

State of Minnesota

State Register



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

**TUESDAY 26 May 2009
Volume 33, Number 47
Pages 1913 - 1942**

State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

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

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoed Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-state Public Bids, Contracts and Grants

Tim Pawlenty, Governor	(651) 296-3391	Department of Administration:	<i>State Register:</i>
Carol L. Molnau, Lt. Governor	(651) 296-3391	Dana B. Badgerow, Commissioner	Robin Panlener, editor
Lori Swanson, Attorney General	(651) 297-4272	Materials Management Division:	John Mikes, assistant editor
Rebecca Otto, State Auditor	(651) 297-3670	Kent Allin, Director	Cathy Hoekstra, subscriptions
Mark Ritchie, Secretary of State	(651) 296-2079	Mary Mikes, Manager	Bonnie Karels, billing

Printing Schedule and Submission Deadlines

Vol. 33 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Proposed, Adopted and Exempt RULES
# 47	Monday 25 May	Noon Tuesday 19 May	Noon Wednesday 13 May
# 48	Monday 1 June	Noon Tuesday 26 May	Noon Wednesday 20 May
# 49	Monday 8 June	Noon Tuesday 2 June	Noon Wednesday 27 May
# 50	Monday 15 June	Noon Tuesday 9 June	Noon Wednesday 3 June

PUBLISHING NOTICES: We need to receive your submission ELECTRONICALLY. Submit ONE COPY of your notice via e-mail to: robin.panlener@state.mn.us. State agency submissions must include a "State Register Printing Order" form, and, with contracts, a "Certification/Internal Contract Negotiation" form. Non-State Agencies should submit ONE COPY, with a letter on your letterhead stationery requesting publication and date to be published. [FAX to: (651) 297-8260. You **MUST follow FAX** by e-mailing notice and other forms or letters.

Page charges are \$13.60 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page is about 4/10s of a page in the *State Register*, or \$54.40. About 2-1/2 pages typed, double-spaced, on 8-1/2"x11" paper equals one typeset page in the *State Register*. Contact the editor if you have questions, by calling (651) 297-7963, or e-mail: robin.panlener@state.mn.us.

SUBSCRIPTION SERVICES: Copies are available at Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. **NO REFUNDS.** E-mail subscriptions are available by contacting (651) 297-8777. Send address changes to Minnesota's Bookstore, 660 Olive Street, St. Paul, Minnesota 55155.

SEE THE *State Register* free at **website:** <http://www.minnesotasbookstore.com>

- **State Register: On-line subscription** – \$180, includes LINKS, INDEX, "Contracts and Grants" special section, Sidebar Table of Contents, and Early View *via E-mail*.
- **Single issues** are available for a limited time: *State Register* \$5.00.
- **"Affidavit of Publication"** includes a notarized "Affidavit" and a copy of the issue: \$10.00.

Copyright © 2009 Materials Management Division, Department of Administration, State of Minnesota.

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

THE STATE REGISTER IS PUBLISHED by Materials Management Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available at main branch county libraries in Minnesota and all "State Depository Libraries:" State University and Community College libraries; University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; Legislative Reference Library; State Law Library; Minnesota Historical Society Library; and Library Development Service at the State Department of Education.

Minnesota Legislative Information

Senate Public Information Office (651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
Website: www.senate.mn

House Public Information Services (651) 296-2146
State Office Building, Room 175,
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
Website: www.house.leg.state.mn.us/hinfo/hinfo.htm

Minnesota State Court System

Court Information Office (651) 296-6043
MN Judicial Center, Rm. 135, 25 Rev. Dr. Martin Luther King Jr Blvd.,
St. Paul, MN 55155 **Website:** www.mncourts.gov

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office – Fax: (202) 512-1262
Website: <http://www.gpoaccess.gov/fr/index.html>

Minnesota Rules: Amendments & Additions

Rules Index - Vol. 33, # 40-47: TUESDAY 26 May 2009 1916

Proposed Rules

Natural Resources Department (DNR)

Division of Fish and Wildlife:

Proposed Permanent Rules Relating to Game and Fish..... 1917

Executive Orders

Office of the Governor

Emergency Executive Order #09-09: Providing for

Assistance to the Minnesota Department

of Natural Resources..... 1926

Official Notices

Official Notices Go to Work for You..... 1928

Pharmacy Board

Request for Comments on Possible Amendment to

Rules Governing the Scheduling of Controlled Substances..... 1928

Pollution Control Agency

Regional Division:

Availability of Draft Byllesby Reservoir Site

Specific Standard and Request for Comment

Public Comment Period Begins: May 26, 2009..... 1929

State Grants & Loans

Applying for Grants..... 1931

Housing Finance Agency

Request for Proposals (RFP) for Administrators for the

Homeownership Education, Counseling and

Training Fund (HECAT)..... 1932

Contracts information is available from the Materials Management
Helpline (651) 296-2600, or Web site:

www.mmd.admin.state.mn.us

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

www.minnesotasbookstore.com

State Contracts

Subscribe to the *State Register*..... 1933

Colleges and Universities, Minnesota State (MnSCU)

Anoka Technical College:

Opportunity for Proposals on HYBRID BOOKSTORE..... 1933

Dakota County Technical College:

Sealed Bids Sought for Land Surveying Equipment..... 1934

Hennepin Technical College:

Availability of Request for Proposal (RFB) for

Customized Training Services Remodeling Selection

for Hennepin Technical College, Brooklyn Park and

Eden Prairie Customized Training Services Remodeling..... 1934

Office of the Chancellor:

Request for Bid: PRINT and FULFILLMENT of

Go Places Publications..... 1935

Metropolitan State University:

Request for Proposals for Commissioning of

Building Systems Services..... 1935

Ridgewater College, Hutchinson, MN

Advertisement for Bids for East Campus Remodel..... 1936

Ridgewater College, Willmar Campus

Advertisement for Bids for 2009

Window Replacement Project..... 1937

South Central College:

Request for Proposals for

Comprehensive Banking Services..... 1938

Winona State University:

Request for Bids for Media Services Wiring Supplies..... 1938

Winona State University:

Request for Proposals for the Purchase and

Summer Installation of Artificial Turf..... 1939

Natural Resources Department (DNR)

Availability of Contract for Invasive Species

Audience Assessment..... 1939

Transportation Department (Mn/DOT)

Engineering Services Division:

Potential Availability of Contracting Opportunities

for a Variety of Highway Related Technical Activities

("Consultant Pre-Qualification Program")..... 1940

Engineering Services Division:

Professional/Technical Contract Opportunities

and Taxpayers' Transportation Accountability Act Notices.....1940

Non-State Bids, Contracts & Grants

Metropolitan Council

Contracting Opportunities..... 1941

University of Minnesota (U of M)

Subscribe to Bid Information Service (BIS)..... 1941

Minnesota's Bookstore..... 1941

Minnesota Rules: Amendments and Additions

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

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

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

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

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

Rules Index: Vol. 33 - # 40-47:

Monday 6 April 2009 - TUESDAY 26 May 2009

Labor and Industry Department - Construction

Codes and Licensing Division

1303.2300; .2305; .2310; .2320; .2330;	
1305.1405 (adopted).....	1859
1350.0100; .0200; .0400; .0500; .0900; .1100; .1400; .2100;	
.2300; .2400; .2500; .2600; .2700; .2800; .2900; .3300;	
.3400; .3800; .3850; .6700; .6705; .6710; .6800; .7200	
(proposed).....	1877
1350.3800 s. 6; .6500 (proposed repealer).....	1877

