

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**
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State Register

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

- 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- Withdrawn Rules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
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Minnesota Rules: Amendments and Additions

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

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

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

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 Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*.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

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

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Proposed Rules

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

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

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

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

Department of Agriculture Rural Finance Authority

Proposed Permanent Rules Relating to Beginning Farmer Loans

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendments to Rules Governing the Agricultural Development Bond Beginning Farmer Loan Program; *Minnesota Rules* 1650.0511 and 1650.0531

Introduction. The Rural Finance Authority intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until **July 22, 2009**.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to: Carol Milligan, Minnesota Department of Agriculture, 625 Robert St. N., St. Paul, MN 55155-2538; **phone:** (651) 201-6606; **fax:** (651) 201-6118; e-mail: carol.milligan@state.mn.us. **TTD** users may call the Minnesota Relay at 1-800-627-3529.

Subject of Rules and Statutory Authority. The proposed rules are about complying with federal regulation changes on borrower eligibility requirements and maximum loan limits for the Agricultural Development Bond Beginning Farmer Loan Program. The statutory authority to adopt the rules is *Minnesota Statutes*, section 41C.13. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on **July 22, 2009** to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on **July 22, 2009**. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be

Proposed Rules

counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to affect 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.

Modifications. The proposed rules may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules unless the procedure under part 1400.2110 has been followed. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules.

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

Alternative Format. Upon request, this Statement can be made available in an alternative format, such as large print, Braille, or cassette tape. To make a request, contact Carol Milligan at Minnesota Department of Agriculture, 625 Robert St. N., St. Paul, MN 55155-2538; **phone:** (651) 201-6606, and **fax:** (651) 201-6118. **TDD** users may call the Department of Agriculture at 1-800-627-3529.

Dated: 4 June 2009

Peter Scheffert, Executive Director
Rural Finance Authority

1650.0511 DEFINITIONS.

[For text of subps 1 to 15, see M.R.]

Subp. 16. **First-time farmer.** "First-time farmer" means an individual who, together with the individual's spouse and minor children: meets the definition of first-time farmer as defined by *United States Code*, title 26, section 147(c).

A: ~~has not at any time had any direct or indirect ownership interest in agricultural farmland that is 30 percent or more of the median size farm in the county where located or that had a market value at any time in excess of \$125,000 unless the farm was disposed of while the individual was insolvent and code section 108 applied to indebtedness with respect to the farm; and~~

~~B: has not received other similar tax-exempt financing in any state in an amount that, together with the current loan, exceeds \$250,000.~~

[For text of subps 17 to 22, see M.R.]

1650.0531 OPERATION OF PROGRAM.

Subpart 1. Loan transactions and security.

A. The authority shall make unsecured loans to eligible borrowers for eligible purposes under a loan agreement between the authority as lender and the eligible borrower as borrower. The loans must be evidenced by promissory notes payable to the authority or its assigns.

B. A loan may not be made that violates any of the restrictions in subitems (1) to (6).

(1) ~~A loan may not exceed \$250,000 and may not finance more than \$62,500 of used depreciable agricultural property. loan amount limitations set forth in *United States Code*, title 26, sections 144 and 147(c).~~

[For text of subitems (2) to (6), see M.R.]

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

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

Proposed Rules

Minnesota Pollution Control Agency

Municipal Division

Proposed Permanent Rules Relating to Permit Fees

NOTICE OF HEARING

Proposed Amendments to Rules Governing Air and Water Permit Fees *Minnesota Rules*, Parts 7002.0016 to 7002.0310. *Minnesota Rules* Parts 7002.0300 and 7002.0305, Are Repealed

Public Hearing. The Minnesota Pollution Control Agency (MPCA) intends to adopt rules after a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules* 1400.2200 to 1400.2240 and the Administrative Procedures Act, *Minnesota Statutes*. §§ 14.131 to 14.20.

The MPCA will hold a hearing on the above-entitled rules at the MPCA's St. Paul office which will be broadcast via interactive video conference to MPCA's regional offices at the following locations on Tuesday, July 28, 2009:

MPCA St. Paul: 520 Lafayette Road North, St. Paul, Minnesota 55155
MPCA-Brainerd: 7678 College Road, Suite 105, Baxter, Minnesota 556425
MPCA-Duluth: 525 Lake Avenue South, Suite 400, Duluth, Minnesota 55802
MPCA-Marshall: 1420 East College Drive, Suite 900, Marshall, Minnesota 56258
MPCA-Rochester: 18 Wood Lake Drive Southeast, Rochester, Minnesota 55904
MPCA-Detroit Lakes: 714 Lake Avenue, Suite 220, Detroit Lakes, Minnesota 56501

Directions to the hearing locations may be found at: <http://www.pca.state.mn.us/about/regions/index.html>

The July 28th hearing will be comprised of an afternoon and an evening session. The afternoon session will start at 1:00 p.m. and the evening session will start at 6:00 p.m. that same day, and run until all parties are heard, or until the Administrative Law Judge adjourns.

NOTE: Access to the MPCA is controlled. To attend a hearing you will be asked to sign in at the security desk and provide photo identification, such as a Minnesota driver's license.

Additional days of hearing will be scheduled if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements may be submitted without appearing at the hearing. Video conference links are provided for the convenience of the public. The MPCA will be able to display any written documents presented at the hearing at its St. Paul office to all video conference sites. You may participate at any of the MPCA offices listed above. The MPCA shall post any exhibit that it intends to use or reference at the hearing on its Web site no later than noon on Friday, July 24, 2009. Anyone who anticipates using a document during the hearing is encouraged to file a copy of the document with the Administrative Law Judge prior to the hearing.

Please note: In the event that any video transmission link fails, the hearing will go forward in St. Paul as scheduled.

Administrative Law Judge. Administrative Law Judge Beverly Jones Heydinger will conduct the hearing. The Judge can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-7838, **fax:** (651) 361-7936, and **e-mail:** rulecomments@state.mn.us. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. You should direct questions about the rule hearing procedure to the Administrative Law Judge.

MPCA Contact Person. To request a written copy of the rules or the Statement of Need and Reasonableness (SONAR), the MPCA contact person is: Jim Brist, MPCA, 520 Lafayette Road North, St. Paul, MN 55155-4194; **Telephone:** (651) 757-2245 or 1-800-657-3864; **e-mail:** jim.brist@pca.state.mn.us. TTY users may call the MPCA at (651) 282-5332 or at 1-800-657-3864. Electronic copies of the rule, SONAR, and other background information are available at <http://www.pca.state.mn.us/permits/airwaterfees.html>

Subject of Rules and Statutory Authority. The proposed changes to *Minnesota Rules*, ch. 7002 are designed to provide a reasonable system to collect fees generally based on the Agency resources needed to issue and administer air and water permits.

Proposed Rules

The proposed amendments address three main areas of change. The first area of change is that these amendments develop a formula for the calculation and collection of fees associated with air and water permit applications. After receiving feedback from a stakeholder process and from hearings held throughout the state, MPCA developed a permit fee formula. The permit fee formula is based on a biennially-adjusted fee target and fee points, which are based on the level of work required for air and water permitting activities. Annual permit fees are not affected by this rulemaking.

The second area addressed is the establishment of application fees for air quality permits, and modifications to the fee amounts and the manner in which fees are assessed for water quality permit applications. The proposed amendments establish an application fee that correlates to the level of effort required to develop and issue the permit. Under this approach, a higher fee is assigned for permit actions that require more work, while a simple permit action is assigned a lower fee. Additional points are established for different types of permit-related activities in addition to the basic application fee. The concept is the same for both air and water permit applications, but the activities for which additional points are charged are designed to match the uniqueness of each program.

The third area adjusts the existing rules regarding the administrative aspects of the fee system and also updates the existing annual water fees to codify the existing annual water fees as modified by the Minnesota Legislature in 2002 and 2003.

The statutory authority for the proposed rules is based upon two legislative directives from 2007 and 2009 renewing the MPCA's rulemaking authority, and *Minnesota Statutes* § 116.07, subd. 4(d). Pursuant to *Minnesota Laws* (2007), chapter 57, article 1, section 3, subdivision 2, the MPCA was directed to amend its rules or, where necessary, provide recommendations for legislative action, as follows:

By January 15, 2008, the commissioner shall amend agency rules and, where legislative action is necessary, provide recommendations to the house of representatives and senate divisions on environmental finance on water and air fee changes that will result in revenue to the environmental fund to pay for regulatory services to the ethanol, mining, and other developing economic sectors.

The 2009 Legislative directive extending this authority is found in H.F. No. 2123, 4th Engrossment - 86th Legislative Session (2009-2010) at the following link: <https://www.revisor.leg.state.mn.us/bin/bldbill.php?bill=H2123.4.html&session=ls86>. The Governor signed the bill on May 7, 2009.

Proposed Rules and Statement of Need and Reasonableness. The proposed rules and the Statement of Need and Reasonableness (SONAR) can also be viewed at the MPCA's Web site at: <http://www.pca.state.mn.us/permits/airwaterfees.html>, and at all of the MPCA offices, including those listed above and also at the following MPCA offices, during business hours:

MPCA-Willmar: 1601 East Highway 12, Willmar, Minnesota 56201

MPCA-Mankato: 12 Civic Center Plaza, Suite 2165, Mankato, Minnesota 56001

A free copy of the proposed rules and SONAR is also available upon request from the Agency contact person Jim Brist, identified above.

The proposed rules and SONAR are also available for review at the Office of Administrative Hearings. The SONAR contains a summary of the justification for the proposed rules, including a description of the parties who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules.

