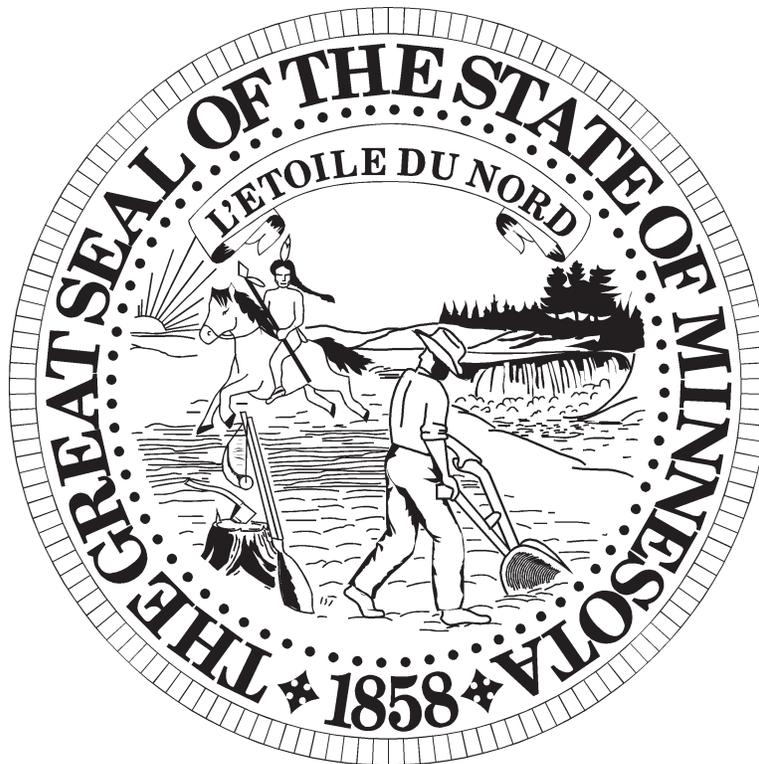


State of Minnesota

State Register



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

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Cumulative Index - *Minnesota Rules* Issues Vol. 35, #1-27

State Register

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

The *State Register* is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes*, Chapter 14, and *Minnesota Rules*, Chapter 1400. The *State Register* contains:

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- Withdrawn Rules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

Printing Schedule and Submission Deadlines														
Vol. 35	PUBLISH DATE			Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts				Deadline for Proposed, Adopted and Exempt RULES						
Issue Number	(BOLDFACE shows altered publish date)													
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# 28	Monday	10	January		Noon	Tuesday	4	January	2011	Noon	Wednesday	29	December	
# 29	Monday	17	January		Noon	Tuesday	11	January		Noon	Wednesday	5	January	2011
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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. 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, but 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.

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 #40-52 inclusive, with final index (#1-52, or 53 in some years). 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, phone: (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.

Minnesota Board of Nursing

Proposed Permanent Rules Relating to Board of Nursing Regulations

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Repeal of Rules Governing Program Approval, *Minnesota Rules*, 6301, and Proposed Amendment to Rules Governing Program Approval, *Minnesota Rules*, 6301

Introduction. The Board of Nursing intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. 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 Wednesday, February 2, 2011.

Agency Contact Person. You must submit comments or questions on the rules and written requests for a public hearing to the agency contact person. The agency contact person is: Ann M. Jones at the Minnesota Board of Nursing, 2829 University Avenue SE, Suite #200, Minneapolis, MN 55414, **phone:** (612) 617-2186, **fax:** (612) 617-2190, and **e-mail:** nursing.education@state.mn.us. **TTY** users may call the Board of Nursing at 1-800-627-3529.

Subject of Rules and Statutory Authority. The proposed revisions are to *Minnesota Rules* Chapter 6301 regarding approval of prelicensure practical and professional nursing programs in Minnesota. The statutory authority to adopt the rules is *Minnesota Statutes*, section 148.191, subdivision 2 authorizing the Board to adopt and, from time to time, revise rules not inconsistent with the law, as may be necessary to enable it to carry into effect the provisions of sections 148.171 to 148.285. A copy of the proposed rules is published in the *State Register* and attached to this notice.