Department of Agriculture

1556.0110; .0120; .0145; .0160; .0165 (adopted).....	1747
--	------

Education Department

3505.1000; .1100; .1150; .1200; .1300; .1400; .1500; .1600;	
.1700; .1900; .2000; .2200; .2300; .2400; .2500; .2600; .4300;	
.4800; .4900; .5200; .5300; .5400; .5500; .5600; .5700; .5800;	
.5900 (adopted).....	1857
3505.1000 s. 37, 43, 45, 46, 47, 48; .5000; .5700, s. 3,	
(repealed).....	1857

Health Department (MDH)

4620.0100; .0500; .1440; .1450; 4717.7000....(adopted	
exempt).....	1769
4620.0100 s. 2, 4, 4a, 5, 8, 9, 10, 11a, 12, 15, 16, 16a; .0300;	
.0400; .0500 s. 1, 5, 6; .0600; .0750; .0955 s. 1; .1000; .1025;	
.1100; .1200; .1300; .1400; .1425 (repealed exempt).....	1769
4717.7810; .7820; .7830; .7840; .7850; .7860; .7870; .7880;	
.7890; .7900 (adopted).....	1792
4717.4200; .7100; .7150 s. 1, 2, 3, 4, 6, 7, 8, 9, 10, 11; .7300;	
.7400; .7600; .7650; .7700; .7750; .7800 (repealed).....	1792

Natural Resources Department (DNR)

6216.0300 s. 1; .0350 (proposed repealer).....	1791
6230.0200; .0290; .0295; .0400; .0700; .0800; 6232.0200;	
.0300; .1300; .1950; .2100; .2800; .3100; 6234.0200;	
.0400; .0500; 6236.0900; 6240.0400; .0500; .0610;	
.1750; .1850; .2100 (proposed).....	1917
6230.0400 s. 14; .1200; 6232.0100 s. 5; .2100 s. 2;	
6237.0600; .0700 (proposed repealer).....	1917
6232.2800; .3055; .3100; .3500 (adopted expedited	
emergency).....	1771, 1798
6232.3700; .3855 (adopted expedited emergency)....	1772, 1800
6280.0100; .0250; .0350; .0450; .0550; .0600; .0700; .0900;	
.1000; .1100; .1200 (adopted).....	1721
6280.0100 s. 5, 10, 14; .0350 s. 1, 2, 5, 6; .0800	
(repealed).....	1721

Public Utilities Commission

7845.0100; .0800; .0900; .7000; .7200; .7300; .7400; .7500;	
.7700; .7800; .7900 (proposed).....	1851

Proposed Rules

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

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

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

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

Minnesota Department of Natural Resources (DNR)

Division of Fish and Wildlife

Proposed Permanent Rules Relating to Game and Fish

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 Relating to Game and Fish, *Minnesota Rules*, chapters 6230, 6232, 6234, 6236, 6237, 6240; and

Proposed Repeal of Rules Relating to Game and Fish, *Minnesota Rules*, part 6230.0400, subpart 14; 6230.1200; 6232.0100, subpart 5; 6232.2100, subpart 2; 6237.0600, and 6237.0700.

Introduction. The Department of Natural Resources (DNR) 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 June 26, 2009, the DNR will hold public hearings on Wednesday, July 8, 2009, at the DNR Central Office, 500 Lafayette Road, St. Paul, Minnesota 55155 at these times:

2:00 p.m. in the Second Floor Conference Room

6:30 p.m. in the Sixth Floor Conference Room

To find out whether the DNR will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after June 26 and before July 8.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Jason Abraham at Department of Natural Resources, 500 Lafayette Road, Saint Paul, Minnesota, 55155-4020, **phone:** (651) 259-5197, **fax:** (651) 297-4961, and **e-mail:** jason.abraham@dnr.state.mn.us. **TTY** users may call the DNR at (651) 296-5484 or 1-800-657-3929.

Subject of Rules and Statutory Authority. The proposed rules cover a variety of areas pertaining to wildlife including:

- Special provisions for some Wildlife Management Areas, State Game and Waterfowl Refuges, waterfowl Controlled Hunting Zones and migratory feeding and resting areas.
- Definitions for terms used in special deer hunts
- Rules pertaining to national wildlife refuges and federal waterfowl production areas

Proposed Rules

- Deer zone and date options, deer tagging procedure and deer license validation procedures
- Bag limits for deer in intensive, managed, lottery, early season deer areas and metro and bovine tuberculosis deer management zones
- Seasons for taking deer by firearms in the metro deer management zone
- Muzzleloader deer seasons and areas
- Bag limit for bears outside quota areas
- License procedures for taking bear outside quota areas
- Seasons for taking ruffed and spruce grouse, pheasants and gray partridge
- Restrictions on using bait to take turkeys
- Seasons for taking sora and Virginia rails and common snipe
- Provisions for the harvest of prairie chickens
- Youth waterfowl hunting date
- Season and bag limit for taking geese in the northwest goose zone

The proposed rules also repeal *Minnesota Rules*, parts 6230.0400, subpart 14; 6230.1200; 6232.0100, subpart 5; 6232.2100, subpart 2; 6237.0600; 6237.0700.

The statutory authority to adopt or repeals the rules is *Minnesota Statutes*, sections 86A.06, 97A.045, 97A.091, 97A.092, 97A.095, 97A.137, 97A.401, 97A.411, 97A.535, 97B.112, 97B.301, 97B.305 97B.311, 97B.411, 97B.505, 97B.515, 97B.605, 97B.711, 97B.715, 97B.716, 97B.731, and 97B.803.

A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed or may be accessed at:
<http://www.dnr.state.mn.us/input/rules/wildliferules/index.html>

A free copy of the rules is also available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m. on Friday, June 26, 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 agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. You must also make any comments about the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the DNR hold a hearing on the rules. You must make your request for a public hearing in writing, which must be received by the agency contact person by 4:30 p.m. on Friday, June 26, 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 agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

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

Proposed Rules

Cancellation of Hearing. The DNR will cancel the hearing scheduled for July 8, 2009, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at (651) 259-5197 after June 26, 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 DNR will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The DNR 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, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-7945, and **fax:** (612) 361-7936.

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

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

Statement of Need and Reasonableness. The statement of need and reasonableness contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person. The SONAR will also be available online at <http://www.dnr.state.mn.us/input/rules/wildliferules/index.html>.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 6512965148 or 18006573889.

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

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

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

Dated: May 12, 2009

Mark Holsten, Commissioner
Department of Natural Resources

Proposed Rules

6230.0200 SPECIAL PROVISIONS FOR WILDLIFE MANAGEMENT AREAS.

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

Subp. 4. **Areas with hunting, trapping, and firearms restrictions.** The Bayport Wildlife Management Area in Washington County, the Hastings Wildlife Management Area in Dakota County, and the Raguet Wildlife Management Area in Scott and Carver Counties are:

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

[For text of subp 5, see M.R.]

Subp. 6. **Areas closed to hunting only.** The following wildlife management areas are closed to the hunting of all species:

A. Hearding Island and Interstate Island Wildlife Management Area Areas in St. Louis County;~~the;~~

B. Pine City Wildlife Management Area in Pine County;

C. Wesley E. Olson Wildlife Management Area in Big Stone County;

D. Tom Cliff Wildlife Management Area in Waseca County;

E. Somsen Wildlife Management Area in Brown County;

F. that portion of the Perched Valley Wildlife Management Area located in Section 6, Township 112 North, Range 13 West, and Section 31, Township 113 North, Range 13 West, lying north and east of Highway 61; and the

G. Carl and Verna Schmidt and Bur Oak Wildlife Management Areas in LeSueur County are closed to the hunting of all species.

[For text of subs 7 and 8, see M.R.]

Subp. 9. **Areas closed to firearms deer hunting.** The Lake Blanche Wildlife Management Area in Otter Tail County, ~~the Gordon F. Yeager Wildlife Management Area in Olmstead County,~~ and a portion of the Timber Lake Wildlife Management Area (as posted) in Jackson County are closed to firearms deer hunting.

