Department argues, it should not be obliged to undertake “expensive and time-consuming” rulemaking each time that it “revisits the reading of a statute’s plain language.”<sup>19</sup>

### (Footnotes)

<sup>12</sup> See, *Bunge Corp. v. Commissioner or Revenue*, 305 N.W.2d 779, 785 (Minn. 1981).

<sup>13</sup> See, *AAA Striping Service Co. v. Minnesota Dep’t. of Transp.*, 681 N.W.2d 706, 717-18 (Minn. 2004); compare also, *L&D Trucking v. Minnesota Dep’t. of Transp.*, 600 N.W.2d 734, 736 (Minn. App. 1999); *In re Hibbing Taconite Co.*, 431 N.W.2d 885, 894-95 (Minn. App. 1988).

<sup>14</sup> Compare, *Reserve Life Insurance Co. v. Commissioner of Commerce*, 402 N.W.2d 631 (Minn. App.) review denied (Minn. 1987) (it was reasonable for the Commissioner to assess the validity of insurance policy provisions on a case-by-case basis where it would be “nearly impossible” to state in advance all of the possible applications of the statutory terms ‘unfair, inequitable, misleading (and) deceptive’).

<sup>15</sup> See, Memorandum in Response to the Section 14.381 Petition of the Online Lenders Alliance, at 9 (hereafter “The Department’s Memorandum”) (“the Department issued the press release to provide the industry a fair opportunity to achieve compliance”).

<sup>16</sup> See, The Department’s Memorandum, at 7 (“The September new release, which was mailed to all known interested parties, advised the industry of the Department’s decision to apply the statute”).

<sup>17</sup> Minn. Stat. § 14.06 (a) (2006) (“Each agency shall adopt rules, in the form prescribed by the revisor of statutes, setting forth the nature and requirements of all formal and informal procedures related to the administration of official agency duties to the extent that those procedures directly affect the rights of or procedures available to the public”).

<sup>18</sup> See, e.g., *Cable Communications Bd. v. Nor-West Cable Communications P’ship*, 356 N.W.2d 658, 667 (Minn. 1984) (“Generally, if the agency’s interpretation of a rule corresponds with its plain meaning, or if the rule is ambiguous and the agency interpretation is a long-standing one, the agency is not deemed to have promulgated a new rule”).

<sup>19</sup> See, The Department’s Memorandum, at 7.



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## Commissioner's Orders

While the Department sets forth the correct rule of law – namely, that the implementation of a regulatory choice made by the Legislature in a statute does not require a subsequent round of agency rulemaking in order to become effective – that rule is not dispositive in this case. This is because the terms “engages in the business of making consumer small loans,” do not specify whether they are meant to apply to lenders who have no physical presence within Minnesota.

The Department concedes that, until recently, it read the statutes differently than it does today. For a time, the Department held the view that a firm did not engage in the business of making consumer small loans, as those terms are used in the statute, if the lender was not physically present in Minnesota. Now, “[a]fter further review of Minnesota law and statute the Department is ... of the opinion that a payday loan made via the internet is made in the state where the borrower resides and the payday lender making such a loan is subject to Minnesota laws and licensure.”<sup>20</sup> Although the Department has offered opposite readings of the statute, at different times, either viewpoint can reasonably follow from the terms “engages in the business of making consumer small loans.”

Likewise significant, the Department does not read the statutory terms so broadly as to purport to regulate all loan transactions with Minnesota residents. There are exceptions in the view that the agency announced. For example, the Department does not insist that a Nevada lender that makes loans to Minnesota residents, while those residents are Wisconsin, submit to licensure in Minnesota.<sup>21</sup> Therefore, the statutory terms “engages in the business of making consumer small loans” have a narrower and more specialized meaning than the phrase “those who make small loans.”

For these reasons, something more than resorting to the plain meaning of these terms is needed in order to know how broad the licensure requirements of Minn. Stat. § 47.60 are to be applied. The statutory terms are ambiguous and require interpretative steps so as to arrive at the agency’s hoped-for understanding.

The Department’s reading of the statutory terms, as announced on September 5, 2008, is an interpretation that “make[s] specific the law enforced or administered by that agency.” As such, rulemaking is required before the licensing requirements of Minn. Stat. § 47.60 may be applied to lenders who do not have a physical presence in Minnesota.

**E. L. L.**

**(Footnotes)**

<sup>20</sup> See, OLA Petition, Ex. A (emphasis added).

<sup>21</sup> The Department’s Memorandum, at 3 (“[A] Minnesota resident who travels to a neighboring state to obtain a payday loan would not be protected by the statute”).

# 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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## Department of Agriculture Rural Finance Authority Notice of Meeting Schedule, Meeting Via Conference Call

Future monthly meetings of the Rural Finance Authority Board are scheduled for 1:00 P.M. at 625 Robert Street North on the following dates in 2009: January 7; February 4; March 4; April 1; May 5; June 3; July 1; August 5; September 2; October 7; November 4; December 2.

Some members may participate in certain of these meetings by electronic means. In accordance with *Minnesota Statutes*, Section 471.705 (1997), the Agency, to the extent practicable, will allow a person to monitor those certain meetings electronically from a remote location. If such monitoring shall occur, the Agency may require the person making such a connection to pay for documented marginal costs that the Agency incurs as a result of the additional connection. If you wish to attend, sign in at the front desk; you will be issued a badge and call (651) 201-6610 for an escort to the meeting.

For additional information, contact Peter Scheffert, Minnesota Department of Agriculture, 625 Robert Street North, St. Paul, MN 55155-2538 or call (651) 201-6486.

Peter Scheffert  
Rural Finance Authority Executive Director

## Department of Health (MDH) Division of Compliance Monitoring Managed Care Systems Section Notice of Application for Essential Community Provider Status

**NOTICE IS HEREBY GIVEN** that applications for designation as an Essential Community Provider (ECP) have been submitted to the Commissioner of Health by United Family Practice Health Center, 545 W. 7<sup>th</sup> St., St. Paul, MN 55102.

An ECP is a health care provider that serves high-risk, special needs, and underserved individuals. In order to be designated as an ECP, a provider must demonstrate that it meets the requirements of *Minnesota Statutes* Section 62Q.19 and *Minnesota Rules* Chapter 4688. The public is allowed 30 days from the date of the publication of this notice to submit written comments on the application. The commissioner will approve or deny the application once the comment period and compliance review is complete.

For more information contact:

Mary Ann Fena  
Managed Care Systems Section  
Division of Compliance Monitoring  
Department of Health  
P.O. Box 64882  
St. Paul, MN 55164-0882  
Phone: (651) 201-5164

### Minnesota Department of Human Services (DHS) Child Safety and Permanency Division Notice of Request for Information Pertaining to the Implementation of a Federal Rule to Collect Longitudinal Data on the Outcomes of Foster Youth Who are either Aging Out of or Who Have Exited Foster Care

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting information to assist the Department in determining the feasibility of meeting federal regulations by outsourcing the collection of longitudinal data on outcomes of foster youth at age 19 and again at age 21.