Comments. You have until 4:30 p.m. on Wednesday, February 2, 2011 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 the agency contact person must receive it by the due date. The Board encourages comment. 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. You must also make any comments about the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Board hold a hearing on the rules. Your request must be in writing and the agency contact person must receive it by 4:30 p.m. on Wednesday, February 2, 2011. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any

changes you want made to the proposed rules.

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

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Modifications. The Board may modify the proposed rules 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 agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Board encourages you to participate in the rulemaking process.

Statement of Need and Reasonableness. The statement of need and reasonableness 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. It is now available from the agency contact person. You may review it or obtain copies for the cost of reproduction by contacting the agency contact person.

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

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

Dated: 17 December 2010

Shirley A. Brekken, Executive Director
Minnesota Board of Nursing

6301.0100 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of parts 6301.0100 to ~~6301.2200~~ 6301.2410, the following terms have the meanings given them.

[For text of subps 2 to 6, see M.R.]

Subp. 7. **Clinical setting.** “Clinical setting” means the place where, or through which, faculty and students have access to one or more patients. ~~Classrooms~~ Simulated clinical learning activities controlled by the faculty do not meet this definition.

Subp. 7a. **Competence.** “Competence” means the application of knowledge, ethics, and the interpersonal, decision-making, and psychomotor skills expected for the practice role, within the regulatory context of public health, safety, and welfare.

Subp. 8. **Controlling body.** “Controlling body” means a school or organization falling within the provisions of *Minnesota Statutes*, sections 148.171 to ~~148.299~~ 148.285 and meeting the requirements of part ~~6301.0500~~ 6301.2340, subpart ~~2~~ 1.

[For text of subps 9 to 12, see M.R.]

Subp. 12a. **Learning activities.** “Learning activities” means the experiences designed by faculty to meet the outcomes of the program including basic standards for competence.

Subp. 13. [See repealer.]

Subp. 14. [See repealer.]

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Subp. 15. **Nursing personnel.** “Nursing personnel” means those nurses and nursing assistants, exclusive of nursing students, who provide care to patients. ~~An exception to this definition is permitted in part 6301.1900, subparts 6, 7, and 8 when complying with parts 6301.2000 and 6301.2100.~~

[For text of subp 16, see M.R.]

Subp. 17. **Patient.** “Patient” means a person or group of persons of any age, including a pregnant person and a fetus, who is receiving or needs to receive care from a nurse. ~~An exception to this definition is permitted in parts 6301.1800 and 6301.1900 when complying with parts 6301.2000 and 6301.2100.~~

[For text of subps 18 to 20, see M.R.]

Subp. 21. **Safety.** “Safety” means ~~protection~~ a condition resulting from nursing actions that include the skill and judgment necessary to protect against physical or psychosocial hurt, injury, loss, danger, or risk of harm.

[For text of subps 22 and 23, see M.R.]

6301.2300 SCOPE OF RULES.

This chapter applies to new applications for program approval and to currently approved practical and professional programs offered in Minnesota. Nothing in this chapter restricts faculty from designing or implementing curricula more comprehensively than required under this chapter.

6301.2310 PURPOSE OF NURSING EDUCATION PROGRAM APPROVAL.

This chapter establishes requirements for practical and professional nursing programs conducted under *Minnesota Statutes*, sections 148.171 to 148.285, in order to:

A. promote the safe practice of nursing by enforcing education and practice standards for individuals seeking licensure as registered nurses and licensed practical nurses;

B. grant approval to nursing education programs that the board determines have met the standards;

C. provide information to graduates on meeting the educational and legal requirements for licensure;

D. ensure continuous evaluation and improvement of nursing education programs; and

E. provide the public and prospective students with a list of nursing programs that meets the standards established by the board.

6301.2320 PURPOSE FOR NURSING EDUCATION STANDARDS.

The purpose for nursing education standards is to:

A. provide a framework for preparing safe and competent graduates for entry into practical and professional nursing;

B. provide criteria for the development, evaluation, and improvement of new and established nursing education programs; and

C. ensure candidates are educationally prepared for licensure and recognition at the appropriate level.

6301.2330 NURSING EDUCATION STANDARDS.

All nursing education programs shall meet the standards in this part.

A. The controlling body and program have administrative and resource capacity resulting in effective delivery of the nursing program and achievement of identified outcomes.

B. The purpose and outcomes of the nursing program must be consistent with the “Nurse Practice Act,” other relevant statutes, and board rules.