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

Subp. 11. **Areas with other restrictions.**

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

C. The Bass Brook Wildlife Management Area in Itasca County is closed to trapping and firearms hunting. It is open to archery deer hunting.

D. The Mentel Wildlife Management Area in Mower County is closed to all firearms hunting, but open for trapping and archery hunting.

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

Subp. 13. **Lead shot prohibited on posted managed dove fields.** A person may not use or possess lead shot while hunting doves on posted managed dove fields in state wildlife management areas.

6230.0290 BECKLIN HOMESTEAD PARK WILDLIFE MANAGEMENT AREA.

The Becklin Homestead Park Wildlife Management Area is open to hunting and trapping during the established seasons only to disabled hunters and trappers who meet the requirements of *Minnesota Statutes*, section 97B.055, subdivision 3, paragraphs (a) and (b).

6230.0295 VERMILLION HIGHLANDS WILDLIFE MANAGEMENT AREA.

Subpart 1. **Hunting.** The Vermillion Highlands Wildlife Management Area located in Dakota County is closed to all hunting and trapping except:

A. archery, firearms, and muzzleloader deer hunting by special permit only;

B. pheasant hunting starting on the day following the close of the muzzleloader deer season through the end of the statewide pheasant season;

C. late season goose hunting;

D. trapping by special permit only; and

E. spring turkey hunting.

Subp. 2. **Restrictions on hunting.** Persons may not hunt pheasants within the Vermillion Highlands Wildlife Management Area except when their vehicles are occupying designated pheasant hunting parking stalls in designated parking lots. Persons other than those hunting pheasants in the Vermillion Highlands Wildlife Management Area may not occupy a designated pheasant hunting parking stall in a designated parking lot.

Proposed Rules

6230.0400 SPECIAL PROVISIONS FOR STATE GAME REFUGES.

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

Subp. 9. **Elizabeth and German Lake Game Refuge Refuges, Isanti County.** The Elizabeth and German Lake Game Refuge Refuges in Isanti County is are open to: all hunting and trapping, except waterfowl. Youth who are accompanied by a nonhunting adult and participating in a mentoring program approved by the commissioner may hunt Canada geese during the early goose season and waterfowl on youth waterfowl day.

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

[For text of subps 10 and 11, see M.R.]

Subp. 12. **Fish Lake-Ann River Game Refuge, Kanabec County.** The Fish Lake-Ann River Game Refuge in Kanabec County is open to all hunting and trapping, except waterfowl.

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

Subp. 14. [See repealer.]

[For text of subps 15 to 23, see M.R.]

Subp. 24. **Linn Lake Game Refuge, Chisago County.** The Linn Lake Game Refuge in Chisago County is open to: all hunting and trapping.

A: small game hunting, except waterfowl;

B: trapping;

C: deer and bear hunting by firearms; and

D: deer and bear hunting by archery.

[For text of subps 25 to 32, see M.R.]

Subp. 33. **Ocheda Lake Game Refuge, Nobles County.** The Ocheda Lake Game Refuge in Nobles County is open to trapping:

A. small game hunting, except from the first day of the regular duck season through December 1;

B. trapping;

C. waterfowl hunting on youth waterfowl day;

D. Canada goose hunting during the early and late seasons, except that hunting is prohibited within 100 yards of surface water during the early goose season; and

E. deer hunting by firearms and archery, except from the first day of the regular duck season through December 1.

Subp. 34. **Park Rapids Game Refuge, Hubbard County.** The Park Rapids Game Refuge in Hubbard County is open to trapping and deer hunting by archery.

[For text of subps 35 to 38, see M.R.]

Subp. 39. **Rochester Refuge, Olmsted County.** The Rochester Refuge in Olmsted County is open to:

A. small game hunting, except waterfowl other than geese. Geese may be taken during the early goose season only;

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

[For text of subps 40 to 51, see M.R.]

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

Subp. 53. **Austin Game Refuge, Mower County.** The Austin Game Refuge in Mower County is open to deer hunting by archery all hunting and trapping.

[For text of subps 54 to 58, see M.R.]

Subp. 59. **Lake Bemidji State Park, Beltrami County.** The southern unit of Lake Bemidji State Park, located within the city limits of Bemidji, is open to deer hunting by archery.

6230.0700 LAC QUI PARLE SPECIAL PROVISIONS.

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

Proposed Rules

Subp. 4. **Limitation on number of shells possessed.** Only persons hunting may bring shotgun shells into the controlled hunting zone. A waterfowl or small game hunter may not bring in more than ~~six~~ 12 shells per ~~day~~ trip or have in possession more than ~~six~~ 12 shells at any one time.

[For text of subps 5 and 6, see M.R.]

Subp. 7. **Limitation on number of trips.** ~~Waterfowl and small game hunters are limited to three trips per season either as a guest or a successful applicant except when vacancies exist.~~ Hunters are limited to ~~one trip~~ two trips per day to the hunting stations.

6230.0800 THIEF LAKE SPECIAL PROVISIONS.

[For text of subps 1 to 4, see M.R.]

Subp. 5. **Limitation on number of shells possessed.** Only persons hunting may bring shotgun shells into the controlled hunting zone. A hunter may not bring more than ~~six~~ 12 shells per trip into the controlled hunting zone or have more than ~~six~~ 12 shells in possession at any one time.

[For text of subps 6 and 7, see M.R.]

6232.0200 DEFINITIONS.

[For text of subps 1 to 9, see M.R.]

Subp. 10. **Antler point.** “Antler point” means an antler projection measuring at least one inch in length when measured from the base to the tip.

Subp. 11. **Earn-a-buck hunt.** “Earn-a-buck hunt” means a hunt in which a hunter must tag at least one antlerless deer before tagging a legal buck.

6232.0300 GENERAL RESTRICTIONS FOR TAKING DEER.

Subpart 1. ~~**Zone and date**~~ **Season options.** A firearm deer hunter may purchase a firearm license valid for the regular firearms deer season or a youth firearms license. ~~A muzzleloader deer hunter may purchase a muzzleloader license valid for the muzzleloader season, a multizone buck license to take antlered deer in more than one zone, an all-season deer license, or a resident youth muzzleloader license. A hunter purchasing a resident youth license or a regular firearm license, including a hunter choosing a muzzleloader option, must select only one of the zone and date options listed on the license. For the regular firearm season, a hunter must select either the A or B season and this choice option will be printed on the license at the time of purchase. A person may only hunt deer by firearms within the zone and date options season option indicated on the person’s firearm license., except:~~

A. as prescribed in part 6232.1970, subpart 2, if adopted; and

B. a firearm license for any season option is valid in:

(1) the Metropolitan Deer Management Zone under part 6232.4700, subpart 158, if adopted;

(2) deer permit areas open for early antlerless hunting; and

(3) the special bovine tuberculosis area (deer permit area 101).

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

Subp. 5. **Tagging.** The tag of the license valid for the taking of the deer must be affixed around the tendon or bone of a hind leg, around the base of an antler, or through a slit cut in either ear ~~so that the tag cannot be readily removed.~~

[For text of subps 6 and 7, see M.R.]

Subp. 8. **Bag limit.** ~~A person may not tag more than one legal buck per calendar year using any combination of licenses. A person may not tag more than one deer during a license year by any method, except as authorized in items A to D H.~~

A. ~~In Marshall, Kittson, Roseau, Lake of the Woods, and Pennington Counties deer areas designated as managed or intensive, a person may tag one deer with a regular an archery license and another with a regular, firearms license, including the or muzzleloader option or multizone buck license. Both deer must be taken and registered in this five-county area.~~

B. A person may tag a ~~second, third, fourth, or fifth~~ deer by archery, firearm, or muzzleloader with a bonus permit in specified areas as prescribed in this chapter.