For more information, or to obtain a copy of the Request for Proposal, contact:

Steve Vonderharr  
Department of Human Services  
Child Safety and Permanency Division  
P.O. Box 64943  
444 Lafayette Road North  
St. Paul, MN 551550943  
**Phone:** (651) 431-4666  
**Fax:** (651) 431-7522  
**E-mail:** [steve.vonderharr@state.mn.us](mailto:steve.vonderharr@state.mn.us)

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

Proposals submitted in response to this Request for Information must be received at the address above no later than **4:00 p.m., Central Time, Jan. 16, 2009.**

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

# Official Notices

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## Iron Range Resources

### Master Developer Land Sale Request for Information

#### Purpose

Iron Range Resources, an agency of the State of Minnesota, is seeking information and ideas from all interested parties, including real estate developers and professionals, regarding developing lands owned by the agency at Giants Ridge Golf and Ski Resort. It is anticipated that lands eventually sold would be developed in conformance with the current master plan and overall resort vision, although the agency would consider ideas that might require changes to the master plan.

The current vision for the sale of land from Giants Ridge to a master developer is that land will be divided into several individual development tracts and each sale will be contingent on the developer maximizing real estate value and meeting the land use and environmental goals of the agency. The agency's current vision includes entering into a contractual agreement with a master developer who is able to provide an accelerated land purchase and development schedule, supply the necessary financial strength to build projects, implement a wide-range of construction and operational efficiencies and to increase resort patrons.

#### Background

Giants Ridge Golf and Ski Resort is owned and operated by Iron Range Resources, which is an agency of the State of Minnesota. It is located in Biwabik, Minnesota, three and a half hours north of the Twin Cities and one hour from Duluth. The resort includes 1,600 acres of land owned by Giants Ridge.

Giants Ridge is a year-round destination resort located on the Laurentian Divide adjacent to Wynne and Sabin Lakes and the Embarrass River. The resort consists of a variety of four-season amenities including 35 alpine ski runs, a snowboard terrain park, over 60 kilometers of cross-country ski trails and 36 holes of golf at the Legend and Quarry golf courses.

Giants Ridge is rated as Minnesota's #1 ski resort by Ski Magazine. The Quarry Golf Course was cited as "the best golf of the 21<sup>st</sup> century" by Golf Digest writer Ron Whitten, and Giants Ridge was named among the "top six golf destinations in the world" by GolfWorld Magazine. Please visit the following links for more detailed information on golf, summer activities, skiing and other winter sports at Giants Ridge:

**Golf and summer activities:** [http://www.giantsridge.com/\\_site\\_components/documents/user/aboutmedia-roomfact-sheets8.pdf](http://www.giantsridge.com/_site_components/documents/user/aboutmedia-roomfact-sheets8.pdf)

**Skiing and winter sports:** [http://www.giantsridge.com/\\_site\\_components/documents/user/aboutmedia-roomfact-sheets9.pdf](http://www.giantsridge.com/_site_components/documents/user/aboutmedia-roomfact-sheets9.pdf)

#### Giants Ridge Master Plan

As of now, future development must be in accordance with the Giants Ridge Master Plan, which was unveiled in April of 2007. The master plan provides a blueprint for future development and includes a Base Resort Village, Mountain Top Village, lakeshore, mountain-side and golf course related development.

All components of the current master plan are integrated into the landscape so the integrity and beauty of the resort's natural resources are both preserved and enhanced. The master plan leverages the existing natural and man-made amenities in the area and will create even more opportunities for recreation and connecting to nature.

The overriding goal of the master plan is for Giants Ridge to evolve into the Midwest's most sought after destination resort.

Please go to <http://www.giantsridge.com/resort-development/master-plan> to see the following exhibits related to the master plan:

- Master plan map
- Base resort village
- Mountain top village
- Resort ownership map
- Character renderings

#### Responses

The Request for Information period will open on December 15, 2008, and remain open until April 1, 2009. Iron Range Resources reserves the right to negotiate land sale and development contracts with responders to the Request for Information upon the conclusion of

this process should it be determined to be in the best interest of the agency.

## Contact for Request for Information Inquiries

Questions regarding the Requests for Information or requests to submit materials or to meet with Iron Range Resources staff may be submitted to:

Jim Plummer  
Real Property Coordinator  
P.O. Box 441  
4261 Highway 53 South  
Eveleth, MN  
Phone: (218) 744-7344

## Minnesota Department of Natural Resources (DNR)

### Division of Ecological Resources

### Notice of Intent to Repeal Obsolete Rules

### Proposed Repeal of Rules Governing Designation of Infested Waters and Notice, *Minnesota Rules*, part 6216.0300, subpart 1

**Introduction.** The Department of Natural Resources (DNR) intends to repeal obsolete rules following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, section 14.3895.

**Agency Contact Person.** Comments or questions on the rules and written requests to proceed with an alternative process must be submitted to: Luke Skinner, Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, MN 55155-4025; **phone:** (651) 259-5140; **fax:** (651) 296-1811, and **e-mail:** [luke.skinner@dnr.state.mn.us](mailto:luke.skinner@dnr.state.mn.us). TTY users may call the Department of Natural Resources at (651) 296-5484 or 1-800-657-3929.

**Subject of Rules and Statutory Authority.** The DNR proposes repealing obsolete rules governing designation of infested waters. The statutory authority to repeal the rules is *Laws 2007*, chapter 57, article 1, section 33, which amended *Minnesota Statutes*, section 84D.03, subdivision 1, to allow such designations to be made by written order of the commissioner and not subject to the rulemaking provisions of *Minnesota Statutes*, chapter 14. A copy of the proposed repeal is published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until 4:30 p.m. on March 6, 2009, to submit written comment in support of or in opposition to the proposed repeal or any part or subpart of the repeal. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the rule proposed for repeal involved and the reason for the comment. You are encouraged to propose that any part or subpart not be repealed. Any comments that you would like to make on the legality of the proposed repeal must also be made during this comment period.

**Request for an Alternative Process.** If 25 or more people submit a written request, the agency will have to meet the requirements of sections 14.131 to 14.20 for rules adopted after a public hearing or the requirements of sections 14.22 to 14.28 for rules adopted without a public hearing, including preparation of a statement of need and reasonableness and the opportunity for a hearing. Your request must be in writing and must be received by the agency contact person by 4:30 p.m. on March 6, 2009. Your written request for an alternative process must include your name and address. You must identify the rule that you feel should not be repealed or state that you oppose the entire repeal. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether an alternative process is necessary. You are also encouraged to state the reason for the request.

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

**Adoption and Review of Rules.** If no alternative process is required, the agency may repeal the rules after the end of the comment

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period. The repealed rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the repeal is submitted to the office. If you want to be so notified, or want to receive a copy of the repealer, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Date: December 2, 2008

Signed: Mark Holsten, Commissioner  
Department of Natural Resources (DNR)

## Minnesota Plumbing Board

### **DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, And Notice of Hearing If 25 or More Requests For Hearing Are Received**

Proposed Amendment to Rules Governing the Plumbing Code and Plumbing Licensing and Registration, *Minnesota Rules*, Chapters 4715 and 4716; Proposed Repeal of *Minnesota Rules*, parts 4715.3140 to 4715.3170

**Introduction.** The Minnesota Plumbing Board (Board) intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on January 21, 2009, the Board will hold a public hearing in the Minnesota Room, Department of Labor and Industry, 443 Lafayette Road North, St. Paul, Minnesota 55155, starting at 9:30 a.m. on Tuesday, February 3, 2009. To find out whether the Board will adopt the rules without a hearing or if it will hold the hearing, you should contact the Board contact person after January 21, 2009, and before February 3, 2009.