C. The purpose and outcomes of the nursing program must be consistent with evidence-informed standards of nursing practice appropriate for graduates of the type of nursing program offered.

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D. The input of stakeholders shall be considered in developing and evaluating the purpose and outcomes of the nursing program.

E. The nursing program must perform periodic comprehensive self-evaluation for quality improvement.

F. The curriculum must provide diverse learning activities, including learning activities in clinical settings, that are consistent with program outcomes.

G. Faculty and students must participate in program planning, implementation, evaluation, and continuous improvement.

H. The nursing program administrator must be a professionally and academically qualified registered nurse with institutional authority and administrative responsibility for the program.

I. Professionally, academically, and clinically qualified registered nurse faculty must be sufficient in number and expertise to accomplish program outcomes and quality improvement.

6301.2340 REQUIRED CRITERIA FOR NURSING EDUCATION PROGRAMS.

Subpart 1. **Controlling body.** The controlling body proposing a program or continuing a program must:

A. be a Minnesota public or private postsecondary educational institution that is accredited by a regional or national accrediting association for postsecondary institutions recognized by the United States Department of Education; and

B. provide adequate fiscal, human, physical, clinical, and technical learning resources to support program processes, security, and outcomes.

Subp. 2. **Organization and administration.** The organization, administration, and implementation of the nursing education program shall be consistent with this chapter, *Minnesota Statutes*, sections 148.171 to 148.285, and other applicable statutes and rules.

Subp. 3. **Nursing education program.** The nursing education program must:

A. be an integral part of a governing academic institution;

B. implement a comprehensive, systematic plan for ongoing evaluation that is based on program outcomes and stakeholder input regarding competence and safety. The ongoing evaluation plan must provide for continuous improvement;

C. provide a curriculum to enable the student to develop the competence necessary for the level, scope, and standards of nursing practice consistent with the type of licensure;

D. ensure students:

(1) have learning activities with faculty oversight to acquire and demonstrate competence in clinical settings with patients across the life span and with patients throughout the whole wellness, acute, and chronic illness continuum;

(2) have diverse learning activities including clinical simulations to acquire and demonstrate competence. The faculty must have oversight over the learning activities; and

(3) provide input into the development, implementation, and evaluation of the program;

E. ensure the director:

(1) is academically and experientially qualified to accomplish the mission, goals, and expected student and faculty outcomes;

(2) has a graduate degree in nursing from a regionally or nationally accredited college or university recognized by the United States Department of Education or by a comparable organization if the graduate degree is from an educational institution from a foreign country;

(3) has a current unencumbered Minnesota registered nurse license and current registration;

(4) is vested with the administrative authority to accomplish the mission, goals, and expected program outcomes;

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(5) provides effective leadership to the program in achieving its mission, goals, and expected program outcomes;

(6) is given adequate time and resources to fulfill the roles and responsibilities;

(7) communicates information about the program that is accurate, complete, consistent, and readily available; and

(8) informs the board within 30 days of a change in the director, the name of the program, the name of the controlling body, the address of the program at each site where the program is offered, the addition or termination of a site of the program, the address of the controlling body, or control of the program. Changes in control of the program include sharing control with another body, deleting a body from sharing control, transferring control in whole or in part to another body, or merging programs formerly controlled by other bodies;

F. ensure general principles for faculty include:

(1) academic preparation for the areas in which they teach;

(2) experiential preparation in the area they teach;

(3) sufficiency in number to support the program outcomes;

(4) provision of opportunities for ongoing development in the science of education;

(5) nursing faculty have a major in nursing at the baccalaureate or graduate level and unencumbered licensure as a registered nurse with current registration in Minnesota; and

(6) nonnursing faculty are sufficient in number, utilization, and credentials to meet program goals and outcomes;

G. ensure practical nursing program faculty have a baccalaureate or graduate degree in nursing from a regionally or nationally accredited college or university recognized by the United States Department of Education or by a comparable organization if the baccalaureate- or graduate-level degree is from a foreign country;

H. ensure professional nursing program faculty have a graduate degree for full-time faculty and the majority of part-time faculty hold a graduate degree from a regionally or nationally accredited college or university recognized by the United States Department of Education or by a comparable organization if the baccalaureate- or graduate-level degree is from a foreign country;