C. In no case may a person tag more than five deer per year by firearms, archery, muzzleloader, or ~~both~~ all methods combined, except ~~a sixth deer may be tagged if the person takes a deer with a free landowner permit additional deer may be taken as provided in items D, subitem (4); E; F; and G.~~

D. Except as provided in items E, F, and G, the total bag limits by deer permit area are as follows:

Proposed Rules

(1) the total bag limit for lottery deer permit areas is one deer, ~~except all-season license holders may take two deer;~~
(2) the total bag limit for managed deer permit areas is two deer, ~~except all-season license holders may take up to three deer.~~
Archery, firearms, and muzzleloader hunters using bonus permits may not harvest antlerless deer in more than one managed deer permit area;

[For text of subitems (3) and (4), see M.R.]

E. Up to two antlerless deer may be taken in the early antlerless deer areas as prescribed in part 6232.1750. These deer may be taken in addition to the bag limit established in item C.

F. Hunters hunting in the Metropolitan Deer Management Zone under part 6232.4700, subpart 158, if adopted, may take and tag an unlimited number of deer.

G. Hunters hunting in the special bovine tuberculosis area (deer permit area 101) may take and tag an unlimited number of deer.

H. Muzzleloader and archery deer hunters hunting in deer permit areas 300 to 399 may take deer under the most liberal bag limits prescribed for the deer permit area.

[For text of subp 9, see M.R.]

6232.1300 SEASONS FOR TAKING DEER BY FIREARMS.

[For text of subs 1 to 4, see M.R.]

Subp. 4a. **Metropolitan Deer Management Zone.** Legal bucks and antlerless deer may be taken in the Metropolitan Deer Management Zone beginning on the Saturday nearest November 6 and ending on the last day of the final firearms deer season. The Metropolitan Deer Management Zone is deer permit area 601 according to part 6232.4700, subpart 158, if adopted.

[For text of subs 5 and 6, see M.R.]

6232.1950 TAKING DEER BY FIREARMS OR MUZZLELOADERS UNDER BONUS PERMITS.

Subpart 1. **Purchase.** The purchase of a bonus permit is authorized for any person who has purchased and presents a regular firearms or muzzleloader deer license for the current year. Bonus permits may be purchased for one-half the cost of a regular license from electronic license system agents, the Department of Natural Resources License Center, and other authorized agents.

Subp. 2. Restrictions.

A. Bonus permits may be used to take antlerless deer by firearms during the regular firearms and muzzleloader seasons as follows: if the person has a valid license for that season.

A.B. for During the regular firearms season, hunters must have a regular firearms license valid for the appropriate zone and time option, except the muzzleloader option, to take deer under a bonus permit in the respective zone and time period for which the license is valid; and muzzleloader seasons, one bonus permit may be used to take an antlerless deer in one managed deer permit area as prescribed in part 6232.1750. Up to four bonus permits may be used to take antlerless deer in intensive deer permit areas as prescribed in part 6232.1750 and in special hunt areas as prescribed in part 6232.1600; and or 6232.2100.

B. for the muzzleloader season, one bonus permit may be used to take an antlerless deer in one managed deer permit area as prescribed in part 6232.1750. Up to four bonus permits may be used to take antlerless deer in intensive deer permit areas as prescribed in part 6232.1750 and in special hunt areas prescribed by the commissioner.

6232.2100 MUZZLELOADER SEASON AND AREAS.

Subpart 1. **Season.** The muzzleloader season is the 16-day deer season beginning the Saturday nearest November 27. Special permit areas may be open for less than 16 days. ~~Persons selecting this season may not hunt deer by firearms during the regular firearms season.~~

Subp. 2. [See repealer.]

[For text of subp 3, see M.R.]

6232.2800 GENERAL REGULATIONS FOR TAKING BEARS.

Subpart 1. **Bag limit.** A person may not take more than one bear in quota areas and two bears in no-quota areas during any calendar year whether by firearm or archery. Bears taken may be of either sex or any age except that bear cubs may not be taken.

[For text of subs 2 to 8, see M.R.]

6232.3100 BEAR NO-QUOTA AREA.

Licenses for the no-quota area are not limited in number and may be purchased ~~from a county auditor's office, county auditor's~~

Proposed Rules

subagents in Pine, Kanabec, Roseau, and Marshall Counties, or the License Bureau at an electronic licensing system (ELS) agent, ELS-Internet, or ELS-Telephone. A person may not purchase a license for both a quota area and the no-quota area in the same year. No-quota licenses are valid only in the no-quota area.

6234.0200 TAKING RUFFED GROUSE AND SPRUCE GROUSE.

Subpart 1. **Open season.** Ruffed grouse and spruce grouse may be taken by firearm or bow and arrow from the Saturday on or nearest September 16 to ~~December 31~~ January 1, except when January 1 is a Thursday, Friday, or Saturday, the season closes the following Sunday.

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

6234.0400 TAKING PHEASANTS.

Subpart 1. **Open season.** Only cock (male) pheasants may be taken by firearm or bow and arrow from the Saturday on or nearest October 13 to ~~December 31~~ January 1, except when January 1 is a Thursday, Friday, or Saturday, the season closes the following Sunday. Shooting hours are from 9:00 a.m. to sunset each day.

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

6234.0500 TAKING GRAY PARTRIDGE.

Subpart 1. **Open season.** Gray (Hungarian) partridge may be taken by firearm or bow and arrow from the Saturday on or nearest September 16 to ~~December 31~~ January 1, except when January 1 is a Thursday, Friday, or Saturday, the season closes the following Sunday.

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

6236.0900 SPECIAL PROVISIONS FOR TAKING TURKEYS.

[For text of subps 1 to 5, see M.R.]

Subp. 6. Hunting with aid of bait or feed prohibited.

A. A person may not hunt turkey:

(1) with the aid or use of bait or feed; or

(2) in the vicinity of bait or feed if the person knows or has reason to know that bait or feed is present.

B. An area is considered baited for ten days after the complete removal of all bait or feed.

C. For purposes of this subpart, "bait or feed" includes grains, fruits, vegetables, nuts, or other food that is capable of attracting or enticing turkey and that has been placed by a person. Food that has not been placed by a person and resulting from normal or accepted farming, forest management, wildlife food plantings, orchard management, or other similar land management activities is not bait or feed.

D. A person otherwise in compliance with this subpart who is hunting on private or public property that is adjacent to property where bait or feed is present is not in violation of this subpart if the person has not participated in, been involved with, or agreed to baiting or feeding wildlife on the adjacent property.

6240.0400 TAKING OF RAILS.

Subpart 1. **Open season.** Sora and Virginia rails may be taken from September 1 to ~~November 4~~ the end of woodcock season as prescribed under part 6240.0300. King rails may not be taken or possessed.

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

6240.0500 TAKING OF WILSON'S COMMON SNIPE.

Subpart 1. **Open season.** ~~Wilson's Common snipe (Jacksnipe)~~ may be taken from September 1 to ~~November 4~~ the end of woodcock season as prescribed under part 6240.0300.

Subp. 2. **Daily limit.** A person may not take more than eight ~~Wilson's common snipe~~ per day during the open season.

6240.0610 YOUTH WATERFOWL HUNTING DAYS.

Subpart 1. **Dates, eligibility, and license requirements.** Ducks, mergansers, coots, moorhens, and Canada geese may be taken statewide on ~~special youth waterfowl hunting days~~ the Saturday nearest September 17 by hunters 15 years of age or younger. An adult mentor 18 years of age or older, who is authorized by the youth's parent or guardian, must accompany the youth hunter at all times during the hunt. The accompanying adult may not hunt. No hunting license or waterfowl stamps are required.

Proposed Rules

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

6240.1750 TAKING GEESE IN NORTHWEST GOOSE ZONE.

Subpart 1. **Open season.** The open season for taking Canada geese in the Northwest Goose Zone, described in part 6240.0860, begins the first Saturday in September, except the season begins on Sunday, September 1, in any year when the first Saturday falls on September 7. The season closes on September ~~15~~ 22.