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

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

Proposed Rules

The MPCA intends, in the interest of open public participation, to post comments and information received regarding the proposed rule on its Web site at <http://www.pca.state.mn.us/permits/airwaterfees.html>. The MPCA will also, to the extent possible, either post or provide a link to all comments submitted to the Office of Administrative Hearings. All comments received will be included in the rule record. However, the MPCA and Office of Administrative Hearings may exercise discretion regarding the posting of comments.

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

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

Adoption Procedure after the Hearing. After the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the MPCA adopts the rules and the rules are filed with the Secretary of State, or ask to register with the MPCA to receive notice of future rule proceedings, and can make these requests at the hearing or in writing to the MPCA contact person identified above.

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

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

Dated: 15 June 2009

Paul Eger, Commissioner
Pollution Control Agency

7002.0016 AIR QUALITY PERMIT APPLICATION FEES AND ADDITIONAL FEES.

Subpart 1. Fee required. A person who applies for an air quality permit or permit amendment under chapter 7007, excluding reissuance of individual state or Part 70 operating permits, or who submits an applicability request shall submit with the application or applicability request the appropriate application fee. Failure to submit the fee renders the application incomplete and the agency shall suspend processing of the application until the fee is received. Fees are nonrefundable.

Subp. 2. Fee determination. Application fees and additional fees are based on a point system established in part 7002.0019. The points shall be multiplied by the dollar per point value as determined in part 7002.0018.

7002.0017 AIR QUALITY PERMIT APPLICATION AND ADDITIONAL FEE TARGET.

The agency shall set the application and additional fee target as described in items A to C.

A. The unadjusted fee target is \$4,000,000 for each new biennium (biennial target), as modified according to item B.

B. Beginning July 1, 2011, and each biennium thereafter, the unadjusted fee target in item A shall be adjusted for inflation using the aggregated annual consumer price index since 2009 and becomes the new unadjusted fee target.

C. The adjusted fee target is the unadjusted fee target adjusted as follows:

(1) if the agency failed to collect its fee target the previous biennium, after making reasonable effort to do so, the shortfall must be added to the next biennium's fee target; and

(2) if the agency collected more than its fee target the previous biennium, the excess must be subtracted from the next biennium's fee target.

7002.0018 COMPUTATION OF DOLLAR PER POINT FOR AIR PERMITS.

The agency computes the dollar per point value for each biennium as follows:

Proposed Rules

\$ per point = T/(A + B) rounded up to the next five dollar increment, where:

\$ per point = dollar amount applied to points determined under part 7002.0019.

T = adjusted fee target, as determined in part 7002.0017, item C.

A = the previous five-year annual average number of points for each type of permit application in part 7002.0019, subpart 1.

B = the previous five-year annual average number of points for each type of additional activity in part 7002.0019, subpart 2.

7002.0019 AIR QUALITY PERMIT APPLICATION FEES AND ADDITIONAL FEES.

Subpart 1. Application points. The points assessed for permit application types designated in this subpart shall be multiplied by the dollar per point value as determined in part 7002.0018 to calculate the application fee.

<u>Application Type</u>	<u>Points</u>
A. <u>Administrative amendment or administrative change of name, ownership, or control</u> <u>One point shall be assessed for a request for an administrative amendment or a request for change in name, ownership, or control of a stationary source as addressed in part 7007.1100, subpart 8; 7007.1110, subpart 15; 7007.1142, subpart 5; or 7007.1400.</u>	<u>1</u>
B. <u>Registration permit</u>	<u>2</u>
C. <u>State general permit</u>	<u>3</u>
D. <u>Part 70 general permit</u>	<u>4</u>
E. <u>Minor amendment</u>	<u>4</u>
F. <u>Capped permit</u>	<u>4</u>
G. <u>Applicability requests</u> <u>These points shall be applied to each request received for determination of the applicability of rules in advance of receipt of a permit application. If multiple requests for reviews are submitted to the Pollution Control Agency over time, each request is subject to the fee.</u>	<u>10</u>
H. <u>Moderate amendment</u>	<u>15</u>
I. <u>Major amendment</u>	<u>25</u>
J. <u>Individual state permit</u>	<u>50</u>
K. <u>Individual Part 70 permit</u>	<u>75</u>

Subp. 2. Additional points. The points assessed for activities designated in this subpart shall be multiplied by the dollar per point value as determined in part 7002.0018 to calculate the additional fee.

<u>Activity</u>	<u>Points</u>
A. <u>Modeling review</u> <u>The points for modeling review shall not be assessed for screening modeling or CAPS modeling.</u>	<u>15</u>
B. <u>Best available control technology (BACT) review</u> <u>BACT points shall be applied for each prevention of significant deterioration (PSD) pollutant analyzed.</u>	<u>15</u>
C. <u>Lowest achievable emission rate (LAER) review</u> <u>LAER points shall be applied for each nonattainment new source review (NSR) pollutant analyzed.</u>	<u>15</u>
D. <u>Clean Air Interstate Rule (CAIR)/Part 75 continuous emission monitoring analysis</u>	<u>10</u>
E. <u>New source performance standard (NSPS) review</u> <u>Points shall be applied for each applicable standard but do not apply to registration or capped permit applications.</u>	<u>10</u>
F. <u>National emission standards for hazardous air pollutants (NESHAP) review</u> <u>Points shall be applied for each applicable standard but do not apply to registration or capped permit applications.</u>	<u>10</u>
G. <u>Case-by-case maximum achievable control technology (MACT) review</u> <u>Points shall be applied for each applicable source category reviewed.</u>	<u>20</u>
H. <u>Netting</u> <u>Points shall be applied for each prevention of significant deterioration (PSD) pollutant for which a netting analysis is performed.</u>	<u>10</u>
I. <u>Limit to remain below programmatic regulatory threshold</u> <u>Points shall be applied, if applicable, to each of the following regulatory programs: Part 70, NESHAP, EAW, AERA, NSPS, PSD, and nonattainment NSR.</u>	<u>10</u>

Proposed Rules

J.	<u>Plantwide applicability limit (PAL)</u>	20
	<u>Points shall be applied for each prevention of significant deterioration (PSD) pollutant for which a plantwide applicability limit is established.</u>	
K.	<u>Air emission risk analysis (AERA) review</u>	15
L.	<u>Variance request under part 7000.7000</u>	35
M.	<u>Confidentiality request under part 7000.1300</u>	2
N.	<u>Environmental assessment worksheet (EAW) review</u>	
	<u>Points shall be assigned as follows:</u>	
	<u>Part 4410.4300, subparts 18, item A; and 29</u>	15
	<u>Part 4410.4300, subparts 8, items A and B; 10, items A to C; 16, items A and D; 17,</u>	
	<u>items A to C and E to G; and 18, items B and C</u>	35
	<u>Part 4410.4300, subparts 4; 5, items A and B; 13; 15; 16, items B and C; and 17, item D</u>	70
	<u>A fee for EAW review shall be charged only if the project falls into a mandatory category specified in part 4410.4300, the agency is the designated responsible governmental unit (RGU), and an air or water permit is required for the project. If a facility requires both an air and water permit, the points for an EAW review shall be charged only once and multiplied by the lower of the dollar per point value for an air or water permit.</u>	

7002.0021 CAPPED COSTS FOR SMALL BUSINESSES AND CITIES.

For one year after the effective date of this part, the combined cost of the application fee and an invoice for additional fees for a small business or small city, as determined under *Minnesota Statutes*, section 14.127, subdivision 1, is capped at \$25,000.

7002.0022 PAYMENT OF APPLICATION AND ADDITIONAL FEES.

Application fees assessed under part 7002.0019, subpart 1, shall be submitted with the application and made payable to the Minnesota Pollution Control Agency. Additional fees assessed under part 7002.0019, subpart 2, shall be paid within 30 days of receipt of any invoices from the agency. The person submitting the fee shall make the payment as directed in the invoice. Final action on the permit shall not be taken until all invoices are paid.

7002.0023 NOTIFICATION OF ERROR OF ADDITIONAL FEE.

A person who believes that the assessed additional fee under part 7002.0019, subpart 2, is in error shall provide a written explanation of the person's position to the commissioner within 60 days of receipt of the invoice. The assessed fee shall be paid in the time frame required in part 7002.0022. The commissioner shall, within 60 days of the timely receipt of the person's written explanation:

- A. provide a written explanation of why the fee was not in error; or
- B. if the commissioner finds that the assessed fee was in error, refund the overpayment.

7002.0065 PAYMENT OF ANNUAL FEES.

Fees assessed under part 7002.0025 shall be paid within ~~60~~ 30 days of receipt of an invoice ~~from the division manager~~. The person submitting the fee shall make it payable to the Minnesota Pollution Control Agency, and shall submit it to the division manager the payment as directed in the invoice.

7002.0075 NOTIFICATION OF ERROR OF ANNUAL FEE.

An owner or operator ~~A person who thinks~~ believes that the assessed annual emission fee is in error shall provide a written explanation of the person's position to the commissioner within 60 days of receipt of the invoice ~~or no later than June 30 of the year in which the fee was assessed, whichever is later~~. An owner or operator ~~A person who thinks~~ believes that an error exists in emissions inventory data shall submit an explanation in accordance with part 7019.3000, subpart 2. The assessed fee shall be paid as in the time frame required in part 7002.0065. The commissioner shall, within 60 days of the timely receipt of the person's written explanation, ~~either:~~

- A. provide a written explanation of why the fee was not in error ~~and shall not be refunded;~~ or;
- B. if the commissioner finds that the assessed fee was in error, ~~the overpayment shall be refunded to the person or credited to the person's account~~ refund the overpayment.