I. ensure responsibilities of nursing faculty include:

(1) developing, implementing, evaluating, and updating the purpose, philosophy, objectives, and organizational framework of the nursing education program;

(2) designing, implementing, and evaluating the curriculum using a written plan;

(3) developing, evaluating, and revising student admission, progression, retention, and graduation policies within the policies of the governing body;

(4) participating in academic advising and guidance of students;

(5) planning and providing theoretical, clinical, and simulated clinical learning activities that reflect an understanding of the philosophy, objectives, and curriculum of the nursing education program; and

(6) evaluating student achievement of curricular objectives and outcomes related to nursing knowledge and practice;

J. maintain minimum standard on the licensure examination of greater than 75 percent for candidates from the program who, during any January 1 through December 31 period, wrote the licensing examination for the first time; and

K. ensure associate degree professional nursing programs provide advanced standing and transition experiences for qualified licensed practical nurses.

6301.2350 GRANTING APPROVAL.

Subpart 1. **Program accreditation.** All Board of Nursing-approved nursing education programs must provide evidence of current accreditation by a national nursing accrediting body recognized by the United States Department of Education by January 1, 2016, or must have achieved candidacy status leading to such accreditation and demonstrated satisfactory progression toward obtaining the accreditation.

Subp. 2. **Initial program approval.** The board shall grant initial approval to nursing education programs that demonstrate compliance with part 6301.2360, subpart 5.

Subp. 3. **Continuing program approval.** The board shall continue approval for programs that comply with all applicable rules including the survey requirements in part 6301.2360, subparts 2 and 3.

6301.2360 SURVEYS FOR DETERMINING COMPLIANCE WITH STANDARDS AND CRITERIA.

Subpart 1. **Board notification.** The board shall notify the director of the time allowed for supplying the information regarding compliance with rules, including time allowed for completing board-supplied forms and providing materials and reports. The board shall give the director prior notice for all on-site surveys; however, notice may not be given for all on-site observations.

Subp. 2. **Survey for evidence of compliance with nursing education standards.** All Board of Nursing-approved nursing education programs must provide evidence of current accreditation by a national nursing accrediting body approved by the United States Department of Education by January 1, 2016, or must have achieved candidacy status leading to such accreditation and demonstrated satisfactory progression toward obtaining the accreditation. All reports and communication with accrediting bodies must be submitted to the board including:

- A. evidence of current accreditation;
- B. accreditation reports; and
- C. any correspondence related to the status of the program's accreditation.

Subp. 3. **Survey to evidence compliance with additional statutes and board rules.** The program director must submit the following annual reports on:

- A. advanced standing;
- B. workers' compensation coverage;
- C. affirmation of compliance with program approval rules including licensure status of faculty and clinical requirements; and
- D. minimum nursing education program data set recognized by the board.

Subp. 4. **Survey for licensure examination success rates.** If the success rates are 75 percent or less for candidates from the program who, during any calendar year, wrote the licensing examination for the first time, the board must take one of the actions described in items A to C and publish the actions, including a report to the accrediting agency.

A. **Require a plan of corrective action:** If success rates are 75 percent or less for one period, the board shall require the director to identify factors that are potentially affecting the low success rate on the licensure examination. The director shall submit a plan of corrective action by a specified date. The plan of action must be on a board-supplied form and include the signature of the director and another institutional administrative academic representative. If in the following year the success rate is above 75 percent, no action by the board is required.

B. **Survey for corrective action:** If success rates are 75 percent or less for any two consecutive periods, the board shall notify the director of an on-site survey to identify additional factors affecting the low success rate and review progress on the plan for corrective action submitted the previous year. The survey must include the director, faculty, students, and an institutional administrative academic representative of the institution. The director shall submit a revised plan of corrective action by a specified date. The plan of corrective action must be on a board-supplied form and include the signature of the director and another institutional administrative academic representative. If in the following year the success rate is above 75 percent, no action is required by the board.

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C. Survey for compliance with board rules: If success rates are 75 percent or less for any three consecutive periods, the board shall require the director and another institutional administrative academic representative to meet with a committee of board members and board staff for an on-site survey for compliance with all applicable rules and for the implementation of the plan for corrective action submitted the previous year. Upon completion of the survey, the board shall take action in compliance with part 6301.2360, subpart 9.