Subp. 2. **Daily limits.** A person may not take more than ~~two~~ five Canada geese per day during the early season.

6240.1850 REFUGES OPEN TO THE TAKING OF GEESE.

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

Subp. 2. **Game refuges.** The Fox Lake Game Refuge in Martin County and the Saint James Game Refuge in Watonwan County are open to goose hunting during the first three days of the regular goose season in the respective zones in which they are located. The Fox Lake Game Refuge is open to goose hunting from the ~~last Saturday on or nearest November 26 of the December~~ Canada goose season to the end of the goose season in the zone in which it is located, except there is no goose hunting within 100 yards of Fox and Temperence Lakes.

Subp. 3. **Waterfowl refuges.** The Harstad Slough Waterfowl Refuge in Stevens County is open to Canada goose hunting during the early September goose season. The Mud-Bardwell Waterfowl Refuge in Martin County is open to Canada goose hunting from the Saturday on or nearest ~~October 30~~ November 1 to the end of the goose season in the zone in which it is located, except there is no goose hunting within 100 yards of Mud and Bardwell Lakes. The Rickert Lake Waterfowl Refuge in Steele County is open to Canada goose hunting during the early September goose season. The waterfowl sanctuary within this refuge is closed to hunting and trespass, as posted.

6240.2100 DESIGNATED MIGRATORY WATERFOWL FEEDING AND RESTING AREAS.

Subpart 1. **Designation of entire lakes.** The following lakes are designated as migratory waterfowl feeding and resting areas:

	Name	Location	County
A.	Bakers Lake	T.114N; R.29W	McLeod
B.	Bear Lake	T.101N; R.22W	Freeborn
C.	Big Rice Lake	T.140, 141N; R.26W	Cass
D.	Cottonwood Lake	T.106N; R.25W	Blue Earth
E.	Diamond Lake	T.110N; R.23W	Le Sueur
F.	Dora Lake	T.110N; R.23W	Le Sueur
G.	Lake Johanna	T.123N; R.36W	Pope
H.	Lake Lillian	T.117N; R.33, 34W	Kandiyohi
I.	Little Puposky Lake	T.149N; R.33, 34W	Beltrami
J.	Mud Lake	T.131N; R.43W	Otter Tail
K.	Mud Lake	T.114N; R.26W	Sibley
L.	Nelson Lake	T.124N; R.38W	Pope
M.	Oakleaf Lake	T.110N; R.26W	Nicollet
N.	Pleasant Lake	T.113N; R.23W	Scott
O.	Puposky Lake	T.149N; R.33, 34W	Beltrami
P.	Rice Lake	T.148, 149N; R.27W	Itasca
Q.	Rice Lake	T.111N; R.23W	Le Sueur
R.	Sanborn Lake	T.112N; R.23W	Le Sueur
S.	Scotch Lake	T.110N; R.25W	Le Sueur
T.	Squaw Lake	T.148, 149N; R.27W	Itasca
U.	Tiger Lake	T.115N; R.26W	Carver
V.	Turtle Lake	T.148N; R.39W	Polk
W.	Unnamed Lake	T.114N; R.29W; S.28	McLeod
X.	Upper Rice Lake	T.145N; R.36, 37W	Clearwater
Y.	Wagonga Lake	T.118, 119N; R.34, 35W	Kandiyohi
Z.	Washington Lake	T.114N; R.26W	Sibley

Proposed Rules

<u>AA.</u>	<u>Goose Lake</u>	<u>T.143N; R.23W</u>	<u>Cass</u>
<u>BB.</u>	<u>Lake Henry</u>	<u>T.110N; R.25W</u>	<u>Le Sueur</u>
<u>CC.</u>	<u>Mud Lake</u>	<u>T.144N; R.23W</u>	<u>Cass</u>
<u>DD.</u>	<u>Thielke Lake</u>	<u>T.122N; R.46W</u>	<u>Big Stone</u>

[For text of subps 2 to 9, see M.R.]

REPEALER. Minnesota Rules, parts 6230.0400, subpart 14; 6230.1200; 6232.0100, subpart 5; 6232.2100, subpart 2; 6237.0600; and 6237.0700, are repealed.

Executive Orders

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

Office of the Governor

Emergency Executive Order #09-09: Providing for Assistance to the Minnesota Department of Natural Resources

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

WHEREAS, by May 20, 2009, the fire danger in Hennepin, Ramsey, Anoka, Wright, Sherburne, Isanti, Chisago, and Washington Counties of Minnesota has escalated to very high to extreme fire danger rating; and

WHEREAS, continued dry conditions with high winds have put much of Minnesota into a Red Flag warning category; and

Executive Orders

WHEREAS, the Minnesota Department of Natural Resources and Minnesota Interagency Fire Center (MIFC) do not have adequate local resources for providing air wildfire suppression; and

WHEREAS, the Minnesota Department of Natural Resources has requested two helicopters for air fire suppression missions from the Minnesota National Guard;

NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to state active duty on or about May 20, 2009, in the service of the State, such personnel and equipment of the military forces of the State as required and for such period of time as necessary to assist and support air wildfire suppression in Northwestern Minnesota.
2. The Adjutant General is authorized to purchase, lease or contract goods or services necessary to accomplish the mission.
3. The cost of subsistence, transportation, fuel, pay and allowances of said individuals shall be defrayed from the general fund of the State, as provided for in *Minnesota Statutes* 2008, Sections 192.49, 192.52 and 192.54.

Pursuant to *Minnesota Statutes* 2008, Section 4.035, Subdivision 2, this Order is effective immediately and shall remain in effect until such date as elements of the military forces of the State are no longer required.

IN TESTIMONY WHEREOF, I have set my hand this 20th day of May, 2009.

Signed: **TIM PAWLENTY**
Governor

Filed According to Law:

Signed: **MARK RITCHIE**
Secretary of State

Official Notices

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

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

Official Notices Go to Work for You

As part of our Subscriber's Service the *State Register* indexes all Official Notices, including the current volume as it grows. Only as a subscriber can you view this. Open the *State Register* and click on Bookmarks in the upper left corner. You will see a list of the growing index, and have fast access to all the indices to the *State Register*. You also receive a summarized "Contracts & Grants" section of Bids still open. Subscribe today. Subscriptions cost \$180 a year (an \$80 savings). Here's what you'll get:

- E-mailed to you . . . its so easy
- All Contracts & Grants Open for Bid
- Early delivery, on Friday
- Updates to Index to Vol. 33
- WORD SEARCH Capability
- Easy Access to *State Register* Archives
- LINKS, LINKS, LINKS
- Indexes to Vol. 27 - Vol. 33

We e-mail it to you, at the 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

Minnesota Board of Pharmacy Request for Comments on Possible Amendment to Rules Governing the Scheduling of Controlled Substances *Minnesota Rules, 6800.4210 et. seq.*

Subject of Rules. The Minnesota Board of Pharmacy requests comments on its possible amendment to rules governing the scheduling of controlled substances. The Board is considering rule amendments that will add certain drugs and substances currently found in the federal controlled substances schedules to Minnesota's schedules.

Persons Affected. The amendment to the rules would affect pharmacists, pharmacist-interns, pharmacy technicians and other individuals employed in pharmacies and practitioners who are authorized to prescribe controlled substances. Changes to schedule I would affect law enforcement agencies, courts that hear criminal cases involving violations of the state controlled substances laws and individuals charged with such crimes.

Statutory Authority. *Minnesota Statutes*, section 151.02 Subds. 7, 8 and 12, authorize the Board to adopt rules to add, delete or reschedule controlled substances and to coordinate the state's regulation of controlled substances with federal law.