7002.0085 LATE PAYMENT FEE.

An owner or operator of a facility ~~A permittee~~ subject to one or more fees under parts 7002.0005 to 7002.0045 shall pay a late payment fee of ten percent of the payment due for failure to pay an assessed fee within 60 days of receipt of an invoice ~~from the division manager~~. At 30-day intervals thereafter, the ~~owner or operator~~ permittee shall be assessed an additional ten percent of the original payment for failure to pay the assessed fee within that 30-day period. All late fees are due upon receipt of an invoice ~~from the division manager~~.

7002.0210 SCOPE.

Parts 7002.0210 to 7002.0310 apply to all persons required to obtain a permit from the Minnesota Pollution Control Agency as described in part parts 7001.0020, items C to F, and 7090.0030.

7002.0220 DEFINITIONS.

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

Subp. 3c. **General municipal separate storm sewer system (MS4) permit.** “General municipal separate storm sewer system (MS4) permit” means an NPDES permit for storm water discharges associated with municipal separate storm sewer systems as required under part 7090.0030, subpart 1, item A.

Subp. 3e 3d. **Individual storm water permit.** “Individual storm water permit” means an NPDES permit for storm water discharges associated with a specific site and type of activity as defined under *Code of Federal Regulations*, title 40, section 122.26(b)(4), (7), and (14)-(16). Fees for this permit are set in part 7002.0310, subpart 2, item B, under “other nonmunicipal.”

[For text of subps 4 to 6a, see M.R.]

Subp. 7. **Sewage.** “Sewage” has the meaning given it in part ~~7080.0020~~ 7080.1100, subpart ~~33~~ 73.

Subp. 8. [Repealed, 21 SR 1642]

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

7002.0230 FEE DETERMINATION.

The agency shall calculate application fees, additional fees, and annual fees based upon the schedule in parts 7002.0305 and 7002.0250 to 7002.0310 and shall notify the permittee of the amount due prior to each payment date.

7002.0240 PAYMENT OF FEES.

A person submitting a fee as required in part 7002.0253, subpart 1, or 7002.0254 shall make the fee payable to the “Minnesota Pollution Control Agency” and submit it to the director of Minnesota Pollution Control Agency Fiscal Services with the permit application. A person submitting a fee as required in part 7002.0253, subpart 2, or 7002.0310 shall make the payment as directed in the invoice. Final action on the permit shall not be taken until all invoices are paid.

7002.0250 WATER QUALITY PERMIT APPLICATION FEE.

Subpart 1. **Fee required.** A person who applies for a water quality permit to construct, install, modify, or operate a facility, ~~or applies for a permit modification~~ as described in ~~part 7001.0190~~ parts 7001.0020, subpart 2, items C to F, and 7090.0030, excluding changes in ownership or control, name or address changes other than changes in facility location, and interim and construction short-form permits issued under chapter 7020, shall submit with the application the appropriate application fee. Failure to submit the fee renders the application incomplete and the agency shall suspend processing of the application until the fee is received. Application fees are nonrefundable.

Subp. 2. **Fee determination.** Application fees, except storm water application fees as required in part 7002.0254, are based on a point system established in part 7002.0253. The points shall be multiplied by the dollar per point value as determined in part 7002.0252.

7002.0251 WATER QUALITY PERMIT APPLICATION AND ADDITIONAL FEE TARGET.

The agency shall set the application and additional fee target as described in items A and C.

A. The unadjusted fee target is \$6,000,000 for each biennium (biennial target), as modified according to item B.

B. Beginning July 1, 2011, and each biennium thereafter, the unadjusted fee target in item A shall be adjusted for inflation using the aggregated annual consumer price index since 2009 and becomes the new unadjusted fee target.

C. The adjusted fee target is the unadjusted fee target adjusted as follows:

- (1) if the agency failed to collect its fee target the previous biennium, the shortfall must be added to the next biennium’s fee target;
- and
- (2) if the agency collected more than its fee target the previous biennium, the excess must be subtracted from the next biennium’s fee target.

Proposed Rules

7002.0252 COMPUTATION OF DOLLAR PER POINT FOR WATER PERMITS.

The agency computes the dollar per point value for each biennium as follows:

\$ per point = $T/(A + B)$ rounded up to the next five dollar increment, where:

\$ per point = dollar amount applied to points determined under part 7002.0253.

T = adjusted fee target, as determined in part 7002.0251, item C.

A = the previous five-year annual average number of points for each type of permit application in part 7002.0253, subpart 1.

B = the previous five-year annual average number of points for each type of additional activity in part 7002.0253, subpart 2.

7002.0253 WATER QUALITY PERMIT APPLICATION FEES AND ADDITIONAL FEES.

Subpart 1. **Application points.** The points assessed for each permit application, amendment, or water quality effluent limitation review designated in this subpart shall be multiplied by the dollar per point value as determined in part 7002.0252 to calculate the application fee.

A. A person requesting a water quality effluent limitation review shall pay a fee equal to five points for each preliminary effluent limit request submitted in advance of or separate from an NPDES/SDS permit application. If multiple requests for reviews are submitted to the agency over time, each request is subject to the fee.

B. A person submitting an application for a feedlot permit shall be assessed as follows:

- (1) for coverage under a general feedlot permit to construct or operate, a fee equivalent to two points;
- (2) for modification of activities under a general feedlot permit, a fee equivalent to two points;
- (3) for issuance of an individual feedlot permit to construct or modify, a fee equivalent to six points; and
- (4) for reissuance of an individual feedlot permit, a fee equivalent to two points.

C. A person submitting an application for discharge of wastewater, operation of a disposal system, or biosolids treatment or storage shall be assessed as follows:

- (1) for coverage under or modification of a general permit to construct or operate, a fee equivalent to four points;
- (2) for issuance of an individual wastewater permit or biosolids treatment or storage permit for a new facility, a fee equivalent to 30 points;
- (3) for a major modification with no construction, a fee equivalent to eight points;
- (4) for a major modification with construction but with no increase in design flow, a fee equivalent to eight points;
- (5) for a major modification with construction and an increase in design flow, a fee equivalent to 30 points;
- (6) for a minor modification requested by the permittee and not for the purpose of correcting permit errors, a fee equivalent to four points;
- (7) for reissuance of an individual permit, with no modifications requested by the permittee, a fee equivalent to four points.
- (8) for issuance of an individual pretreatment permit, a fee equivalent to eight points; and
- (9) for issuance of an individual dredge material disposal permit, a fee equivalent to eight points.

D. A person submitting an application for a sewer extension shall be assessed based on the additional design flow as follows:

- (1) to increase flows from 0 to 0.10 million gallons per day (MGD), a fee equivalent to one point;
- (2) to increase flows from greater than 0.10 to 1.0 MGD, a fee equivalent to two points; and
- (3) to increase flows greater than 1.0 MGD, a fee equivalent to three points.

Subp. 2. **Additional points.** The points assessed for activities designated in this subpart shall be multiplied by the dollar per point value as determined in part 7002.0252 to calculate the additional fee.

A. A person submitting an individual permit application under subpart 1 with a new or increased maximum daily design flow for an industrial facility, or average wet weather design flow for all other facilities, shall be assessed a fee according to this item. The flow determination does not include noncontact cooling water, which is assessed points under item B:

- (1) if the resulting flow increase is 0 to 0.20 MGD, no additional fee shall be assessed;
- (2) if the resulting flow increase is greater than 0.20 MGD and less than 1.0 MGD, a fee equivalent to five points;
- (3) if the resulting flow increase is equal to or greater than 1.0 MGD and less than 5 MGD, a fee equivalent to ten points;
- (4) if the resulting flow increase is equal to or greater than 5 MGD and less than 20 MGD, a fee equivalent to 20 points;
- (5) if the resulting flow increase is equal to or greater than 20 MGD and less than 50 MGD, a fee equivalent to 30 points;
- (6) if the resulting flow increase is equal to or greater than 50 MGD, a fee equivalent to 40 points; and
- (7) if the resulting flow is from mine pit or quarry dewatering or sewer extensions, no additional fee shall be assessed.

B. A person submitting an application for an individual permit that includes the discharge of noncontact cooling water shall be assessed a fee based on the increased maximum daily design flow resulting from new or modified noncontact cooling water discharge as follows:

Proposed Rules

(1) if the resulting increase in flow is less than 50 MGD, a fee equivalent to five points; and

(2) if the resulting increase in flow is equal to or greater than 50 MGD, a fee equivalent to 20 points.

C. If a permit application requires a nondegradation review under parts 7050.0180, 7050.0185, 7050.0186, or 7052.0300 to 7052.0330, the applicant shall pay a fee equivalent to 20 points.

D. If a permit applicant requests a variance under parts 7000.7000 or 7020.1900, the applicant shall pay a fee equivalent to 35 points.

E. If a person makes a confidentiality request under part 7000.1300, the applicant shall pay a fee equivalent to two points. This fee applies regardless of whether it is requested as part of a permit application.

F. If an EAW is required under a mandatory category specified in part 4410.4300, the agency is the designated responsible governmental unit (RGU), and an air or water permit is required for the project, the applicant shall pay fees as described in subitems (1) to (3). If a facility requires both an air and water permit, the points for an EAW review shall be assessed only once. The agency shall use the lower of the dollar per point value for an air or water permit as calculated in part 7002.0018 or 7002.0252 to calculate the fee. Fees shall be assessed as follows:

(1) if an applicant is required to complete an EAW under part 4410.4300, subpart 18, item A, or 29, a fee equivalent to 15 points;

(2) if an applicant is required to complete an EAW under part 4410.4300, subpart 8, item A or B; 10, items A to C; 16, item A or D; 17, items A to C or E to G; or 18, item B or C, a fee equivalent to 35 points; and

(3) if an applicant is required to complete an EAW under part 4410.4300, subpart 4; 5, item A or B; 13; 15; 16, item B or C; or 17, item D, a fee equivalent to 70 points.