**Board Contact Person.** Submit any comments or questions on the rules or written requests for a public hearing to the Board contact person. The Board contact person is: Annette Trnka, Plumbing Board, c/o Minnesota Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155, **phone:** (651) 284-5860, **fax:** (651) 284-5749, and **e-mail:** [annette.trnka@state.mn.us](mailto:annette.trnka@state.mn.us). TTY users may call (651) 297-4198.

**Subject of Rules and Statutory Authority.** The proposed rules repeal the current licensing and registration rules (*Minnesota Rules*, parts 4715.3140 to 4715.3170) and adopt new licensing and registration rules in a new chapter (proposed chapter 4716 of the *Minnesota Rules*). This will clarify that the Plumbing Code (chapter 4715 of the *Minnesota Rules*) consists of the minimum standards related to plumbing work but not the licensing and registration rules. The proposed new licensing and registration rules are on the following topics: definitions; examination and licensing of plumbers; license applications; expiration of licenses; and registration of plumber's apprentice.

The proposed rules also update the following provisions in the Plumbing Code: definitions; basic plumbing principles; standards for plumbing materials; water service pipe; water distribution pipe; building sewers; special wastes; mechanical joints; push-on joints; plastic joints; use of joints; fixture trap requirements; location of cleanouts; oil and flammable liquids separator; required minimum number of fixtures; dishwashing equipment; floor drains; showers; sinks; receptors or sumps; water required; water service; size of fixture branch; water pressure; water supply control valves; location of backflow preventers; water meter installation; selecting size of gravity drainage piping; prohibited fittings and connections; drains below building sewer; vent stacks and stack vents; common vents; fixtures back-to-back; fixture vents; size of building storm drains and leaders; roof and deck drains; and method of testing.

The statutory authority to adopt the rules is *Minnesota Statutes*, section 326B.435, subdivision 2(a)(3) and (5) (2008). Subdivision 2(a)(3) gives the Board the power to adopt the Plumbing Code that must be followed in this state and any Plumbing Code amendments thereto. Subdivision 2(a)(5) gives the Board the power to adopt rules that regulate the licensure or registration of plumbing contractors, journeymen, apprentices, master plumbers, restricted master plumbers, and restricted journeymen and other persons engaged in the design, installation, and alteration of plumbing systems, except for those individuals licensed under *Minnesota Statutes*, section 326.02, subdivisions 2 and 3, and except for rules regulating continuing education.

The rules can be viewed in their entirety on the Plumbing Board's website located at <http://www.doli.state.mn.us/pb.html>. A free copy

of the rules is available upon request from the Board contact person listed above.

**Comments.** You have until 4:30 p.m. on Wednesday, January 21, 2009, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the Board contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. You must also make any comments about the legality of the proposed rules during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that the Board hold a hearing on the rules. You must make your request for a public hearing in writing. Your written request must be received by the Board contact person by 4:30 p.m. on Wednesday, January 21, 2009. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the Board cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

**Modifications.** The Board may modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the Board or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Board follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Board encourages you to participate in the rulemaking process.

**Cancellation of Hearing.** The Board will cancel the hearing scheduled for February 3, 2009, if the Board does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the Board will notify you before the scheduled hearing whether the hearing will be held. You may also call the Board contact person at (651) 284-5860 after January 21, 2009, to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit valid written requests for a public hearing on the rules, the Board will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Board will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Manuel J. Cervantes is assigned to conduct the hearing. Judge Cervantes can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, St. Paul, Minnesota 55164-0620, **telephone:** (651) 361-7945 and **fax:** (651) 361-7936.

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

The Board requests that any person submitting written views or data to the Administrative Law Judge before the hearing or during the

# Official Notices

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comment or rebuttal period also submit a copy of the written views or data to the Board contact person at the address stated above.

**Statement of Need and Reasonableness.** The statement of need and reasonableness contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probably cost of the proposed rules. It is now available from the Board contact person. You may review or obtain copies for the cost of reproduction by contacting the Board contact person.

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

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

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

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

December 8, 2008

John Parizek, Chair  
Minnesota Plumbing Board



# 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.

## Grant Applicants

Have you checked up on all the “active” state grants? Only for *State Register* subscribers is a “Contracts & Grants” section available that lists all grants and contracts open for bid. Open the *State Register* and click on Bookmarks in the upper left corner. You will see a list of ALL the current rules, with an INDEX, and previous years’ indices, as well as a list of all contracts and grants open for bid. Subscribe and receive LINKS to the *State Register*. You also receive Subscriptions cost \$180 a year (an \$80 savings). Here’s what you receive via e-mail:

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- Early delivery, on Friday
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- Indexes to Vols. 31, 30, 29, 28 and 27

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](mailto:cathy.hoekstra@state.mn.us)

## Department of Administration Governor’s Council on Developmental Disabilities Notice of Cosponsorship Funds for Leadership Training Conferences

The Governor’s Council on Developmental Disabilities (GCDD) is pleased to announce the availability of a total of \$20,000 in cosponsorship funds for training conferences held in Minnesota and supporting the participation of Minnesota residents. Conferences should focus on providing best practices information and leadership skills training. The primary audience for these conferences must be people with developmental disabilities and their families.

Conferences must be held no later than September 1, 2009. **Eligible applicants** are Minnesota associations/organizations that provide services to individuals with developmental disabilities and their families, advocates, providers, or professionals; Minnesota chapters of national organizations; or national organizations that are holding a conference in Minnesota. **Application deadline is Friday, January 16, 2009 at 3:00 p.m.** Please note: The GCDD reserves the right to award less than the maximum of \$2,000 to an applicant, refuse to cosponsor a conference, or withdraw the availability of funds with notice.

For additional information or to request an application form, please contact:

Mary Jo Nichols  
Governor’s Council on Developmental Disabilities  
370 Centennial Office Building  
658 Cedar Street  
St. Paul, Minnesota 55155  
**Phone:** (651) 282-2899  
**Toll free:** (877) 348-0505  
**Minnesota Relay Service:** (800) 627-3529, or 711  
**E-mail:** [admin.dd@state.mn.us](mailto:admin.dd@state.mn.us)

The application is also available at [www.mnddc.org](http://www.mnddc.org) OR [www.mncdd.org](http://www.mncdd.org). Go to “The Council” and then “RFPs and Grants.”

# State Grants & Loans

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## Department of Commerce Office of Energy Security Notice of Grant Availability

The Office of Energy Security requests proposals for automotive technology projects, with a special focus on plug-in hybrid electric vehicles.

The Request for Proposals (RFP) will be available for download on the Department's website ([www.energy.mn.gov](http://www.energy.mn.gov)) through February 13, 2009. Potential responders may also request a hard copy of the RFP by mail from this office. Requests for hard copies must be received by the Office of Energy Security no later than noon on February 13, 2009.

The Request for Proposal can be obtained from:

Preferred Method: [www.energy.mn.gov](http://www.energy.mn.gov)  
U.S. Postal Service: Amy Bicek  
Minnesota Department of Commerce  
Office of Energy Security  
85 Seventh Place E, Suite 500  
Saint Paul, MN 55101

Proposals submitted in response to this Request for Proposals must be received at the address above no later than 10:00 a.m. February 13, 2009. **Late proposals will not be considered.** Fax 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.