Subp. 5. Survey for initial approval of new nursing education program. An educational institution intending to establish a nursing education program in Minnesota must be surveyed as outlined in items A to C.

A. Phase I - Intent to establish program.

(1) An educational institution under *Minnesota Statutes*, section 148.251, subdivision 1, must submit a letter of intent to establish a new nursing education program. The letter of intent must be submitted by the qualified director of the proposed program. Documentation in the letter of intent to establish a program must:

(a) be submitted 12 months prior to the intended start date of the program;

(b) include name, address, and current accreditation of the governing body;

(c) provide rationale for establishing the nursing education program;

(d) present a timetable for development and implementation of the nursing program;

(e) provide evidence of adequate financial support and resources;

(f) document availability of adequate academic facilities;

(g) include impact of the proposed nursing education program on other nursing programs in the area; and

(h) provide documentation of authorization by the designated review board for that educational institution to develop and implement a program.

(2) The board must approve the document of intent.

(3) Until a controlling body has received initial approval to conduct a program, representatives of the body shall use the term "proposed" in all references to the nursing program.

B. Phase II - Program development leading to initial approval.

(1) The director of the proposed program must submit an application for approval documenting compliance with education standards and criteria specified in this chapter.

(2) Board members must conduct a site visit when the application demonstrates compliance with nursing education standards and criteria specified in this chapter.

(3) Board site visitors must submit a recommendation to the board to grant initial approval or deny initial approval.

(4) The institution must not conduct nursing coursework until the board approves the recommendation for initial approval. This restriction does not prevent the controlling body from conducting nonnursing courses or from providing continuing education to nursing personnel.

(5) After receiving initial approval, the director must submit all required board annual reports including all reports and communication regarding candidacy for national nursing education accreditation.

C. Phase III - Continuing approval. Under *Minnesota Statutes*, section 148.251, subdivision 3, the board must survey initially approved nursing programs, and continue approval for the program if the program is in compliance with board rules, including:

(1) meeting the minimum first-time licensure examination success rate as required by part 6301.2360, subpart 4; and

(2) acquiring national nursing education accreditation as required by subpart 6.

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Subp. 6. Survey required. Under *Minnesota Statutes*, section 148.251, subdivision 3, the board must survey all nursing programs to determine if the board will continue approval. For approval to be continued, a nursing program must be in compliance with all board rules and must:

A. follow the accreditation cycle and process for initial or continuation of accreditation of the national nursing education accrediting agency;

B. allow board members and board staff to accompany surveyors on the accrediting site visit if the board chooses to conduct joint visits;

C. submit national nursing accrediting agency self-study to the board;

D. submit a copy of all communication between the program and the national nursing accrediting agency; and

E. submit required annual board reports.

Subp. 7. Approval. The board must act to continue approval if the program:

A. receives initial or continuing national nursing education accreditation; and

B. is in compliance with all other board rules and statutes.

Subp. 8. Program survey. The board must survey the program for compliance with one or more applicable rules if:

A. requirements for approval are changed or added;

B. the board has reason to believe there is a lack of compliance with the rules; or

C. the board has reason to believe program personnel are submitting false or misleading information or engaging in fraudulent practices to obtain or maintain approval.

Subp. 9. Board action following survey. The board shall take one of the following actions upon completion of a survey:

A. notify the director in writing that compliance with the rules has been determined; or

B. notify the director in writing of allegations of lack of compliance with one or more rules. The notice must inform the director that either a conference will be held with a board review panel, or a contested case hearing will be held according to *Minnesota Statutes*, chapter 14, and contested case rules in parts 1400.5010 to 1400.8400. If a conference is held with a board review panel, and the review panel finds that the allegations are:

(1) untrue, then the board shall dismiss the matter;

(2) true, and representatives of the program consent, then the panel shall submit a report to the board; or

(3) true, but the representatives of the program do not consent to submission of a report to the board, then the review panel must initiate a contested case hearing according to *Minnesota Statutes*, chapter 14, and contested case rules in parts 1400.5010 to 1400.8400.

Subp. 10. Board action following conference or hearing.