7002.0254 WATER QUALITY STORM WATER PERMIT APPLICATION FEES.

For persons submitting an application to receive a permit related to storm water activities, the following fees shall be paid:

A. for coverage under a general construction storm water permit, \$400;

B. for coverage under an MS4 permit or modification of an MS4 permit, other than modification of a storm water pollution prevention program, \$400;

C. for coverage under or modification of a general industrial storm water permit, \$400; and

D. for those required to obtain an individual storm water permit, \$400 for the initial application, for modifications, and for reissuance.

7002.0255 CAPPED COSTS FOR SMALL BUSINESSES AND CITIES.

For one year after the effective date of this part, the combined cost of the application fee and an invoice for additional fees for a small business or small city, as determined under *Minnesota Statutes*, section 14.127, subdivision 1, is capped at \$25,000.

7002.0258 NOTIFICATION OF ERROR.

A person who believes that the assessed additional fee under part 7002.0253, subpart 2, is in error shall provide a written explanation of the person's position to the commissioner within 60 days of receipt of the invoice. The assessed fee shall be paid in the time frame required in part 7002.0240. The commissioner shall, within 60 days of the timely receipt of the person's written explanation:

A. provide a written explanation of why the fee was not in error; or

B. if the commissioner finds that the assessed fee was in error, refund the overpayment.

7002.0270 ANNUAL FEE.

All persons required to obtain a permit listed in part 7002.0310, subparts 1, 2, and 3, shall pay an annual fee for processing of the permit and enforcement of applicable statutes and rules as described in items A to F.D. The annual fee shall be paid within 30 days of receipt of an invoice from the agency.

A. ~~A permittee holding a new or reissued permit after February 3, 1992, is subject to the fees established in part 7002.0310. A permittee holding an unexpired permit on February 3, 1992, shall continue to comply with the payment schedules in part 7002.0305 until the permit expires.~~

B. ~~A permittee applying for a permit modification according to part 7001.0190, subpart 1, shall pay an additional fee equal to 50 percent of the permittee's annual fee as established in part 7002.0310.~~

C. ~~A permittee holding an unexpired permit on February 3, 1992, that applies for the permit modification according to part 7001.0190, subpart 1, shall pay a modification fee as established in part 7002.0305.~~

~~D. B.~~ An applicant for reissuance of an expired permit under part 7001.0160 must pay fees set in part 7002.0310.

E. C. A permittee ~~or applicant for holding~~ an individual storm water permit must pay fees the fee set in part 7002.0310, subpart 2, item B, under "other nonmunicipal."

F. D. A permittee ~~or applicant for permits holding a permit~~ issued under chapter 7020 must pay fees as follows:

Proposed Rules

- (1) individual NPDES permits, fees set in part 7002.0310, subpart 2, item B, under “other nonmunicipal”;
- (2) individual SDS permits that regulate animal feedlots capable of holding 1,000 or more animal units or manure storage areas capable of holding the manure produced by 1,000 or more animal units, the same fees required under subitem (1) after July 2, 2001;
- (3) general feedlot permits, fees set in part 7002.0310, subpart 3, under “general”;
- ~~(3)~~ (4) interim permits, no fees; and
- ~~(4)~~ (5) construction short-form permits, no fees.

7002.0290 LATE PAYMENT FEE.

The Δ permittee subject to one or more fees under parts 7002.0210 to 7002.0310 shall pay a late payment fee of ~~20~~ ten percent of the payment due for failure to ~~make payment pay an assessed fee within 30~~ 60 days of a ~~payment date receipt of an invoice. The permittee shall pay~~ At 30-day intervals thereafter, the permittee shall be assessed an additional ten percent of the original payment due for each 30-day period or portion thereof that the payment is late for failure to pay the assessed fee within that 30-day period. All late fees are due upon receipt of an invoice.

7002.0310 ~~TABLE~~, WATER QUALITY ANNUAL PERMIT FEES.

Subpart 1. **Major NPDES permit fees.** The following fees annual fee shall be paid ~~for~~ by a permittee that has received a major NPDES facilities permit:

A. Municipal permits:

Design Flow in Million Gallons per Day (MGD)	Application Fee	Annual Fee
50 and over	\$ 85	\$ 135,000 <u>175,500</u>
20 to 49.99	\$ 85	\$ 31,000 <u>40,350</u>
5 to 19.99	\$ 85	\$ 11,000 <u>14,350</u>
Up to 4.99	\$ 85	\$ 4,500 <u>5,900</u>

B. Nonmunicipal permits:

Design Flow in Million Gallons per Day (MGD)	Application Fee	Annual Fee
20 to 49.99	\$ 85	\$ 34,000 <u>44,200</u>
5 to 19.99	\$ 85	\$ 14,000 <u>18,250</u>
Up to 4.99	\$ 85	\$ 6,500 <u>8,450</u>
Cooling or mine pit dewatering (any flow)	\$ 85	\$ 13,000 <u>16,900</u>

Subp. 2. **Nonmajor NPDES and state disposal permit fees.** The following fees annual fee shall be paid by a permittee not designated as a major NPDES facility and by a permittee that has ~~applied for or~~ received a state disposal system permit.

A. Municipal permits:

Design Flow in Million Gallons per Day (MGD)	Application Fee	Annual Fee
Greater than .100	\$ 85	\$ 1,140 <u>1,450</u>
0 to .100	\$ 85	\$ 505
<u>Sewage Sludge Landspreading Facilities for the treatment or storage of biosolids only</u>	\$ 85	\$ 500

B. Nonmunicipal permits:

Design Flow in Million Gallons per Day (MGD)	Application Fee	Annual Fee
Sewage 0 to .100	\$ 85	\$ 495
<u>Individual storm water permits</u>		<u>\$1,230</u>
Other nonmunicipal (any flow)	\$ 85	\$ 1,230

Subp. 3. **Other water quality permit fees.** The following ~~application fees~~ annual fee shall be paid by a permittee that ~~has applied for or~~ received a general permit as defined in part 7001.0010, subpart 4; ~~a sanitary sewer extension permit, or a general storm water permit.~~

Proposed Rules

	Application Fee	Annual
General	\$ 85	\$ <u>260,345</u>
General industrial Storm Water storm water permit	\$ 85	\$ <u>210,400</u>
General construction Storm Water storm water permit	\$ 240	0
General MS4 storm water permit		0
Sanitary Sewer Extension	\$ 240	0

REPEALER. *Minnesota Rules*, parts 7002.0300; and 7002.0305, are repealed.

Adopted Rules

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

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

Minnesota Racing Commission Adopted Permanent Rules Relating to Horse Racing

The rules proposed and published at State Register, Volume 33, Number 19, pages 803-806, November 10, 2008 (33 SR 803), are adopted with the following modifications:

7892.0120 TAKING OF SAMPLES.

Subpart 1. **Horses tested.**

B. Blood and/or urine test samples may be taken from randomly selected horses designated by the stewards or the commission veterinarian at any time upon suspicion that a violation of chapter 7890 has occurred. Test results shall note whether the tested horse was racing in a competition at the time of the test.

REPEALER. *Minnesota Rules*, part 7878.0120, subpart 4, is repealed.

Commissioners' Orders

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

Department of Natural Resources (DNR)

Commissioner's Order: Approved Firewood Requirement: File # 3435-5-1-1.1

The 2007 M.S.89.551 Approved Firewood Required, Sec. 2, Subd. 3b, authorizes the Commissioner of Natural Resources by written order to publish in the *State Register*, firewood that will be approved on land administered by the Commissioner.

No firewood will be allowed on land administered by the Commissioner unless it complies with the following:

1) Firewood offered for sale by the Minnesota Department of Natural Resources (MN DNR) is from approved vendors or meets paragraph 2)a, b and c or 3 below,

– OR –

2) Firewood offered for sale to the public by vendors who have successfully completed the DNR application process. Approved firewood vendors must provide customers with a proof of purchase that includes the name of the vendor, date and quantity of wood purchased.

Approved firewood is:

a. Non-ash firewood originating on lands within Minnesota AND within 100 miles of the Minnesota DNR land on which it is to be used, OR

b. Firewood originating from Minnesota that has been heat-treated in a kiln certified by the Minnesota Department of Agriculture, OR

c. Split firewood from Minnesota and is 100 percent debarked according to federal guidelines (removal of bark and outer ½-inch of sapwood).

– OR –

3) Kiln-dried, untreated (unpainted/stained construction/dimensional) lumber that is free of any metal or foreign substance. Pallet boards are not included in this category.

Firewood originating from a quarantined county in Minnesota will be approved only for use in that county. Firewood from counties contiguous to the quarantined county in Minnesota will be approved only for use in those counties.

By this order, I, Mark Holsten, Commissioner of Natural Resources, do hereby approve these firewood restrictions on all Department of Natural Resources lands.

APPROVED: Dated: May 20, 2009

Mark Holsten, Commissioner
Department of Natural Resources

This order supersedes the previous Commissioner's
Order dated May 3, 2007, and is effective upon
signing.