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

The MN Job Skills Partnership (MJSP) Board solicits grant proposals for incumbent worker and new worker training programs. MJSP intends to accept proposals for the following programs: Job Skills Partnership Grant Program, Pathways Program, MJSP Pre-Development Program, Healthcare and Human Services Training Program, and MJSP Short Form. Specific program information can be found on the MJSP website at: **Minnesota Job Skills Partnership Training Grant Deadline** <http://www.deed.state.mn.us/mjsp>.

The deadline for the submission of proposals is 4:30 p.m. on Monday, January 12, 2009, with the exception of Short Form applications, which must be submitted by 4:30 p.m. on Monday, February 2, 2009.

A participating business is limited to one active grant in each grant program at any given time, with the exception of businesses that have multiple locations or businesses engaged in projects that involve a consortium of businesses.

In order to facilitate the development of strong proposals, it is strongly encouraged that a letter of intent outlining your proposed project be submitted to MJSP staff for feedback at least once month before the proposal deadline.

Proposals must be delivered to DEED, Workforce Partnerships Division, MJSP, 1<sup>st</sup> National Bank Building, 332 Minnesota Street, Suite E200, St. Paul, MN 55101-1351. No late proposals will be considered. One original plus six copies must be submitted by the deadline for consideration at the MJSP Board meeting to be held on Monday, February 23, 2009. It is important to use the current application forms that are available on the MJSP website at <http://www.deed.state.mn.us/mjsp/forms.htm> or by calling the Job Skills Partnership at (651) 259-7514.

## Minnesota Housing Finance Agency (MHFA) 2009 HTC Round 2 Notice - Housing Tax Credit Program

The Minnesota Housing Finance Agency (Minnesota Housing) is pleased to announce that it is accepting 2009 Round 2 competition applications for reservation and allocation of Housing Tax Credits, authorized by the Federal Tax Reform Act of 1986, as revised.

Housing Tax Credits offer a ten year reduction in tax liability to owners and investors in eligible low income rental housing developments involving new construction, substantial rehabilitation or acquisition with substantial rehabilitation. General information on tax credit availability and information on how to make application for tax credits is posted on Minnesota Housing's internet web site:

<http://www.mnhousing.gov/housing/tax-credits/allocation/index.aspx>

Total estimated 2009 tax credits available for the State of Minnesota is approximately \$ 11.9 million. The total estimated 2009 tax credits available for 2009 Round 2 is approximately **\$752,789**. Minnesota Housing has estimated the housing credit ceiling for Minnesota for calendar year 2009 based upon the amounts of the housing credit ceiling for calendar year 2008 as revised by the Housing and Economic Recovery Act of 2008 and as adjusted for inflation. The actual housing credit ceiling for the year 2009 will not be known by Minnesota Housing until some time in February or March of 2009. In early 2009 the IRS will make a final determination of Minnesota's population component used in determining Minnesota's final year 2009 housing credit ceiling. The IRS will publish this population component some time in February or March of 2009.

In 2009 Round 2, priorities will be given to proposals which have previously received an allocation of tax credits and are in need of a supplemental allocation, contain a request for RD set-aside credit or specific selection or preference priorities (per Self-Scoring Worksheet) in a manner consistent with the 2009 Qualified Allocation Plan as amended.

Minnesota Housing will be establishing a Wait List from the non-selected proposals remaining at the conclusion of the 2009 Round 2 competition. Proposals from this list will be considered to receive returned credits, if any, which become available for allocation prior to October 1, 2009.

The Minnesota Housing Finance Agency's Housing Tax Credit Program, Qualified Allocation Plan and related manual contents were revised in preparation for the 2009 tax credit year. Revisions are also in process and nearing completion in response to the Housing and Economic Recovery Act of 2008 (the Act). Changes stemming from the Act are significant and will affect tax credit materials and application process for 2009 Round 2. Details regarding these changes can currently be found on Minnesota Housing's internet website at [http://www.mnhousing.gov/idc/groups/multifamily/documents/webcontent/mhfa\\_007244.pdf](http://www.mnhousing.gov/idc/groups/multifamily/documents/webcontent/mhfa_007244.pdf). It is important that you are aware of the provisions contained in the Act; some provisions contained in the Act may affect your proposed development.

Minnesota Housing will not be holding a formal tax credit application training session specifically for the 2009 Round 2 RFP. Tax credit "technical assistance" may be obtained by calling Minnesota Housing. Multifamily Division staff is available for technical assistance on an on-going basis.

### **Credit Formula**

The Minnesota Legislature designated Minnesota Housing as the primary apportionment agency for housing tax credits for the state and also authorized eligible cities and counties to administer the tax credits in their respective jurisdictions based on the *Minnesota Statutes* Section 462A.222, Subd. 1(a)(2).

### **Local Administration of Tax Credit**

For Round 2, applicants within Suballocator or Joint Powers Suballocator jurisdictions apply directly to Minnesota Housing.

### **Minnesota Housing Administration of Tax Credits**

In all tax credit rounds, applicants with eligible buildings in the balance of the state, not within the jurisdiction of a Suballocator, may apply to Minnesota Housing for an allocation of housing tax credits.

Each year, 10 percent of the state ceiling is set aside by Minnesota Housing for qualified 501(c)(3) and 501(c)(4) nonprofits as required by Section 42 of the Internal Revenue Code of 1986. Qualified nonprofits can apply to Minnesota Housing for these credits, regardless of the geographic location of the proposed low income housing development, as specified in the allocation plan.

# State Grants & Loans

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## APPLICATION PROCESS

**Housing Tax Credits (2009 Round 2):** The Housing Tax Credit application materials for 2009 Round 2 will be available on Minnesota Housing's internet web site at [http://www.mnhousing.gov/resources/apply/multifamily/MHFA\\_004610.aspx](http://www.mnhousing.gov/resources/apply/multifamily/MHFA_004610.aspx) in early January 2009. Additional information on how to make application is also located on Minnesota Housing's web site at <http://www.mnhousing.gov/housing/tax-credits/allocation/index.aspx>.

Please refer to the web site for more detailed Application Instructions. If you are unable to access the web or need assistance locating or identifying the appropriate materials, contact the Multifamily Division at (651) 297-3294 or Toll Free: 1-800-657-3647.

## IMPORTANT DATES:

**Proposal(s) Due:** (Faxed, emailed, incomplete, or late applications will **NOT** be accepted.)

• **Housing Tax Credit (2009 Round 2):** The following application materials must be **received by** Minnesota Housing by 5:00 p.m. on or before **Thursday, February 5, 2009\***:

( \* **note:** this is a correction to the January 29, 2009 deadline date published in *State Register* on Monday April 21, 2008)

- The Multifamily Application Form electronically submitted,
- The Multifamily Application Form with original signature plus 3 copies, and
- All required attachments (narratives, forms and submittals) plus three (3) copies of all attachments.

**NOTE: Applications determined to be incomplete will be returned to the applicant.**

## Minnesota Housing Board Approval:

Housing Tax Credit funding recommendations will be made at the April 23, 2009 Minnesota Housing Board meeting.