A. Upon receipt of the report of the review panel or hearing officer, the board shall take one of the following actions:

(1) notify the director in writing that compliance with all rules has been determined;

(2) issue a reprimand without changing the approval status if the program is in compliance either at the time of convening the review panel or hearing or by the time the board reviews the report of the panel or hearing;

(3) revoke approval and remove the program from the list of approved programs or deny approval to an applicant if the board finds the program has had a reasonable opportunity to correct the deficiency and has failed to do so; or

(4) issue a correction order. The correction order shall specify the date by which the deficiencies must be corrected. The

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correction order expires on that date.

B. If the deficiencies are corrected before the expiration of the correction order, the director must be notified in writing that the board has found the program to be in compliance with the applicable rules.

C. If the deficiencies are not corrected before expiration of the correction order, the director must be notified that a conference with a board review panel may be held, or that a contested case hearing may be held according to Minnesota Statutes, chapter 14, and contested case rules in parts 1400.5010 to 1400.8400.

(1) The purpose of the review panel or hearing is to determine if the deficiency was corrected prior to expiration of the correction order.

(2) If the deficiency was not corrected prior to expiration of the correction order, the board shall either remove the program from the list of approved programs or deny approval to an applicant.

6301.2370 VOLUNTARY CLOSURE OF NURSING EDUCATION PROGRAMS.

Subpart 1. **Voluntary closure.** If a nursing education program closes voluntarily, the director must:

A. give notice to the board of the planned closing date within 15 days of a decision to voluntarily close the program;

B. submit a written plan for terminating the nursing program with the notice of closure;

C. ensure that the nursing program is maintained, including the nursing faculty, until the last student is transferred or completes the program;

D. maintain standards for nursing education during the transition to closure;

E. provide placement for students who have not completed the program; and

F. notify the board of closure within 15 days after the actual date of closure.

Subp. 2. **Ending approval.** The board shall act to end approval after receipt of the notice of voluntary closure, effective on the actual date of voluntary closure.

6301.2380 DENIAL OR WITHDRAWAL OF APPROVAL.

A. The board shall deny initial approval if it determines that a new nursing education program will be unable to meet the standards for nursing education.

B. The board shall withdraw approval if it determines that a nursing education program:

(1) fails substantially to meet the standards for nursing education; or

(2) fails to correct the identified deficiencies within the time specified.

C. If a nursing education program is removed from the approved list, the governing body must provide for the completion of the program for students currently enrolled by placing the students in an approved program.

6301.2390 REINSTATEMENT OF APPROVAL.

The board may reinstate approval if the program submits evidence of compliance with nursing education standards within the specified time frame set by the board.

6301.2400 ACADEMIC RECORDS.

The director must identify arrangements for the secure storage and access to academic records and transcripts for the next 50 years in the event that the program closes or the approval of the program is revoked. This includes providing the name of the educational institution, hospital, or other organization that will be responsible for furnishing copies of the students' academic records to graduates for that period of time.

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6301.2410 INNOVATIVE APPROACHES IN NURSING EDUCATION PROGRAMS; EXEMPTION FROM CERTAIN RULES.

Subpart 1. Application. A nursing education program may apply to implement an innovative approach by complying with this part. Nursing education programs approved to implement innovative approaches shall continue to provide quality nursing education that prepares graduates to practice safely, competently, and ethically within the scope of practice as defined in *Minnesota Statutes*.

Subp. 2. Purpose. The purpose of applying for exemption from certain rules is to:

- A. foster innovative models of nursing education to address the changing needs in health care;
- B. ensure that innovative approaches are conducted in a manner consistent with the board's role of protecting the public; and
- C. ensure that innovative approaches conform to the quality outcome standards and core education criteria established by the board.

Subp. 3. Eligibility. To be eligible for the exemption, the program must:

- A. hold full board approval without conditions;
- B. have no substantiated complaints in the past two years; and
- C. have no rule violations in the past two years.

Subp. 4. Application. The following information must be provided to the board at least 30 calendar days prior to a board meeting:

- A. identifying information, including name of nursing program, address, responsible party, and contact information;
- B. a brief description of the current program, including accreditation and board approval status;
- C. length of time for which the exemption is requested;
- D. description of the innovative approach, including objectives;
- E. brief explanation of why the program wants to implement an innovative approach at this time;
- F. explanation of how the proposed innovation differs from approaches in the current program;
- G. rationale with available evidence supporting the innovative approach;
- H. identification of resources that support the proposed innovative approach;
- I. expected impact the innovative approach will have on the program, including administration, students, faculty, and other program resources;
- J. plan for implementation, including timeline and the impact on current students;
- K. plan for evaluation of the proposed innovation, including measurable criteria and outcomes, method of evaluation, and frequency of evaluation; and
- L. additional application information as requested by the board.