Official Notices

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

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

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Department of Agriculture Rural Finance Authority Notice of Change of Date and Meeting Place

The date of the July 1, 2009 Rural Finance Authority (RFA) Board meeting has been changed to July 22, 2009. The location of this meeting has also been changed. This meeting will start at 1:00 p.m., July 22, 2009, at the Holiday Inn, 1200 Torgerson Drive, Fairmont, Minnesota. There will be no meeting in August. For more information, call Lori Schmidt at (651) 201-6556.

Future monthly meetings will be held on the first Wednesday of each month at 625 Robert Street North at 1:00 p.m. Some members may participate in certain of these meetings by electronic means. In accordance with *Minnesota Statutes*, Section 471.705 (1997), the Agency, to the extent practicable, will allow a person to monitor those certain meetings electronically from a remote location. If such monitoring shall occur, the Agency may require the person making such a connection to pay for documented marginal costs that the Agency incurs as a result of the additional connection. For additional information, contact Peter Scheffert, Minnesota Department of Agriculture, 625 Robert Street North, St. Paul, MN 55155-2538 or call (651) 201-6486.

Peter Scheffert
Rural Finance Authority Executive Director

Minnesota Comprehensive Health Association Notice of Proposed Premium Rate Meetings

NOTICE IS HEREBY GIVEN that a representative of the Minnesota Comprehensive Health Association's (MCHA) executive staff will hold premium rate meetings in Minnesota as indicated below. The purpose of the meetings is to allow MCHA enrollees an opportunity to comment on the proposed policy changes. Any policy change must be approved by the Minnesota Department of Commerce. New premium rates would go into effect on July 1, 2009.

For additional information, please call Peggy Zimmerman-Belbeck at (952) 593-9609.

Official Notices

SCHEDULE OF 2009 PUBLIC MEETINGS ON PROPOSED PREMIUM RATES

(Enrollees may stop in at their convenience **any time** between
10:00a.m. and 1:00 p.m.)

<i>LOCATION</i>	<i>DATE</i>
TWIN CITIES	Monday June 22, 2009 Sheraton Bloomington Hotel 7800 Normandale Blvd. Bloomington, MN 55439 (952) 835-7800
ROCHESTER	Wednesday, June 24, 2009 Ramada Hotel & Conference Center 1517 SW 16 th Street Rochester, MN 55902 (507) 289-8866
ST. CLOUD	Tuesday, June 30, 2009 Radisson Suite Hotel St. Cloud 404 West Saint Germain St., Cloud, MN 56301 (320) 654-1661

Minnesota Department of Education Division of Academic Standards REQUEST FOR COMMENTS on Possible Rules Governing Science Academic Standards, *Minnesota Rules*, Chapter 3501

Subject of Rules. The Minnesota Department of Education requests comments on its possible rules governing science academic standards. The Department is considering rules that would establish academic standards to set the expectations for academic achievement in science for K-12 students in Minnesota. The possible rules would focus on ensuring that Minnesota students are scientifically literate, able to use scientific principles and processes to participate in discussions of scientific issues that affect society.

Persons Affected. The possible rules likely would affect science educators, curriculum directors, school districts, students and parents.

Statutory Authority. *Minnesota Statutes*, section 120B.02, authorizes the Department to adopt rules that govern academic standards. *Minnesota Statutes*, section 120B.023, further grants the Department general rulemaking authority to revise and align the state's academic standards and high school graduation requirements in mathematics, arts, science, language arts and social studies beginning in the 2006-07 school year and continuing through the 2019-2020 school year. *Minnesota Statutes* § 120B.023, subd. 2(d), specifically requires the Department to revise and align the state's academic standards in science.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The Department also appointed an advisory committee, composed of representative experts and stakeholders, to secure public input. The advisory committee has proposed draft science standards that will be available for public comment.

Rules Drafts. The Department has prepared a draft of the proposed standards and accompanying benchmarks. The standards in this draft are in the process of being formatted into rule form. The draft standards are currently available in a chart on the Department's website at http://education.state.mn.us/MDE/Academic_Excellence/Academic_Standards/Science/index.html. Additional information about the rulemaking process for the possible science academic standards can be found on the Department's rulemaking webpage at:

<http://education.state.mn.us/mde/Legislation/Rulemaking/index.html>.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Kerstin Forsythe at Minnesota Department of Education, 1500 Highway 36 West, Roseville, Minnesota 55113; **phone:** (651) 582-8583; **fax:** (651) 582-2848; and **e-mail:** Kerstin.Forsythe@state.mn.us. **TTY** users may call the Department at (651) 582-8201.

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 submit 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: June 22, 2009

Chas Anderson, Deputy Commissioner
Department of Education

Department of Human Services Children and Family Services Updated Child Care Fund Sliding Fee Biweekly Copayment Schedule

Pursuant to *Minnesota Statutes* section 119B, and *Minnesota Rules*, part 3400.0100, Subp. 5 (Publication of state median income and fee schedule in *State Register*), the Department of Human Services hereby gives notice of the updated Child Care Fund Sliding Fee Biweekly Copayment Schedule. This schedule is based on the FFY10 state median income as published in the March 13, 2009 *Federal Register*. The schedule published is for family sizes of two through six for a biweekly period and is effective July 1, 2009 until further notice. Please contact the Child Care Assistance Program for the schedule for larger families. This fee schedule replaces the schedule published June 16, 2008.

Any questions about the updated schedule should be directed to:

Child Care Assistance Program
Department of Human Services
Children and Family Services
P. O. Box 64951
St. Paul, MN 55164-0951
Phone: (651) 431-4051

Two Person Household		Three Person Household	
State Median Income (SMI)	\$56,742	State Median Income (SMI)	\$70,093
47% of SMI (Entrance Limit)	\$26,669	47% of SMI (Entrance Limit)	\$32,944

Gross Income Range		Biweekly Copayment	Gross Income Range		Biweekly Copayment
\$0	\$10,927	\$ 0	\$0	\$13,732	\$ 0
\$10,928	\$14,569	\$ 2	\$13,733	\$18,309	\$ 2

Official Notices

\$14,570	\$15,734	\$ 16	\$18,310	\$19,436	\$ 19
\$15,735	\$16,483	\$ 17	\$19,437	\$20,361	\$ 20
\$16,484	\$17,232	\$ 17	\$20,362	\$21,286	\$ 21
\$17,233	\$17,981	\$ 18	\$21,287	\$22,211	\$ 22
\$17,982	\$18,730	\$ 21	\$22,212	\$23,137	\$ 26
\$18,731	\$19,479	\$ 22	\$23,138	\$24,062	\$ 27
\$19,480	\$20,233	\$ 23	\$24,063	\$24,994	\$ 28
\$20,234	\$20,976	\$ 24	\$24,995	\$25,912	\$ 29
\$20,977	\$21,731	\$ 27	\$25,913	\$26,845	\$ 33
\$21,732	\$22,480	\$ 28	\$26,846	\$27,770	\$ 34
\$22,481	\$23,229	\$ 29	\$27,771	\$28,695	\$ 36
\$23,230	\$23,978	\$ 36	\$28,696	\$29,620	\$ 44
\$23,979	\$24,727	\$ 36	\$29,621	\$30,546	\$ 45
\$24,728	\$25,476	\$ 44	\$30,547	\$31,471	\$ 54
\$25,477	\$26,225	\$ 48	\$31,472	\$32,396	\$ 60
\$26,226	\$26,974	\$ 53	\$32,397	\$33,321	\$ 65
\$26,975	\$27,723	\$ 60	\$33,322	\$34,246	\$ 74
\$27,724	\$28,472	\$ 65	\$34,247	\$35,172	\$ 80
\$28,473	\$29,221	\$ 70	\$35,173	\$36,097	\$ 87
\$29,222	\$29,970	\$ 79	\$36,098	\$37,022	\$ 97
\$29,971	\$30,719	\$ 90	\$37,023	\$37,947	\$111
\$30,720	\$31,468	\$101	\$37,948	\$38,873	\$125
\$31,469	\$32,217	\$114	\$38,874	\$39,798	\$141
\$32,218	\$32,966	\$128	\$39,799	\$40,723	\$158
\$32,967	\$33,715	\$142	\$40,724	\$41,648	\$175
\$33,716	\$34,464	\$153	\$41,649	\$42,573	\$189
\$34,465	\$35,219	\$165	\$42,574	\$43,506	\$204
\$35,220	\$35,968	\$177	\$43,507	\$44,431	\$218
\$35,969	\$36,717	\$189	\$44,432	\$45,356	\$234
\$36,718	\$38,017	\$205	\$45,357	\$46,962	\$253
\$38,018	INELIGIBLE		\$46,963	INELIGIBLE	

Four Person Household

State Median Income (SMI) \$83,444
 47% of SMI (Entrance Limit) **\$39,219**

Five Person Household

State Median Income (SMI) \$96,795
 47% of SMI (Entrance Limit) **\$45,494**

Gross Income Range		Biweekly Copayment	Gross Income Range		Biweekly Copayment
\$0	\$16,537	\$ 0	\$0	\$19,342	\$ 0
\$16,538	\$22,049	\$ 2	\$19,343	\$25,789	\$ 2
\$22,050	\$23,138	\$ 23	\$25,790	\$26,840	\$ 27
\$23,139	\$24,239	\$ 24	\$26,841	\$28,118	\$ 28
\$24,240	\$25,341	\$ 25	\$28,119	\$29,396	\$ 30
\$25,342	\$26,442	\$ 27	\$29,397	\$30,673	\$ 31
\$26,443	\$27,544	\$ 31	\$30,674	\$31,951	\$ 36
\$27,545	\$28,645	\$ 32	\$31,952	\$33,229	\$ 37
\$28,646	\$29,755	\$ 33	\$33,230	\$34,516	\$ 39
\$29,756	\$30,848	\$ 35	\$34,517	\$35,784	\$ 40
\$30,849	\$31,958	\$ 39	\$35,785	\$37,072	\$ 46
\$31,959	\$33,060	\$ 41	\$37,073	\$38,349	\$ 48