## Fund Notification:

Housing Tax Credit funding awards will be posted on the Minnesota Housing web site at <http://www.mnhousing.gov/housing/tax-credits/allocation/index.aspx>

following selection approvals given by the Minnesota Housing Board at its meeting noted above. Selection letters will also be mailed out to applicants following this Board meeting.

The request for proposals is subject to all applicable federal, state, and municipal laws, rules, and regulations. Minnesota Housing reserves the right to modify or withdraw the RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of proposals.

It is the policy of Minnesota Housing to further fair housing opportunities in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, sexual orientation, marital status, status with regard to receipt of public assistance, disability, or family status.

## Department of Human Services

### Disability Services Division

### Home and Community Living Services

## Notice of Publication of Request for Proposal Seeking a Qualified Grantee(s) to Provide Housing Access Supports to Minnesotans Eligible for Long Term Care or State Plan Home Care Services Who Want to Relocate to Homes of Their Own

**NOTICE IS HEREBY GIVEN THAT** The Minnesota Department of Human Services, through its Disability Services Division is seeking Proposals from qualified Responders to provide housing access services to Minnesotans with disabilities who are eligible for long term care or state plan home care services and wish to move to homes of their own. Housing access grants will fund public or private organizations that will assist eligible people who choose to move to homes of their own using state plan funded supports or long term care waiver services without the use of service provider driven housing. The Disabilities Services Division will operate the housing access grant program according to Minn. Stat 2008 §256B.0658 and other applicable State and Federal laws and regulations.

Contracts will begin during the current state fiscal year and continue through June 30, 2010. During the 2008 session the Minnesota State Legislature allocated \$250,000 for housing access services through June 30, 2009, and \$500,000 for state fiscal year 2010.

The Minnesota Department of Human Services Disability Services Division seeks regional or statewide organizations to support eligible Minnesotans with disabilities who want to relocate to homes of their own. Successful bidders will describe how their organization will provide help with such matters as:

- Seeking and locating suitable, affordable, accessible housing,
- Accompanying individuals as they look for housing,
- Completing rental applications and lease agreements,
- Meetings with landlords and property staff,
- Knowledge of and applications for publicly financed housing,
- Household budget development,
- Furnishing a home, and any related housing matters.

Responders' questions regarding this RFP must be submitted **in writing prior to 4:00 p.m. Central Time on Friday, December 12, 2008.**

All questions must be addressed to: Attention: Melanie Fry  
Disability Services Division,  
Department of Human Services  
St. Paul, MN 55164-0967  
**Phone:** (651) 431-2426  
**FAX #:** (651) 431-7411  
**E-mail:** *Melanie.Fry@state.mn.us*

A Responders' Conference will be held on **Wednesday, December 17, 2008, at 9:00 A.M. Central Time at 540 Cedar Street, St. Paul, MN.** The conference will serve as an opportunity for Responders to ask specific questions of State staff concerning the project. Attendance at the Responders' Conference is not mandatory but is recommended. Responders may attend via conference call (contact the State contact for this RFP for more information about attending by conference call). Oral answers given at the conference will be non-binding. Written responses to questions asked at the conference will be sent to all identified prospective Responders after the conference. **One ( 1 ) original and six ( 6 ) copies** of the Proposal must be submitted. Proposals must be physically received (not postmarked) by **4:00 p.m. Central Time on December 31, 2008** to be considered. Late Proposals will not be considered and will be returned unopened to the submitting party. **Faxed or e-mailed Proposals will not be accepted.**

The above-referenced packages and all correspondence related to this RFP must be delivered to:  
Attention: Melanie Fry  
**Disability Services Division**  
Department of Human Services

# State Grants & Loans

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444 Lafayette Road N.  
St. Paul, MN 55155  
**Phone:** (651) 431- 2426

It is solely the responsibility of each Responder to assure that their Proposal is delivered at the specific place, in the specific format, and prior to the deadline for submission. **Failure to abide by these instructions for submitting Proposals may result in the disqualification of any non-complying Proposal.**

## State Contracts

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

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

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

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

## How to Work with Contracts

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

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

Subscriptions cost \$180 a year (an \$80 savings). 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](mailto:cathy.hoekstra@state.mn.us)

### Department of Administration

#### State Designer Selection Board Project No. 08-23

#### Notice of Availability of Request for Proposal (RFP) for Designer Selection for Minnesota Department of Transportation, New Maple Grove Truck Station and Vehicle Maintenance Shop, Maple Grove, Minnesota

The State of Minnesota, Department of Administration is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota Department of Transportation website: [www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult) click on "P/T Notices."

Proposals must be delivered to Bev Kroiss, State Designer Selection Board, 309 Administration Building in Real Estate and Construction Services, 50 Sherburne Ave., St. Paul, MN 55155 (651) 201-2540 not later than 12:00 P.M., Monday, January 05, 2009. Late responses will not be considered.

Minnesota Department of Transportation is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

### Department of Administration

#### State Designer Selection Board Project No. 08-24

#### Notice of Availability of Request for Proposal (RFP) for Designer Selection for Renovation for Adult Day Care, Building 4 at the Minnesota Veterans Home - Minneapolis

The Department of Administration, Real Estate and Construction Services ("State"), through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposal and a copy of the pre-design is available on the Department of Administration, Real Estate and Construction Services website: [www.admin.state.mn.us/recs](http://www.admin.state.mn.us/recs).

Click on "Construction Services" and then "Solicitations and Announcements." A mandatory informational meeting is scheduled for 9:00 AM C.S.T., December 29, 2008 at the Minnesota Veterans Home, Minneapolis Campus, Building 2 in the Ground Floor conference room. The meeting will include a tour of the proposed project area and a review of the scope of work. Project questions shall be referred to the appropriate person(s) as listed in the Request for Proposal.

Proposals Must be delivered to Bev Kroiss, Executive Secretary, State Designer Selection Board, 309 Administration Building, 50 Sherburne Ave., St. Paul, MN 55155, **phone:** (651) 201-2540, not later than 12:00 p.m. C.S.T., Monday, January 12, 2009. Late responses will not be considered.

The Department of Administration, Real Estate Construction Services Division is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

# State Contracts

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## Department of Administration

### State Designer Selection Board Project No. 08-25

#### Notice of Availability of Request for Proposal (RFP) for Designer Selection for New 100 Bed Nursing Care Building (Building 9 Replacement) at the Minnesota Veterans Home - Minneapolis

The Department of Administration, Real Estate and Construction Services ("State"), through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposal and a copy of the pre-design is available on the Department of Administration, Real Estate and Construction Services website: [www.admin.state.mn.us/recs](http://www.admin.state.mn.us/recs).

Click on "Construction Services" and then "Solicitations and Announcements." A mandatory informational meeting is scheduled for 11:00 AM C.S.T., December 29, 2008 at the Minnesota Veterans Home, Minneapolis Campus, Building 2 in the Ground Floor conference room. The meeting will include a tour of the proposed project area and a review of the scope of work. Project questions shall be referred to the appropriate person(s) as listed in the Request for Proposal.

Proposals must be delivered to Bev Kroiss, Executive Secretary, State Designer Selection Board, 309 Administration Building, 50 Sherburne Ave., St. Paul, MN 55155, **phone:** (651) 201-2540, not later than 12:00 p.m. C.S.T., Monday, January 12, 2009. Late responses will not be considered.