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

Rules Drafts. The Board will prepare a draft of the possible rule amendments which will be available for review on the Board's website (www.phcybrd.state.mn.us).

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules, and requests for more information on these possible rule amendments should be directed to: Cody Wiberg, Executive Director - by mail at Minnesota Board of Pharmacy, 2829 University Avenue SE #530, Minneapolis, MN 55414; by **telephone** at: (651) 201-2825; by **fax** at: (651) 201-2837; or by **e-mail** at: cody.wiberg@state.mn.us. **TTY** users may call the Board at (800) 627-3529.

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

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

Dated: May 26, 2009

Cody Wiberg, Executive Director
Minnesota Board of Pharmacy

Minnesota Pollution Control Agency Regional Division

Notice of Availability of Draft Byllesby Reservoir Site Specific Standard and Request for Comment Public Comment Period Begins: May 26, 2009

Public Comment Period Ends: June 26, 2009

The Minnesota Pollution Control Agency (MPCA) is requesting comments on a proposed site specific standard for the Byllesby Reservoir. Information pertaining to the site specific standard is available for review at:

<http://www.pca.state.mn.us/water/tmdl/tmdl-draft.html>

Written comments on the proposed site specific standard must be sent to the MPCA contact person listed below by 4:30 P.M., on June 26, 2009.

Procedural Background

MPCA staff is in the process of completing a Total Maximum Daily Load (TMDL) study for the Byllesby Reservoir. As part of the TMDL development process, MPCA staff developed a site specific eutrophication standard for the reservoir. These site specific eutrophication standards were shared with the public by way of multiple meetings (2006-2007), press releases and informational material (see attachments). Before the TMDL can be finalized, the site specific standard for the reservoir must be public noticed and approved by the MPCA and the U.S. Environmental Protection Agency (EPA). This effort marks the first development of a site specific eutrophication standard for a reservoir in EPA Region 5.

Byllesby Reservoir Background

The Byllesby Reservoir (DNR Bulletin 25 Lake ID #19-0006) lies in southeastern Minnesota, near the communities of Randolph and Cannon Falls. The reservoir's watershed is large: 730,000 acres (1.3 percent of the state of Minnesota). The Cannon River drains sizeable areas of Le Sueur, Waseca, Steele, Rice, Goodhue and Dakota Counties before it widens to become the Byllesby Reservoir near Highway 56 at Randolph. The reservoir itself includes approximately 1,380 acres of open water. Byllesby is relatively shallow: its mean depth is estimated at 9 feet, and its max depth approximately 45 feet, at a small hole near the north end of the dam. At the dam near Cannon Falls, the river leaves the reservoir and drops significantly as it flows downstream toward Red Wing and the Mississippi River.

Both point and nonpoint sources of pollution contribute to the phosphorus impairment of the reservoir. Point sources refer to pollutants routed through a specific and identifiable conveyance, like a pipe. Nonpoint sources refer to pollutants that travel to surface waters via overland runoff or from near-channel erosion. Phosphorus levels can be elevated by erosion from fields and construction sites, urban runoff, eroding streambanks, and municipal and industrial wastewater discharges.

The Byllesby Reservoir Phosphorus TMDL is being developed by a collaboration of the MPCA, MN Department of Natural Resources, several cities in the basin, and the Cannon River Watershed Partnership, which includes via its Board of Directors and membership body representatives from the watershed's county commissions, soil and water conservation districts and general public.

Site Specific Standard Background

Minnesota Rule Chapter 7050 provides the legal basis for consideration and adoption of site specific eutrophication standards (<https://www.revisor.leg.state.mn.us/rules/?id=7050.0222>).

Official Notices

As stated in the rule, reservoirs, by their very nature are not conducive to grouping by ecoregion for the purpose of determining water quality targets – see 7050.0222, Subpart 4a, item E:D. When applied to reservoirs, the eutrophication standards in this subpart and subpart 4 may be modified on a site-specific basis to account for characteristics unique to reservoirs that can affect trophic status, such as water temperature, variations in hydraulic residence time, watershed size, and the fact that reservoirs may receive drainage from more than one ecoregion. Information supporting a site-specific standard can be provided by the commissioner or by any person outside the agency. The commissioner shall evaluate all data in support of a modified standard and determine whether a change in the standard for a specific reservoir is justified. Any total phosphorus effluent limit determined to be necessary based on a modified standard shall only be required after the discharger has been given notice of the specific proposed effluent limits and an opportunity to request a hearing as provided in part 7000.1800.

The site specific standard recommends the following values for the Bylesby Reservoir:

- Total phosphorus < 90 parts per billion (ppb) as a summer-mean as measured in the combined transitional and near-dam segments.
- Viable chlorophyll-a < 30 ppb as a summer-mean as measured in these two segments.
- Secchi as a summer-mean of 0.8 m or greater as measured in these two segments.

For further detail and explanation regarding these values, see the case file and supporting documents at:

<http://www.pca.state.mn.us/water/tmdl/tmdl-draft.html>

Preliminary Determination on the Draft Site Specific Standard

The MPCA Commissioner has made a preliminary determination to submit this site specific standard to the EPA for final approval. The proposed site specific standard and a fact sheet are available for review at the MPCA office at the address listed below and at the MPCA Web site: <http://www.pca.state.mn.us/water/tmdl/tmdl-draft.html>

Comments to the proposed site eutrophication specific standard will be considered before is sent to the EPA for approval.

Written Comments: You may submit written comments on the proposed site specific eutrophication standard for Lake Bylesby or on the Commissioner's preliminary determination.

Written comments must include the following:

1. A statement of your interest in the proposed site specific standard;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the proposed site specific standard that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

In addition to submitting comments, a request may be made for either a public informational meeting and/or a MPCA Citizens' Board Information item.

Request for Public Informational Meeting: A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues. A request for a public informational meeting must include the following:

1. A statement identifying the matter of concern;
2. A statement of the reasons the MPCA should hold a public informational meeting; and
3. The issues that you would like the MPCA to address at the public informational meeting.

Request for a MPCA Citizens' Board Information item request: A request for a MPCA Citizens' Board Information Item must include the following:

1. A statement identifying the matter of concern;
2. A statement of the reasons the MPCA should hold a Citizens' Board Information Item; and
3. The issues that you would like the MPCA to address at the Citizens' Board Information Item.

The need for a public meeting or a MPCA Citizen's Board Information item will be considered by the Commissioner. Should the Commissioner determine that a public meeting or MPCA Citizen's Board Information is not warranted, the requesting party will receive

written notification of such.

Agency Contact Person: Written comments and requests for more information should be directed to:

Justin Watkins
MPCA – Southeast Region
18 Wood Lake Drive SE
Rochester, MN 55904
Phone: (507) 281-7763
1-800-657-3864
Fax: (507) 280-5513
E-mail: justin.watkins@pca.state.mn.us
Web: <http://www.pca.state.mn.us/water/tmdl>
TTY users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

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.

Applying for Grants

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:

- **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**

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.

State Grants & Loans

Minnesota Housing Finance Agency

Notice of Request for Proposals (RFP) for Administrators for the Homeownership Education, Counseling and Training Fund (HECAT)

The Minnesota Housing Finance Agency (Minnesota Housing), along with the Minnesota Home Ownership Center (the Center), the Family Housing Fund and Greater Minnesota Housing Fund (GMHF) announces that they are accepting proposals for anticipated limited funds availability under the Homeownership Education, Counseling and Training Fund (HECAT) for pre- and post-purchase education, pre- and post purchase counseling, home equity conversion counseling, and foreclosure counseling. The purpose of this RFP is to provide financial support to eligible non-profit organizations to deliver a variety of homebuyer/homeowner education, counseling and training services to Minnesotans.

Proposals are hereby solicited from community-based non-profit organizations as defined in Minnesota Statutes 1992, section 462A.03, subdivision 22.