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\$33,061	\$34,161	\$ 42	\$38,350	\$39,627	\$ 49
\$34,162	\$35,262	\$ 52	\$39,628	\$40,905	\$ 60
\$35,263	\$36,364	\$ 54	\$40,906	\$42,182	\$ 62
\$36,365	\$37,465	\$ 64	\$42,183	\$43,460	\$ 75
\$37,466	\$38,567	\$ 71	\$43,461	\$44,738	\$ 82
\$38,568	\$39,668	\$ 77	\$44,739	\$46,015	\$ 90
\$39,669	\$40,770	\$ 89	\$46,016	\$47,293	\$103
\$40,771	\$41,871	\$ 96	\$47,294	\$48,571	\$111
\$41,872	\$42,973	\$103	\$48,572	\$49,848	\$120
\$42,974	\$44,074	\$116	\$49,849	\$51,126	\$134
\$44,075	\$45,176	\$132	\$51,127	\$52,404	\$153
\$45,177	\$46,277	\$148	\$52,405	\$53,682	\$172
\$46,278	\$47,379	\$168	\$53,683	\$54,959	\$194
\$47,380	\$48,480	\$188	\$54,960	\$56,237	\$218
\$48,481	\$49,581	\$209	\$56,238	\$57,515	\$242
\$49,582	\$50,683	\$225	\$57,516	\$58,792	\$261
\$50,684	\$51,793	\$242	\$58,793	\$60,080	\$281
\$51,794	\$52,894	\$260	\$60,081	\$61,357	\$301
\$52,895	\$53,996	\$278	\$61,358	\$62,635	\$322
\$53,997	\$55,907	\$301	\$62,636	\$64,853	\$349
\$55,908	INELIGIBLE		\$64,854	INELIGIBLE	

Six Person Household

State Median Income (SMI) \$110,146
 47% of SMI (Entrance Limit) **\$51,769**

Gross Income Range		Biweekly Copayment			
\$0	\$22,147	\$ 0	\$49,456	\$50,909	\$ 93
\$22,148	\$29,529	\$ 2	\$50,910	\$52,362	\$102
\$29,530	\$30,543	\$ 30	\$52,363	\$53,816	\$117
\$30,544	\$31,996	\$ 32	\$53,817	\$55,270	\$126
\$31,997	\$33,450	\$ 34	\$55,271	\$56,724	\$136
\$33,451	\$34,904	\$ 35	\$56,725	\$58,178	\$153
\$34,905	\$36,358	\$ 41	\$58,179	\$59,632	\$174
\$36,359	\$37,812	\$ 42	\$59,633	\$61,086	\$196
\$37,813	\$39,277	\$ 44	\$61,087	\$62,540	\$221
\$39,278	\$40,720	\$ 46	\$62,541	\$63,994	\$248
\$40,721	\$42,185	\$ 52	\$63,995	\$65,448	\$276
\$42,186	\$43,639	\$ 54	\$65,449	\$66,902	\$297
\$43,640	\$45,093	\$ 56	\$66,903	\$68,367	\$320
\$45,094	\$46,547	\$ 69	\$68,368	\$69,821	\$343
\$46,548	\$48,001	\$ 71	\$69,822	\$71,275	\$367
\$48,002	\$49,455	\$ 85	\$71,276	\$73,798	\$397
			\$73,799	INELIGIBLE	

Official Notices

Department of Human Services

State Operated Services Division

Public Notices of the Disproportionate Population Adjustment and Proposed Payment Rates for State Regional Treatment Centers

NOTICE IS HEREBY GIVEN to recipients, providers of services under the Medical Assistance (MA) Program, and to the public, of final disproportionate population adjustment (DPA) and the payment rates for State Regional Treatment Centers under the MA Program. This notice is published pursuant to 42 *United States Code* §1396a(a)(13)(A) (§1902(a)(13)(A) of the Social Security Act), which requires the Department to publish final payment rates for institutional providers, the methodologies underlying the establishment of such rates, and the justification of such rates.

In conjunction with the current state fiscal year's budget for State Operated Services, as appropriated by the legislature, payment rates are determined in accordance with *Minnesota Statutes*, §246.50, subdivision 5.

The DPA adjustments for admission occurring during State Fiscal Year 2010, and the proposed payment rates as publish on May 11, 2009 at Cite 33 SR 1861, are final and effective July 1, 2009

NOTE: The final payment rates are subject to change due to additional State Government action.

Questions and comments may be directed to Lynn Glancey, Minnesota Department of Human Services, State Operated Services Division, 444 Lafayette Road North, St. Paul, MN 55155-0979, **Phone** (651) 431-3690 or **E-mail:** Lynn.Glancey@state.mn.us.

State Board of Investment

Notice to Institutional Investment Management Firms for Consideration to Potentially Manage a Portion of the Pension Assets and Other Accounts

The Minnesota State Board of Investment (MSBI) retains institutional investment management firms to manage a portion of the pension assets and other accounts under its control. Periodically, the MSBI will conduct a search for institutional investment management firms on an as needed basis. For additional information on the domestic stock, international stock, or domestic bond portfolio programs for the MSBI, firms are asked to write to the following address for additional information:

External Manager Program
Minnesota State Board of Investment
60 Empire Drive, Suite 355
St. Paul, MN 55103-3555
Telephone: (651) 296-3328
Fax: (651) 296-9572
E-mail: minn.sbi@state.mn.us

Please refer to this notice in your written request.

Metropolitan Council Public Hearing on the Proposed 2010-2013 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area

The Transportation Advisory Board (TAB) of the Metropolitan Council will hold a public hearing on July 15, 2009 to receive public reaction to the proposed 2010-2013 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area. The program will include highway, transit, bikeway and pedestrian enhancements and air quality projects that are proposed for federal funding in the seven-county metropolitan area in the next four years. The TIP includes the recommended projects selected through the 2007 Regional Solicitation process for federal transportation funds. The program is prepared annually in accordance with federal requirements and must contain all projects that are to be implemented with federal transportation funding assistance. This TIP also contains Metropolitan Council's program of projects (POP) which includes transit projects for Metro Transit, Metro Mobility, contracted services and suburban transit. This hearing fulfills FTA's public participation requirements for the POP.

- **Public Hearing for comments on TIP**

Wednesday, July 15, 2009 – 3:00 p.m.
Metropolitan Council Chambers
390 North Robert Street
St. Paul, Minnesota

The TIP is prepared jointly by the Metropolitan Council and the Minnesota Department of Transportation. Projects contained in the TIP reflect the region's priorities and help implement the region's transportation plan. All specific projects are assumed to have independent utility and are fully funded unless noted otherwise in the project description. The projects in aggregate have been analyzed to determine impact on regional air quality. Progress made on implementing the region's transportation plan will be reported in the TIP and at the public hearing. The program will be adopted by the Transportation Advisory Board and approved by the Metropolitan Council. Upon request, the Council will provide reasonable accommodations to persons with disabilities. In addition to providing oral or written comments at the public hearing, comments may be made several ways:

- Written comments to: Kevin Roggenbuck, Metropolitan Council
390 North Robert St., St. Paul, MN 55101
- Fax comments to Kevin Roggenbuck, (651) 602-1739
- Record comments on the Council's Public Information Line: (651) 602-1500
- Send comments electronically to : data.center@metc.state.mn.us

Comments must be received by **4:00 p.m., Monday, August 3, 2009**. Free copies of the draft 2010-2013 Transportation Improvement Program will be available on June 18, 2009, at the Council's Regional Data Center. Call (651) 602-1140 or TTY (651) 291-0904 to request a copy. The main body of the TIP will be available for review on June 18, 2009 at the Metropolitan Council's website at www.metrocouncil.org. Other background materials describing the Council's transportation planning and programming efforts also are available.

Questions about the hearings or transportation assumptions and technical materials may be directed to Kevin Roggenbuck, (651) 602-1728, James Andrew (651) 602-1721 or Carl Ohrn (651) 602-1719, Metropolitan Council, 390 North Robert St., St. Paul, MN 55101.

Teachers Retirement Association Notice of Board of Trustees Meeting July 15, 2009

The Board of Trustees, Minnesota Teachers Retirement Association will hold an orientation for new board members on Wednesday, July 15, 2009 at 8:15 a.m. in Suite 400, located at 60 Empire Drive, St. Paul, MN.

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

All "Active" Contracts and Grants

A summarized "Contracts & Grants" section lists all "active" contracts and grants. 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. Subscribers open their State Register and click on BOOKMARKS in the left hand corner. 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 Ramsey Community College - Coon Rapids Campus ADVERTISEMENT FOR BIDS for Elevator Alterations

Sealed Bids for: *Anoka Ramsey Community College*
Elevator Alterations
Coon Rapids Campus
11200 Mississippi Blvd. NW
Coon Rapids, MN 55433-3470

Will be received by: *Mirela Gluhic*
Administration Building Room C140
Anoka Ramsey Community College
Coon Rapids Campus
11200 Mississippi Blvd. NW
Coon Rapids, MN 55433-3470

Until **10:00 AM, local time, July 7, 2009** at which time the bids will be opened and publicly read aloud in the **Riverview Room, SC200** located in the Student Center Building.