The Department of Administration, Real Estate Construction Services Division is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

## Minnesota State Colleges and Universities (MnSCU)

### Minneapolis Community & Technical College

#### Notice of Intent to Solicit Bids for New Cabinetmaking Equipment which Includes Trade-in of Existing Equipment

**Description:** Sandya 3/S RCS 110 SW 43" TWO HEAD WIDE (or approved equal) belt sander. Purchase price must include FOB destination delivery, installation, training, minimum 1 year warranty and removal of trade-in equipment. Bid to include trade-in value for one Timesaver (model 237-2, serial number 10016) belt sander.

**Contact:** Michael Noble-Olson at  
**E-mail:** [michael.noble-olson@minneapolis.edu](mailto:michael.noble-olson@minneapolis.edu)  
or (612) 659-6866.

**Bid Deadline:** Tuesday December 30, 2008 at 2:00pm SST

## Minnesota State Colleges and Universities (MnSCU)

### Minneapolis Community & Technical College

#### Notice of Intent to Solicit Bids for Purchase of New Machine Tool Equipment which Includes Trade-in of Existing Equipment

**Description:** One four-axis Haas Tool Room Mill Series 1 (or approved equal) with Renishaw Probing. Price to include delivery, installation, training, a minimum 6 month warranty and removal of trade-in equipment.



Bid to include trade-in value for one operational Bridgeport Mill (circa 1985) and one model YCM-30 CNC Mill with non-functional computer.

**Contact:** Michael Noble-Olson – Purchasing Manager at  
**E-mail:** *Michael.Noble-Olson@minneapolis.edu*  
or at (612) 659-6866.

**Bid Deadline:** Tuesday December 30, 2008 at 2:00PM SST

## Minnesota State Colleges and Universities (MnSCU) Minneapolis Community & Technical College Notice of Intent to Solicit Bids for Six (6) New Miller XMT Welders with Accessories

**Description:** 6 of each of the following: Miller XMT 304 CC/CV 208/230/460 (or approved equal) with auto link with auxiliary power, S-74DX wirefeeder and other accessories. Machines are to be delivered ready to plug in and operate.

**Contact:** Michael Noble-Olson at  
**E-mail:** *michael.noble-olson@minneapolis.edu*  
or call (612) 659-6866.

**Bid Deadline:** Tuesday December 30, 2008 at 2:00pm SST

## Minnesota State Colleges and Universities (MnSCU) North Hennepin Community College Request for Bids for the Gym Sound System Upgrade (HWC-123)

**NOTICE IS HEREBY GIVEN** that North Hennepin Community College is seeking bids for the upgrade of the gymnasium sound system located in the Health and Wellness Center Rm. 123.

Proposal specifications will be available beginning Monday December 15, 2008 by contacting Deb Fugate by **phone:** (763) 424-0903 or **e-mail:** *debra.fugate@nhcc.edu*, or Joseph Collins by **phone:** (763) 488-0204 or **e-mail:** *joseph.collins@nhcc.edu*.

There will be a non-mandatory pre-bid meeting at North Hennepin Community College, Health and Wellness Center Rm. 123 on Thursday, December 18, 2008 at 1:00 pm. Proposal specifications will also be made available at that time.

Sealed proposals must be received by Debra Fugate at 7411- 85<sup>th</sup> Ave. No., Learning Resource Center Rm. 122, Brooklyn Park, MN 55445 by 1:00 PM on Tuesday, December 30, 2008.

There will be a bid opening at North Hennepin Community College, Educational Services Rm. 36 on Tuesday, December 30, 2008 at 1:15 pm.

North Hennepin Community College reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received.

## State Contracts

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### **Minnesota State Colleges and Universities (MnSCU) Rochester Community and Technical College Notice of Request for Proposal for the Use of an Equestrian Facility**

NOTICE IS HEREBY GIVEN that Rochester Community and Technical College Request for Proposal (RFP) for the use of an equestrian facility.

To receive a copy of the RFP, send an e-mail to [june.meitzner@roch.edu](mailto:june.meitzner@roch.edu) or fax your request to 507-285-7104.

Proposals are due back by Wednesday, January 28, 2009 4:00 CDT and are to be addressed to June Meitzner, Rochester Community and Technical College, 851 - 30th Ave. S.E., Rochester, MN 55904.

Faxes are not acceptable. Late responses will not be considered.

Any question should be in a form of an RFI and directed to June Meitzner: [June.meitzner@roch.edu](mailto:June.meitzner@roch.edu)

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

### **Minnesota State Colleges and Universities (MnSCU) Winona State University Request for bids for Smart Classroom Electronic Components**

Notice is hereby given that Winona State University is seeking bids for Smart Classroom electronic components.

Bid specifications will be available Monday December 15 2008 by contacting Purchasing Department at PO Box 5838, 205 Somsen Hall, Winona, MN 55987, e-mail: [sschmitt@winona.edu](mailto:sschmitt@winona.edu), or by calling (507) 457-5067.

Sealed bids must be received by Sandra Schmitt at PO box 5838, or at 175 W Mark St., Somsen 205G Business Office, Winona State University, Winona, MN 55987 by 3:00 PM on Wednesday, December 31, 2008.

Winona State University reserves the right to reject any or all bids and to waive any irregularities or informalities in bids received.

### **Minnesota Office of Higher Education Request for Proposal for a Plan Manager for the Minnesota College Savings Plan**

The Minnesota Office of Higher Education (the Office) and the Minnesota State Board of Investment (the Board) are seeking a full service vendor to manage the Minnesota College Savings Plan (the Plan) and to assist the Minnesota Office of Higher Education in administering the Plan's annual matching grant program. The Minnesota College Savings Plan is an Internal Revenue Code Section 529 Qualified Tuition Program.

The Office and the Board seek a vendor for the Minnesota College Savings Plan who can provide a high quality, customer focused, Qualified Tuition Program with competitive investment returns at market competitive prices.

The Plan has over \$500 million in assets. As of June 30, 2008, there were 33,269 Minnesota College Savings Plan account owners with accounts for 50,243 account beneficiaries. Roughly, 82 percent of account owners were Minnesota residents holding about 80 percent of Plan assets.

The deadline for submitting a proposal is January 23, 2009. Call or e-mail the following person for the full Request for Proposal:

Jack Rayburn  
Minnesota Office of Higher Education  
**Telephone:** (651) 259-3967  
**E-mail:** [jack.rayburn@state.mn.us](mailto:jack.rayburn@state.mn.us)

### Department of Natural Resources (DNR) Notice of Availability of Contract for Assessing Planning and Zoning Approaches to Mitigate the Effects of Forestland Parcelization in Minnesota

The Minnesota Department of Natural Resources and the Minnesota Forest Resources Council are requesting proposals for the purpose of assessing the ability of various land use planning and zoning approaches to mitigate the negative effects of forest land parcelization in Minnesota. This assessment will be utilized, along with assessments of other policy tools, to formulate recommendations to the legislature, state agencies and other local units of government, to inform state policy direction in mitigating the negative effects of forestland parcelization.

Work is proposed to start after January 1, 2009.

A Request for Proposals will be available by mail from this office through December 15<sup>th</sup>, 2008. **A written request (by direct mail, fax, or e-mail) is required to receive the Request for Proposal.** After December 15<sup>th</sup>, 2008, the Request for Proposal must be picked up in person or will be e-mailed.