The original application and all attachments **plus** two (2) copies of the application and all attachments must be *received by* Minnesota Housing, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101-1998 on or before 5:00 p.m., Thursday, July 2, 2009. Faxed, emailed, or late applications will not be accepted. All proposals will be evaluated in accordance with documented threshold requirements and strategic selection priorities.

Interested applicants should obtain a proposal packet that contains specific information and instructions for proposal submission from Minnesota Housing's web site at www.mnhousing.gov or by contacting Fran Gustafson at Minnesota Housing, (651) 296-8215 or 1-800-710-8871. The TDD number is (800) 297-2361. Proposal packets will be available on the web site in a PDF fillable format on approximately June 4, 2009.

State Contracts

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

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

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

\$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600

\$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days;

\$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and

anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar day

Subscribe to the *State Register*

A summarized "Contracts & Grants" section lists **all contracts and grants** currently open for bid. It is available **only to subscribers** to the *State Register*. Subscribers also receive LINKS to the *State Register*, as well as Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. 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

Minnesota State Colleges and Universities (MnSCU)

Anoka Technical College

Opportunity for Proposals on HYBRID BOOKSTORE

GENERAL STATEMENT/SCOPE:

The college is seeking proposals from vendors to operate a "hybrid bookstore". A hybrid bookstore is defined as a bookstore that sells college textbooks, materials and logo-wear on site at the college, as well as via the internet.

TO RECEIVE A COMPLETE COPY OF THE PROPOSAL REQUEST/SPECS, PLEASE CONTACT PAMELA MOGENSEN, (763) 576-4785.

Proposals must be sealed with a notation on the outside of the envelope that states: HYBRID BOOKSTORE PROPOSAL – DELIVER IMMEDIATELY. Mail or deliver (**faxes will not be accepted**) sealed proposal by MONDAY, JUNE 8, 2009, NO LATER THAN 2 PM to:

Anoka Technical College
Purchasing Office Room 197
Attn. Pamela Mogensen
1355 West Highway 10
Anoka, Minnesota 55303
PHONE: (763) 576-4785

BID CLOSE DATE IS MONDAY, JUNE 8, 2009 – 2 PM

State Contracts

Minnesota State Colleges and Universities (MnSCU) Dakota County Technical College Sealed Bids Sought for Land Surveying Equipment

NOTICE IS HEREBY GIVEN that Dakota County Technical College will receive Sealed bids for Land Surveying Equipment. Bid specifications will be available by contacting Pat Adams at (651) 423-8236 or via e-mail at: *Patricia.Adams@dctc.edu*.

Sealed bids must be received by 2:00 June 2, 2009 at the following location:

Pat Adams
Dakota County Technical College
1300 - 145th St. E.
Rosemount, MN 55068

Dakota County Technical College reserves the right to reject any or all bids and to waive any irregularities or informalities in bids received. The College further reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota State Colleges and Universities (MnSCU) Hennepin Technical College Notice of Availability of Request for Proposal (RFB) for Customized Training Services Remodeling Selection for Hennepin Technical College, Brooklyn Park and Eden Prairie Customized Training Services Remodeling

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Hennepin Technical College, is soliciting proposals from interested, qualified contractors and intends to retain a vendor to complete remodeling projects for Customized Training Services at Brooklyn Park and Eden Prairie campuses of Hennepin Technical College. The projects include but are not limited to: masonry, casework, joint sealants, hollow metal frames, wood doors, aluminum storefront, steel studs and gypsum board, suspended ceiling systems, floor and wall finishes. Mechanical systems include fire protection, plumbing, heating, ventilation, air conditioning, temperature controls and communications, life safety and special systems.

An informational meeting is scheduled for 9:00 AM, Wednesday, May 27, 2009 in Room H193, on the Hennepin Technical College, Brooklyn Park campus, 9000 Brooklyn Boulevard, Brooklyn Park, MN 55445. Firms interested in this meeting should contact Diane Paulson, at *diane.paulson@hennepintech.edu* to sign up to attend the meeting. Project questions will also be taken by this individual.

Bidding documents as prepared by the Project Architect/Engineer; TSP, Inc., are on file at the offices of:

- 1) TSP, Inc
- 2) Builder's Exchanges of:
 - McGraw Hill Construction Plan Room
 - Minneapolis Builders Exchange
 - St Paul Builders Exchange
 - Reed Construction Data Plan Room
 - MEDA Minority Contractors Plan Room
 - National Association of Minority Contractors of Upper Midwest

Complete sets only of Bidding Documents for use by Bidders in submitting a bid may be obtained by calling:

TSP, Inc
Re: projects #05090950
(952) 474-3291

A refundable deposit of \$75.00 is required for each set.

Proposals must be delivered to Diane Paulson, VP Administrative Services, Hennepin Technical College, Brooklyn Park campus, 9000 Brooklyn Boulevard, Brooklyn Park, MN 55445, **not later than 2:00 PM, June 4, 2009**. Late responses will not be considered.

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

Minnesota State Colleges and Universities (MnSCU) Office of Chancellor Request for Bid: PRINT and FULFILLMENT of Go Places Publications

The Office of the Chancellor is requesting bids from qualified vendors for the printing and fulfillment of Go Places publications.

Specifications are available by visiting the website: <http://www.pa.mnscu.edu/goplacesrfb> or by contacting Christine McGing, Minnesota State Colleges and Universities, Wells Fargo Place, 30 7th St. E., Suite 350, St. Paul, Minnesota 55101, **phone:** (651) 297-2720, **e-mail:** christine.mcging@so.mnscu.edu.

Sealed bids must be received by NOON CDT, FRIDAY, JUNE 12, 2009.

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

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

Minnesota State Colleges and Universities (MnSCU) Metropolitan State University Request for Proposals for Commissioning of Building Systems Services

Advertisement for Proposals:

NOTICE IS HEREBY GIVEN that proposals will be received by the Director of Purchasing, Metropolitan State University, until 2:00 pm, June 11, 2009, for the purpose of the Commissioning of Building Systems Services.

Purpose of this Request for Proposal

Metropolitan State University (MSU) is requesting proposals for Commissioning of Building Systems services for the Metropolitan State University Classroom Addition Project. The construction project includes construction and remodeling of approximately 18,000 GSF of existing as well as partial replacement of a demolished building in order to provide technology-enhanced classrooms and academic program offices.

Minnesota State Colleges and Universities, MSU is seeking proposals from prospective firms to act as the Owner's Independent Commissioning Agent (CA) to provide Commissioning of Building Systems services for the Project. The CA shall work with the Owner's appointed Project Manager, the Owner's Office of the Chancellor Facilities Unit, the Architect/Engineer (A/E) design team, the Owner's Representative (OR), related consultants and the construction contractor(s) throughout the Project as applicable.

A full Request for Proposals is available on the MSU website: http://www.metrostate.edu/msweb/resources/depts_services/bldg_services/index.html.

State Contracts

Proposals shall be delivered to:

Metropolitan State University
Dave Peasley
Founders Hall, Room 329
Metropolitan State University
St. Paul, MN 55106-5000
E-mail: *Dave.Peasley@metrostate.edu*

Sealed proposals can be hand delivered to the cashiers' window at Founders Hall, Room 329 on the Saint Paul Campus or mailed at the above address. Proposals received after this date and time will be rejected and returned unopened.

Faxed submissions are not acceptable. E-mail is acceptable if followed by a hard copy. This request for proposal does not obligate the state to complete the proposal project and the state reserves the right to cancel the solicitation process if it is considered to be in its best interest.