Project Scope: The Project consists of adding a new elevator in Humanities area and demolition of three existing elevators, elevator equipment and remodeling the areas. The Work will include, but is not limited to: minor demolition of masonry partitions, ceilings, and related mechanical and electrical systems; construction of new partitions, doors, frames, hardware, suspended ceilings, and finishes; mechanical systems including plumbing, ventilating and fire protection; and electrical systems including power, lighting and special systems.

State Contracts

A Pre-Bid Meeting will be held at **10:00 AM, Tuesday, June 30, 2009**, in the **Riverview Room, SC200 of the Student Center Building of Anoka Ramsey Community College, Coon Rapids 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/Engineer; *Armstrong, Torseth, Skold and Rydeen, Inc.*, are on file at the offices of the:

- 1) Armstrong, Torseth, Skold and Rydeen, Inc., Architect/Engineer.
- 2) Minneapolis, St. Paul, Duluth, St. Cloud and Fargo-Moorhead Builder Exchanges.
- 4) McGraw Hill Construction Plan Room.
- 5) MEDA, Minority Contractors Plan Room.
- 6) 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:

Armstrong, Torseth, Skold and Rydeen, Inc.
8501 Golden Valley Road, Suite 300
Minneapolis, Minnesota 55427
Phone: (763) 545-3731
Fax: (763) 525-3289

A **refundable** deposit of **\$75.00** 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 **\$75.00 refundable** deposit) to the Architect. Such deposits and payments may be sent prior to **June 23, 2009**. 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) Bemidji State University Notice of Request for Proposals for Athletic Apparel Sponsor/Supplier

NOTICE IS HEREBY GIVEN that Bemidji State University will receive sealed proposals for an Athletic Apparel Sponsor/Supplier. Specifications will be available June 22, 2009, at the following Bemidji State University website:

http://www.bemidjistate.edu/offices/logistical_services/rfps_bids/

Sealed proposals must be received by Belinda Lindell, Director of Logistical Services, Bemidji State University, Deputy 204, Box 8, 1500 Birchmont Drive NE, Bemidji, MN 56601, by 2:00 PM, July 10, 2009.

Bemidji State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received. This Request for Proposal does not obligate the University to complete a proposed contract, and the University reserves the right to cancel the solicitation if it is considered to be in its best interest.

State Contracts

Minnesota State Colleges and Universities (MnSCU)

Inver Hills Community College

ADVERTISEMENT FOR BIDS for Science Building: Exterior Wall and Foundation Restoration

Sealed Bids for: SCIENCE BUILDING: EXTERIOR WALL AND FOUNDATION RESTORATION
Inver Hills Community College
Inver Grove Heights, MN 55076

will be received by: MR. PAT BUHL
HERITAGE HALL, ROOM 102
INVER HILLS COMMUNITY COLLEGE
2500 - 80TH Street East
Inver Grove Heights, MN 55076

Until **9:00 a.m.**, local time, **Thursday, July 9, 2009**, at which time the bids will be opened and publicly read aloud.

Project Scope: Work includes masonry foundation repair including excavation, demolition, poured masonry against existing foundation walls, new brick and block masonry units, through-wall flashing, waterproofing, and window replacement along all elevations of the Science Building. Work also includes masonry repair of tuckpointing, replacement of individual broken or cracked brick, and control joints, as shown on drawings.

A **MANDATORY Pre-Bid Meeting** for all **prime bidders** will be held at **1:00 p.m.**, local time, **Wednesday, July 1, 2009**, in **Room S105, Science Building**, Inver Hills Community College. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

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

- 1) above named Project Architect/Engineer.
- 2) following Builders' Exchanges: St. Paul and Minneapolis.
- 3) McGraw Hill Construction Plan Room
- 4) Reed Construction Data Plan Room
- 5) MEDA Minority Contractors Plan Room
- 6) 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, **Judd Allen Group**) 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 **Thursday, June 25, 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) Minneapolis Community and Technical College Notice of Availability of Request for Proposal (RFP) for Owner Representative Selection for Workforce Improvement and Infrastructure Remodeling at Minneapolis Community and Technical College

The Minnesota State Colleges and Universities, acting as the owner for the State of Minnesota, is soliciting proposals from interested, qualified consultants for Owner Representative services for the above referenced project.

A full Request for Proposal is available by contacting **Valerie Frolov at (612) 659-6808** or *Valerie.frolov@minneapolis.edu*

A **MANDATORY** project informational meeting has been scheduled for **3 p.m. on June 24, 2009 at the MCTC Minneapolis campus in the library, room 3400**. Contact **Valerie Frolov at (612) 659-6808** or *Valerie.frolov@minneapolis.edu* to sign up for the meeting.

Proposals must be delivered to: Minneapolis Community and Technical College, Michael Nobel-Olson, Room T-2700 Business Services Suite, 1501 Hennepin Ave, Minneapolis MN 55403, not later than **2 p.m. July 2, 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) North Hennepin Community College Notice of Availability of Request for Proposal (RFP) for Owner Representative Selection for the Construction of the Bioscience and Health Career Center (BHCC) at North Hennepin Community College

The Minnesota State Colleges and Universities, acting as the owner for the State of Minnesota, is soliciting proposals from interested, qualified consultants for Owner Representative services for the above referenced project.

A full Request for Proposals is available on **North Hennepin Community College** website: *www.nhcc.edu*/ click on "News and Announcements."

A project informational meeting has been scheduled for **July 1, 2009 at 1:00 pm** at North Hennepin Community College, Learning Resources Center (LRC), **Room 104**.

Proposals must be delivered to Dean Collins, North Hennepin Community College, Educational Services (ES) Room 34, 7411 – 85th Avenue North, Brooklyn Park, MN 55445 **NOT** later than **JULY 10, 2009 at 11:00 am**. 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.

State Contracts

Minnesota State Colleges and Universities (MnSCU) Pine Technical College Advertisement for Bids for Boiler Replacement and HVAC Upgrade

Sealed Bids for: Boiler Replacement and HVAC Upgrade
Pine Technical College
Pine City, Minnesota

will be received by: Mr. Steve Lange
Pine Technical College
900 4th Street SE
Pine City, Minnesota 55063

Until **1 PM, local time, Tuesday June 30, 2009** at which time the bids will be opened and publicly read aloud.

Project Scope: The project consists of all work required to replace the existing steam boilers, piping and coils with new hot water boilers, piping and coils. This work will require the removal and reinstallation of ceilings, lights and fire protection pipe as needed for access to the piping and coils. In addition, certain HVAC Upgrades are to be made as part of this contract including a new air handling unit serving rooms on the west side of the building and controls upgrades.

A Pre-Bid Meeting will be held at **10 AM, Tuesday June 23, 2009** in Room 20, Pine Technical College. The Engineer and College Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding Documents as prepared by the Project Engineer, Stanley Consultants, Inc., are on file at the offices of the:

- 1) above named Project Engineer
- 2) following Builders' Exchanges: Rochester, St. Paul, Minneapolis, Duluth, and Fargo-Moorhead.
- 3) McGraw Hill Construction Plan Room
- 4) Reed Construction Data Plan Room
- 5) MEDA Minority Contractors Plan Room
- 6) 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:

Stanley Consultants, Inc.
Attn: Melissa Lidberg
5775 Wayzata Blvd. Suite 300
Minneapolis, MN 55416
Phone: (952) 738-4321
Fax: (952) 546-4279
E-mail: lidbergmelissa@stanleygroup.com

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them must send a NON-REFUNDABLE payment (check made out to Stanley Consultants) for \$50.00 per set for shipping, handling, and reproduction costs. 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)

Pine Technical College

Request for Proposal for Advanced Manufacturing Instructor-Contract

NOTICE IS HEREBY GIVEN that proposals are being solicited to select an Advanced Manufacturing Instructor for the Minnesota State Colleges and Universities–Pine Technical College (MNSCU) located in Pine City, Minnesota.

MNSCU–Pine Technical College seek the services of an Advanced Manufacturing Instructor (contract) for approximately 2.5 years to provide services under a Community Based Job Training grant funded by the Federal Department of Labor. Vendor must provide evidence of appropriate technical knowledge as well as proven human relations/organizational/state-of-the art information delivery skills. For additional information or to request a copy of the Request for Proposal, please contact:

Jason Spaeth, Dean-Continuing Education/Contract Training
MNSCU-Pine Technical College
900 - 4th Street SE
Pine City, MN 55063
E-mail: spaethJ@pinetech.edu

Proposals must be received at the MNSCU-Pine Technical College Continuing Education/Contract Training office by 4:30 p.m. CDT on Monday, July 6, 2009.

This notice and the Request for Proposal do NOT obligate the State of Minnesota or MNSCU-Pine Technical College to award a contract; and reserves its right to withdraw from the RFP if it is considered to be in its best interest.

Minnesota State Colleges and Universities (MnSCU)

St. Cloud State University

ADVERTISEMENT FOR BIDS for Boiler No. 2 Re-Build

Sealed Bids for: Boiler No. 2 Re-Build
St. Cloud State University
St. Cloud, Minnesota

will be received by: Lisa Sparks
Administrative Services, Room AS-122
St. Cloud State University
St. Cloud, Minnesota, 56301

Until **3:00 PM**, local time, **July 21, 2009** at which time the bids will be opened and publicly read aloud.

Project Scope: The project will consist of the removal of the existing casing, refractory, tubes and accessories on an existing 40,000 #/hr, 150 PSIG steam boiler and re-building the boiler as indicated in the Documents. The existing burner assembly will be removed and replaced.