The Request for Proposal can be obtained from:

Calder Hibbard  
Minnesota Forest Resources Council  
2003 Upper Buford Circle  
St. Paul, MN 55108  
**Phone:** (651) 603-0109  
**Fax:** (651) 603-0110  
**E-mail:** [hibb0006@umn.edu](mailto:hibb0006@umn.edu)

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00 p.m., December 22<sup>nd</sup>, 2008. **Late 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.

### Department of Natural Resources (DNR) Notice of Availability of Contract for Assessing the Use of Conservation Easements in Mitigating the Effects of Forestland Parcelization in Minnesota

The Minnesota Department of Natural Resources and the Minnesota Forest Resources Council are requesting proposals for the purpose of assessing the ability of conservation easement to mitigate the negative effects of forest land parcelization in Minnesota. This assessment will be utilized, along with assessments of other policy tools, to formulate recommendations to the legislature, state agencies and other local units of government, to inform policy direction in mitigating the negative effects of forestland parcelization.

Work is proposed to start after January 1, 2009.

# State Contracts

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A Request for Proposals will be available by mail from this office through December 15<sup>th</sup>, 2008. **A written request (by direct mail, fax, or e-mail) is required to receive the Request for Proposal.** After December 15<sup>th</sup>, 2008, the Request for Proposal must be picked up in person or will be e-mailed.

The Request for Proposal can be obtained from:

Calder Hibbard  
Minnesota Forest Resources Council  
2003 Upper Buford Circle, St. Paul, MN 55108  
**Phone:** (651) 603-0109  
**Fax:** (651) 603-0110  
**E-mail:** *hibb0006@umn.edu*

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00 p.m., December 22<sup>nd</sup>, 2008. **Late proposals will not be considered.**

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

## Minnesota Department of Natural Resources (DNR) Notice of Sale of State Metallic Mineral Leases

**NOTICE IS HEREBY GIVEN** that a sale of leases to explore for, mine and remove metallic minerals in trust fund lands, lands and minerals forfeited for non-payment of taxes, lands and minerals otherwise acquired, and other state-owned land under the jurisdiction of the Commissioner of Natural Resources, and located in portions of Beltrami, Koochiching, Lake, Lake of the Woods, Roseau, and Saint Louis Counties, is scheduled to be held on Wednesday, January 14, 2009 at 9:00 a.m. The sale will take place in the East-West Conference Room located on the 4<sup>th</sup> floor of the DNR Central Office Building, 500 Lafayette Road, Saint Paul, Minnesota.

The Commissioner of Natural Resources will receive sealed bids and applications for leases covering minerals in state lands, in accordance with *Minnesota Rules*, parts 6125.0100 through 6125.0700, which are the metallic minerals rules issued under the authority of *Minnesota Statutes*.

Each bid must be submitted on a form obtained from the Commissioner. Each bid form must be accompanied by a certified check, cashier's check, or bank money order, payable to the Department of Natural Resources in the sum of the following amounts:

- a) an application fee of \$100.00 for each mining unit bid upon; and
- b) rental for one full calendar year for each mining unit bid upon.

All bids must be received by the Commissioner at the office of the Division of Lands and Minerals, Fourth Floor, DNR Building, 500 Lafayette Road, Saint Paul, Minnesota 55155-4045, before 4:30 p.m. of Tuesday, January 13, 2009.

On Wednesday, January 14, 2009, at the time specified, the Commissioner or his representative will publicly open the bids and announce the amount of each bid separately. At a subsequent time leases will be awarded by the Commissioner, with the approval of the State Executive Council, to the highest bidder for the respective mining units, but no bids will be accepted that do not equal or exceed the base royalty rates set forth in the rules or that do not comply with all provisions of the rules. The right is reserved to the State, through the Executive Council, to reject any or all bids.

The purpose of Minnesota's metallic minerals rules is to promote and regulate the prospecting for, mining and removal of metallic minerals on state-owned and state-administered lands. These rules, and the leases issued under the rules, authorize exploration and development of these minerals and impose certain requirements on the lessee. The requirements include: the payment of minimum rentals which increase with the passage of time, the payment of royalty for all ore mined and removed, the submission of data and other reports,

and the submission of exploration plans. In addition, the state lessee must comply with all applicable regulatory laws. No land or water areas within the Boundary Waters Canoe Area Wilderness or Voyageurs National Park are included in this or any state mineral lease sale. After the conclusion of the sale, the Commissioner shall request each high bidder to provide evidence the bidder is qualified to hold state mineral leases pursuant to *Minnesota Rules*, part 6125.0410. The rules state that a lease will only be issued to an applicant qualified to do business in Minnesota and qualified to conduct exploratory borings in Minnesota. In addition, the Commissioner may request evidence that the lease applicant is technically and financially capable of performing under the terms of a state mineral lease. The requested evidence must be provided within 45 days of the request from the Commissioner or the bids from that high bidder will be rejected.

Upon the award of a lease, the application fee submitted with the bid will be deposited as a fee for the lease. All bids not accepted will become void, and the application fee and rental payment accompanying such bids will be returned to the respective bidders; provided, however, the application fee and rental payment accompanying a bid shall not be returned if the bidder was the high bidder and subsequently withdrew the bid prior to the awarding of a lease.

Bid forms, instructions on how bids are to be submitted, copies of the rules (*Minnesota Rules*, parts 6125.0100 through 6125.0700) and copies of the Mining Unit Book, listing the land areas designated by the Commissioner as mining units, may be obtained from the Transactions Section, Division of Lands and Minerals, DNR Building, 500 Lafayette Road, Saint Paul, Minnesota 55155-4045. E-mail inquiries may be sent to [Gloria.Johnson@dnr.state.mn.us](mailto:Gloria.Johnson@dnr.state.mn.us).

The Mining Unit Book will be available at least thirty days prior to January 14, 2009. Application for each copy of the Mining Unit Book must be accompanied by a check or money order payable to the Department of Natural Resources in the sum of \$20.00 as a fee for such Mining Unit Book plus shipping and applicable State of Minnesota Sales Tax. Unit books will also be available for inspection at the Hibbing and Saint Paul offices of the Division of Lands and Minerals, and on the internet through the DNR website at:

[www.dnr.state.mn.us/lands\\_minerals](http://www.dnr.state.mn.us/lands_minerals)

Signed: Marty K. Vadis, Director  
Division of Lands and Minerals  
Minnesota Department of Natural Resources

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

### 1. INTRODUCTION

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

### 2. OBJECTIVE

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

### 3. TECHNICAL CONSIDERATIONS

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

### 4. INFORMATION BEING REQUESTED

- Vendor Qualifications

# State Contracts

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

## 5. RFI RESPONSES:

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

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

## State Court Administrators Office

### Tenth Judicial District

### Washington County Court Administration

## Notice of Request for Vendor Responsible for Implementation of Electronic Customer Queuing System

The State of Minnesota, Tenth Judicial District (“STATE”) is using a competitive selection process to select the vendor responsible for implementation of an electronic customer queuing system to be implemented in two phases coinciding with construction completion of new/remodeled Washington County Courthouse. This system should be able to electronically assign numbers to customers waiting for service at the counters in the Washington County Courthouse. The system should be able to assign based on the specific line of business and display on monitors. The number assignment according to the line of business will be flexible and configurable by the user, with the ability for each workstation to handle multiple lines of business. System reports will be available, on demand by user, to monitor the customer usage and staff workload/efficiency. The software should be configurable by the user to produce ad hoc reports and modify system settings. This is not a bid but a request for proposals that could become the basis for negotiations leading to a contract with a designated vendor to provide the system as described in this document.