All communications, questions, and requests for clarification from potential Respondents shall be sent via e-mail to:

Name: John Stelten, Sr. Project Manager
Title: Owner's Representative
Address: CPMI, 3265 Northwood Circle, Suite 170, Eagan, MN 55121
E-mail: *jstelten@cpmi.com*
Phone: (612) 963-1274

Minnesota State Colleges and Universities (MnSCU) Ridgewater College, Hutchinson, MN Advertisement for Bids for East Campus Remodel

Sealed Bids for: East Campus Remodel
Ridgewater College, Hutchinson MN

will be received by: Kip Oveson
Office #330
Ridgewater College
Two Century Ave
Hutchinson MN 55350

Until **2:00 p.m., local time, June 15, 2009**, at which time the bids will be opened and publicly read aloud.

Project Scope: interior demolition and remodeling of approximately 8,800 square feet. Demolition work includes removal of non-bearing concrete masonry walls, carpet, base, V.C.T. demountable walls, doors/frames, windows, suspended ceilings and related H.V.A.C., plumbing and electrical items. New construction includes: concrete masonry wall infill, concrete slab patching, window replacement, steel stud with gypsum board and acoustical insulation walls, doors/frames/hardware, suspended acoustical ceilings, casework and related H.A.V.C., plumbing and electrical work.

A Pre-Bid Meeting will be held at 10:00 AM on Monday, June 1, 2009 at Ridgewater's East campus located at 980 2nd Ave SE, Hutchinson MN 55350. The Pre-Bid meeting is mandatory for Prime Contractors. The Architect and/or College Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding Documents as prepared by the Project Architect: *Haugen Architecture Inc.*, are on file at the offices of the:

- 1) above named Project Architect
- 2) the offices of Facilities Management, Ridgewater College, Willmar campus
- 3) following Builders' Exchanges: Willmar, St. Cloud, St. Paul, and Minneapolis

- 4) McGraw Hill Construction Plan Room
- 5) Reed Construction Data Plan Room
- 6) MEDA Minority Contractors Plan Room
- 7) National Association of Minority Contractors of Upper Midwest

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

Haugen Architecture Inc.
13 Washington Ave W #203
Hutchinson MN 55350

A non-refundable deposit of \$100.00 is required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable payment (check made out to the Architect) for **\$35.00** per set for shipping & handling (in addition to the **\$100.00** deposit) to the Architect. Such deposits and payments may be sent prior to May 26, 2009, *when the Bid Sets become available*. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

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

Minnesota State Colleges and Universities (MnSCU) Ridgewater College, Willmar Campus Advertisement for Bids for 2009 Window Replacement Project

Sealed Bids for: 2009 Window Replacement Project
Science Building
Ridgewater College – Willmar Campus
Willmar, Minnesota

will be received by: Mr. Gary Myrhe
Administration Building
Ridgewater College
2101 15 Ave NW, PO Box 1097
Willmar, Minnesota 56201

Until **2:00 p.m., local time, June 2, 2009**, at which time the bids will be opened and publicly read aloud.

Project Scope: *Science Building: Eleven window replacements including demolition, installation, and related construction. General construction includes precast masonry, flashings, and minor interior patching of materials.*

A **Pre-Bid Meeting** will be held at 1:00 PM on Thursday, May 21, 2009 in Room H104, Administration Building, Ridgewater College, Willmar Campus. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding Documents as prepared by the Project Architect: **Judd Allen Group**, are on file at the offices of the:

- 1) above named Project Architect/Engineer
- 2) the offices of Facilities Management, Ridgewater College, Willmar campus
- 3) following Builders' Exchanges: Willmar, St. Cloud, St. Paul, and Minneapolis
- 4) McGraw Hill Construction Plan Room

State Contracts

- 5) Reed Construction Data Plan Room
- 6) MEDA Minority Contractors Plan Room
- 7) National Association of Minority Contractors of Upper Midwest

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

Judd Allen Group
8000 West 78th Street, Suite 180
Edina, MN 55439
Telephone (952) 224-5050

A refundable deposit of \$100.00 is required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable payment (check made out to the Architect) for **\$25.00** per set for shipping & handling (in addition to the **\$100.00** deposit) to the Architect. Such deposits and payments may be sent prior to **May 18, 2009**, when the Bid Sets become available. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

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

Minnesota State Colleges and Universities (MnSCU) South Central College Request for Proposals for Comprehensive Banking Services

South Central College is requesting proposals for comprehensive banking services with the intent to enter into a banking relationship for five (5) years commencing no later than October 1, 2009. All sealed proposals must be received at the following address not later than 2:00 p.m. on Monday, June 22, 2009.

Karen Snorek
South Central College
1225 Third Street S.W.
Faribault, MN 55021

For review, and criteria and submission requirements of the RFP is located at: <http://southcentral.edu/bankingrfp/>.

This RFP is undertaken by South Central College pursuant to the authority contained in provisions of *Minnesota Statutes* 136F.581 and other applicable laws.

Minnesota State Colleges and Universities (MnSCU) Winona State University Request for Bids for Media Services Wiring Supplies

NOTICE IS HEREBY GIVEN that Winona State University is seeking bids for media services wiring supplies. Bid specifications will be available Tuesday May 26 2009 by contacting Purchasing Department at PO Box 5838, 205 Somsen Hall, Winona, MN 55987, e-mail: 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, June 9, 2009.

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

Minnesota State Colleges and Universities (MnSCU) Winona State University Request for Proposals for the Purchase and Summer Installation of Artificial Turf

NOTICE IS HEREBY GIVEN that Winona State University is seeking proposals for the purchase and summer installation of artificial turf for their Athletic Field.

Proposal specifications will be available May 26, 2009 by contacting Steve Ronkowski at PO Box 5838, 203 Facilities Building, Winona, MN 55987, e-mail: sronkowski@winona.edu or by calling (507) 457-5099.

Sealed proposals must be received by Steve Ronkowski at PO Box 5838, or at 175 W. Mark St., 203 Facilities Building, Winona State University, Winona, MN 55987 by 2:00 PM CST Tuesday, June 2, 2009.

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

Department of Natural Resources (DNR) Notice of Availability of Contract for Invasive Species Audience Assessment

The Minnesota Department of Natural Resources is requesting proposals for the purpose of evaluating the knowledge of Minnesota recreationists about terrestrial invasive species and describing their behaviors and motivations with regard to activities believed to be at risk of spreading invasive pests.

Work is proposed to start in June 2009.

A Request for Proposals will be available by mail from this office through May 26, 2009. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After May 26, 2009, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Susan Burks
MNDNR Division of Forestry
500 Lafayette Rd
St Paul, MN 55155
Phone: (651) 259-5954

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 2:30 p.m. on June 1, 2009. **Late proposals will NOT be considered.** Fax or emailed proposals will **NOT** be considered.

State Contracts

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 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

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

Non-State Bids, Contracts & Grants

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

Metropolitan Council Contracting Opportunities

The Metropolitan Council posts all notices of Requests for Proposals (RFP) and Invitations for Bids (IFB) for all of its divisions on its website: <http://www.metrocouncil.org> (see **Doing Business with the Council, Contracting Opportunities**). Project-specific instructions for obtaining the solicitation documents are provided in each notice.

If you have any questions regarding this advertisement, or need assistance accessing the notices, please contact: Miriam, for Metropolitan Council projects, at (651) 602-1095 or miriam.lopez-rieth@metc.state.mn.us; or Candace, for Metro Transit projects, at (612) 349-5070 or 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 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.

Minnesota's Bookstore

660 Olive Street (Williams Hill Business Development), St. Paul, MN 55155

(1 block east of I-35E Bridge, 1 block north of University Ave.)

FREE PARKING

Phone: (651) 297-3000; Fax: (651) 215-5733

E-mail: <http://www.minnesotasbookstore.com>

**Great Books and Gifts for Your Reading Pleasure
and**

WE ARE "MAP CENTRAL"

--- WE HAVE **THOUSANDS** OF MAPS ---