A **MANDATORY** Pre-Bid Meeting will be held at **10:00 AM local time, Thursday July 2, 2009**, in the **Lunchroom** at the **Maintenance Building, St. Cloud State University, 211 Eleventh Street South, St. Cloud, Minnesota 56301**. The Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

The deadline for request for information to the Engineer is **4:00 PM Monday July 13, 2009**. The final addendum for the project will be issued on **July 14, 2009**.

State Contracts

Bidding Documents as prepared by the Project Engineer; **Nelson-Rudie & Associates, Inc.**, are on file at the offices of the:

- 1) above named Project Engineer.
- 2) following Builders' Exchanges: **St. Cloud, St. Paul, Minneapolis, Duluth and Fargo-Moorhead.**
- 3) McGraw Hill Construction Plan Room
- 4) Reed Construction Data Plan Room
- 5) MEDA Minority Contractors Plan Room
- 6) 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:

Nelson-Rudie & Associates, Inc.
9100 - 49th Avenue North
Minneapolis, MN 55428
Phone: (763) 367-7600

A 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 Engineer) for **\$50.00** per set for shipping & handling (in addition to the **\$100.00** deposit) to the Architect. Such deposits and payments may be sent prior to **July 13, 2009**. 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) St. Cloud Technical College Formal Request for Bid (RFB) for Purchase of Manual Tool Change CNC Milling Machine

RESPONSE DUE DATE AND TIME: Monday, June 29, 2009 by 10:00am Central Time. The complete Request for Bid will be available on Monday, June 15, 2009 on the website: <http://www.sctc.edu/rfp>

TITLE OF PROJECT: Purchase of Manual Tool Change CNC Milling Machine for Machine Tool Technology Lab

GEOGRAPHIC LOCATION REQUIREMENTS: St. Cloud Technical College, 1540 Northway Drive, St Cloud MN 56303

RESPONSES MUST BE RECEIVED AT THE LOCATION LISTED BELOW:

Susan Meyer, Purchasing Agent Room 1-401
St. Cloud Technical College
1540 Northway Drive
St. Cloud, MN 56303
Phone: (320) 308-5973
Fax: (320) 308-5027
E-mail: smeyer@sctc.edu

CONTACT FOR QUESTIONS: Bruce Peterson, Phone: 320-308-0978, email: bpeterson@sctc.edu

Your response to this Request for Bid (RFB) must be returned sealed. Sealed responses must be received no later than the due date and time specified above, at which time the names of the vendors responding to this RFB will be read. **Late responses** cannot be considered and the responses will be rejected.

The laws of Minnesota and MnSCU Board of Trustees policies and procedures apply to this RFB.

All attached General RFB Terms and Conditions, Specifications and Special Terms and Conditions are part of this RFB and will be incorporated into any contract(s) entered into as a result of this RFB.

All responses to this RFB must be prepared as stated herein and properly signed. **Address all correspondence and inquiries regarding this RFB to the Contact person named above. This is a request for responses to an RFB and is not a purchase order.**

Minnesota State Colleges and Universities (MnSCU) St. Cloud Technical College Request for Bid (RFB) for Maintenance, Parts and Supplies for Truck Drivers' Training Program

RESPONSE DUE DATE AND TIME: Monday, June 22, 2009 by 10:00am Central Time. The complete Request for Bid will be available on Monday, June 8, 2009 on the website: <http://www.sctc.edu/rfp>

TITLE OF PROJECT: Provide maintenance, parts and supplies for the Truck Drivers' Training Program

GEOGRAPHIC LOCATION REQUIREMENTS: Location must be no more than 20 (twenty) miles from St. Cloud Technical College

RESPONSES MUST BE RECEIVED AT THE LOCATION LISTED BELOW:

Susan Meyer, Purchasing Agent Room 1-401
St. Cloud Technical College
1540 Northway Drive
St. Cloud, MN 56303
Phone: (320) 308-5973
Fax: (320) 308-5027
E-mail: smeyer@sctc.edu

CONTACT FOR QUESTIONS: Diane Denne-Morgan, Phone: (320) 308-6522, e-mail: dmorgan@sctc.edu

Your response to this Request for Bid (RFB) must be returned sealed. Sealed responses must be received no later than the due date and time specified above, at which time the names of the vendors responding to this RFB will be read. **Late responses** cannot be considered and the responses will be rejected.

The laws of Minnesota and MnSCU Board of Trustees policies and procedures apply to this RFB.

All attached General RFB Terms and Conditions, Specifications and Special Terms and Conditions are part of this RFB and will be incorporated into any contract(s) entered into as a result of this RFB.

All responses to this RFB must be prepared as stated herein and properly signed. **Address all correspondence and inquiries regarding this RFB to the Contact person named above. This is a request for responses to an RFB and is not a purchase order.**

State Contracts

Department of Natural Resources (DNR)

Notice of Availability of Contract for DNR Safety Training for Supervisors and Managers

CERTIFICATION # 19075

Amount of proposed contract: \$100,000

The Minnesota Department of Natural Resources is requesting proposals for the purpose of developing and delivering a safety education program to agency managers and supervisors. The training program is intended to bring clarity and understanding of safety and supervisory leadership responsibilities to DNR leaders.

Work is proposed to start after July, 2009.

The Request for Proposal can be obtained from:

Julie Johansen
Department of Natural Resources
Management Resources
500 Lafayette Road
St. Paul, MN 55155-4016
Fax: (651) 297-5818
E-mail: Julie.johansen@dnr.state.mn.us

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 3:00 p.m., June 29, 2009. **Late proposals will NOT be considered.** Fax or e-mailed proposals will **NOT** be considered.

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

Minnesota Board of Pharmacy

CANCELLATION of Request for Proposals (RFP) Issued By the Minnesota Board of Pharmacy for the Implementation of the Minnesota Controlled Substances Prescription Electronic Reporting System (CSPERS)

The notice appearing in the *State Register* on Monday 15 June 2009 on page 2073 (33 SR 2073) was inadvertently released prior to final approval. It is CANCELLED. A new notice will appear in the Monday 29 June 2009 *State Register*.

Department of Public Safety

Division of Emergency Communication Networks

Request for Proposals (RFP) for Public Safety Interoperability Planning Services

Professional/technical services are needed to provide the Minnesota Department of Public Safety, Division of Emergency Communication Network with planning services to coordinate and oversee the delivery of public safety interoperable communication programs and initiatives. The direct assistance includes include project plan development, coordination of local participation in developing solutions to public safety interoperability issues, leadership of designated workgroups and task groups, validation and adoption of recommendations and implementation and post-implementation support. The RFP anticipates an individual to provide project management of Public Safety Interoperable Communications (PSIC) grant program investments, public safety communication governance development and interoperable communication plan development.

The output from this contract will be monthly written reports to the Division of Emergency Communication Network Program, documenting meetings with local and regional public safety officials related to the activities listed above, the development of regional tactical interoperability plans and the development of regionally based public safety communication exercises. The contract will involve working with various local and regional public safety officials and assisting those officials in developing communication system plans and tactical interoperability plans.

Anticipated contract start date is July 27, 2009 with an initial ending date of December 31, 2010. If funding for this project is extended and if additional work is needed by the Division of Emergency Communication Networks after December 31, 2010, the Division of Emergency Communication Networks will retain the option to extend the contract with the contractor's consent, for up to 3 additional 1 year periods and a 6 month extension, for a total contract term not to exceed five years. The value of the contract for subsequent extension periods may be adjusted, if justified and approved by the state.

Details are contained in the complete RFP, which may be obtained by e-mailing: scott.wiggins@state.mn.us. All questions concerning this RFP should be emailed to Scott Wiggins and should be received by Scott no later than 2:00 p.m. Central Daylight Time on June 30, 2009. Answers to questions will be emailed to all entities requesting a complete RFP by end of business day July 2, 2009. Final date for submitting proposals is 2:00 p.m. Central Daylight Time on July 14, 2009.

State Court Administration REQUEST FOR PROPOSALS for IV-D Cost Allocation Plan

The State is seeking a vendor to assist with the creation and approval of a cost allocation plan that will maximize legitimate federal reimbursement pursuant to Title IV-D of the Social Security Act, while minimizing the amount of effort required to claim the reimbursement. The cost allocation plan must comply with 2 CFR 225 (OMB Circular A-87) and all other applicable federal and state law. It is anticipated that all work would be completed within nine (9) months to twelve (12) months from the effective date of any contract entered into as a result of this RFP.

I. PROPOSAL SUBMISSION TIMELINE; QUESTIONS; FORM; DEADLINE.

A. Proposal Timeline:

1. Posting Date: **JUNE 22, 2009**
2. Questions Due: **JULY 24, 2009** 4PM local (i.e., St. Paul) time
3. Answers Posted: **JULY 29, 2009** 5PM local (i.e., St. Paul) time
4. Proposal Submission Deadline: **August 7, 2009** 4PM local (i.e., St. Paul) time, with possible interviews and subsequent selection as soon thereafter as possible.

B. QUESTIONS **must** be submitted in writing no later than **July 24, 2009** 4:00 PM local (i.e., St. Paul) time to the sole point of contact identified below:

Jodie Metcalf
State Court Administration
Court Services Division
25 Rev. Dr. Martin Luther King Jr. Blvd.
St Paul, MN 55155
E-mail: jodie.metcalf@courts.state.mn.us

Other court personnel are not allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline. Questions and answers will be posted by end of day **JULY 29, 2009** and will be accessible to other vendors and the public.

A full request for proposal is available on the Minnesota Supreme Court website: www.courts.state.mn.us

State Contracts

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.

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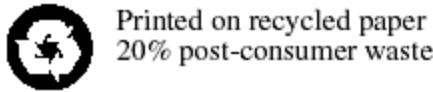


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