The Tenth Judicial District is submitting this Request for Proposals (RFP) to seek proposals from vendors to implement an Electronic Customer Queuing System that is costs effective and has high functionality, and can be implemented in two phases. The selected vendor will do the installation, setup, testing, and training. Pre-wiring to accommodate a system is already done. A brief description of the system requirements and deliverable dates is included in this RFP.

Submissions must be received no later than 4:00 p.m. local (i.e. Stillwater) time on Tuesday, December 23<sup>rd</sup>, 2008. Proposals will be opened the following business day after the deadline and once opened become accessible to the public. Except for financial stability information submitted in accordance with this RFP, do not place any information in your submission that you do not want revealed to the public. All documentation shipped with the submission, including the submission, will become the property of the STATE. Late submissions will not be accepted.

Questions about the RFP or the selection must be in writing and directed to Wayne Minske, Washington County Court Administration, 14949 - 62<sup>nd</sup> St. N. Stillwater, MN 55082 or by **e-mail** at: [wayne.minske@courts.state.mn.us](mailto:wayne.minske@courts.state.mn.us). A blue print of the completed construction and locations of counter workstations are available from Mr. Minske upon request. Other court personnel are not allowed to discuss the Request for Proposal with anyone including State of Minnesota – Tenth Judicial District, Washington County Court Administration

responders before the proposal submission deadline. Questions and answers to all questions will be accessible to other vendors and the public.

A vendor conference is scheduled for December 15, 2008 in Washington County Government Center 14949 - 62<sup>nd</sup> ST. N. Stillwater, MN at 3:30 p.m. local time, Room 20. At that meeting, all pre-submitted questions will be answered as well as other questions that may arise. For meeting attendees who provide their email address, written responses will be sent to meeting attendees via email as promptly as practical after the meeting.

The tentative selection timeline is to contact finalists on December 26, 2008 and have a contract in place and work to begin soon thereafter with full implementation of completed workstations (Phase I) by April 1, 2009. Phase II should be completed in late 2010 or early 2011.

A full request for proposal is available on the Minnesota Supreme Court website: [www.courts.state.mn.us](http://www.courts.state.mn.us)

## Minnesota Board of Teaching Notice of Request for Proposals for Pre-licensure Teacher Testing

The Minnesota Board of Teaching is requesting proposals for the creation and delivery of three examinations for candidates seeking an initial Minnesota teaching license:

- 1) an examination of basic skills
- 2) an examination of professional knowledge, and
- 3) an examination of field-specific content knowledge and skills

The Request for Proposal can be obtained from:

Carol Knicker  
Minnesota Board of Teaching  
1500 Highway 36 West  
Roseville, MN 55113-4266  
**Phone:** (651) 582-8885  
**E-mail:** [carol.knicker@state.mn.us](mailto:carol.knicker@state.mn.us)

Proposals submitted in response to the Request for Proposals in this advertisement must be received no later than **2:30 p.m. Central Standard Time, February 6, 2009**. **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.

## 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

# State Contracts

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of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to use the Consultant Pre-Qualification Program.

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

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

Send completed application material to:

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

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

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

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

## Department of Transportation (Mn/DOT) Office of Environmental Services Request for Proposals (RFP) for Asbestos and Regulated Waste Certified List Program

The State of Minnesota through its Department of Transportation requests proposals to provide services in the following categories:

|            |   |
|------------|---|
| Category 1 | Asbestos and Regulated Waste Assessment and Oversight |
| Category 2 | Asbestos Abatement and Lead Paint Stabilization       |
| Category 3 | Regulated Waste Removal Services                      |

All work in all categories must comply with applicable parts of the following federal and state regulations: 40 CFR 61.149(1)(I)(ii) and (iii); *Minnesota Rules* Chapters 7045; 735, 7011.9920, 7027.100 subp.2, 4620.3100 subpart 14a, 4620.3585 and Mn/DOTs' Asbestos and Regulated Waste Manual for Structure Demolition or Relocations For Construction Projects found at:

<http://www.dot.state.mn.us/environment/regulated-materials/index.html>

Mn/DOT will use these services on an as-needed basis, and not all successful responders will be authorized for all the services described



above. The Certified List Program is not a guarantee of an assignment since the use of services will depend upon the availability of funding for the program at the time the work is required.

This program will be a Certified List Program consisting of firms that have been pre-approved to perform the above work. Firms may apply for one, two or all of the work categories. The term of this program is two years with three one-year extension options.

Once the Program is established, Mn/DOT may directly select firms from the Certified List for specific projects with costs up to \$100,000. This program is limited to contracts less than \$100,001.00.

The full RFP can be viewed on the Consultant Services Web Page at [www.dot.state.mn.us/consult/index.html](http://www.dot.state.mn.us/consult/index.html) under the P/T Notices Section.

If you have any questions regarding this advertisement, or are having problems viewing the RFP on the Consultant Services Web Page, you may contact:

Brad Hamilton, Contract Administrator  
**E-mail:** [brad.hamilton@dot.state.mn.us](mailto:brad.hamilton@dot.state.mn.us)  
**Telephone:** (651) 366-4626

Note: RESPONSES WILL BE DUE ON JANUARY 19, 2009 AT 2:00 PM CENTRAL STANDARD TIME.

## 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

### Invitation for Bids for Track System Maintenance and Repair Procurement No. 7937

Metro Transit, a division of the Metropolitan Council, is soliciting sealed bids for Track Maintenance Services for the Hiawatha Light Rail Transit (LRT) System. A contractor is required to maintain and repair track, on an as-needed basis and as instructed by project administration, along the approximate 12-mile Hiawatha LRT line. This work requires a skilled workforce, specialized equipment, and compliance with all applicable requirements, including Hiawatha LRT standard operating procedures. The contractor will also provide service to the Northstar Commuter Rail Service when it opens later in 2009. The contract term is for three years with options for up to an additional two years.

# Non-State Bids, Contracts & Grants

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Sealed bids are due by 2:00 PM on January 9, 2009. Bids must be submitted in accordance with the Invitation for Bids document available from:

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

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

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

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

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- **Fish Cleaning Made Easy -** DVD on Fish Cleaning - Learn to clean 9 species of fish, Stock Number 226, \$14.99
  
- **No More Gallant a Deed -** A Civil War Memoir of the First Minnesota Volunteers, by James A. Wright, edited by Steven J. Keillor, \$34.95
- **Minnesota's Indian Mounds and Burial Sites:** A Synthesis of Prehistoric and Early Historic Archaeological Data, by Constance M. Arzigian and Katherine P. Stevenson, \$44.95
- **Mike Lynch's Minnesota Starwatch -** The Essential Guide to Our Night Sky, \$24.95
  
- **Minnesota's State Capitol -** The Arts and Politics of a Public Building, \$16.95
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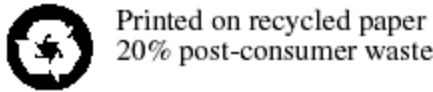
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