Subp. 5. Standards for approval. The application must meet the following standards:

- A. the eligibility criteria in part 6301.2410, subpart 3, and application criteria in part 6301.2410, subpart 4;
- B. the innovative approach will not compromise the quality of education or safe practice of students;
- C. resources are sufficient to support the innovative approach;
- D. rationale with available evidence supports the implementation of the innovative approach;

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E. the implementation plan is reasonable to achieve the desired outcomes of the innovative approach;

F. the timeline provides for a sufficient period to implement and evaluate the innovative approach; and

G. the plan for periodic evaluation is comprehensive and supported by appropriate methodology.

REPEALER. Minnesota Rules, parts 6301.0100, subparts 13 and 14; 6301.0200; 6301.0300, subpart 1; 6301.0400; 6301.0500; 6301.0600; 6301.0700; 6301.0800; 6301.0810; 6301.0900; 6301.1000; 6301.1100; 6301.1200; 6301.1300; 6301.1400; 6301.1505; 6301.1600; 6301.1700, subpart 1; 6301.1800; 6301.1900, subparts 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, and 12; 6301.2000; 6301.2100; and 6301.2200, are repealed.

Executive Orders

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

Office of the Governor

Emergency Executive Order #10-17: Providing for Emergency Relief from Regulations to Motor Carriers Operating in Minnesota

I, **TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA**, by virtue of the authority vested in me by the Constitution and *Minnesota Statutes 2010*, Section 221.0269, do hereby issue this Emergency Executive Order:

WHEREAS, in the past week there has been a dramatic increase in orders for home heating oil, fuel for stand-by generators, and ongoing snow removal; and

WHEREAS, additional time for motor carriers is required to navigate snowbank-narrowed streets, locate heating oil fill pipes under the snow, and clear paths for getting trucks close enough for fuel delivery; and

WHEREAS, many pieces of snow removal equipment are requiring unit fills of diesel fuel; and

WHEREAS, there are limited qualified drivers that can haul diesel fuel; and

WHEREAS, disruptions in the ability to sufficiently supply diesel fuel may also impact driver availability to supply fuel oils for the upcoming cold weather season.

Executive Orders

NOW, THEREFORE, I hereby declare that:

1. An emergency exists in Minnesota that requires relief from regulations incorporated in *Minnesota Statutes 2010*, Section 221.0314, Subdivision 9, pertaining to hours of service for carriers and drivers operating non-articulated liquid fuel delivery trucks delivering diesel fuel, gasoline, fuel oil, and kerosene. Drivers using this emergency order must operate within the 100 airmile radius as referenced in 49 CFR 395.1 (e) (1), and are limited to 15 consecutive hours on duty, and must have 10 hours off-duty between shifts. Driver may operate on this schedule for 5 consecutive days, and must have 34 hours off-duty before returning to duty.

2. Nothing herein shall be construed to relieve commercial motor carriers and drivers from regulations pertaining to qualifications of drivers, driving of commercial motor vehicles, commercial drivers' licenses, drug and alcohol testing and use or financial responsibility.

3. A carrier must keep time records as required in 49 CFR 395.1 (e) for all drivers operating under this order.

4. No commercial motor carrier operating under the terms this emergency order shall require or allow a fatigued or ill driver to operate a motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive hours off-duty before the driver is required return to service. If a driver requests time off under this paragraph, the motor carrier must document the request in a writing that includes the driver's name and the date and time of the request. The carrier shall retain the document for six months.

5. Upon the expiration of the effective date of this emergency order, or when a driver or commercial motor carrier ceases to provide direct assistance to the emergency relief effort, a driver that has had at least thirty four consecutive hours off-duty, shall be permitted to start his or her on-duty status hours of service record at zero.

6. Drivers operating under the terms of this order must carry a copy of this order.

This order shall be effective immediately and shall remain in effect until the commercial motor carrier or driver ceases direct assistance in providing emergency relief or 11:59 p.m. on January 7, 2011, whichever occurs earlier. For purposes of this order, direct assistance is defined in *Minnesota Statutes 2010*, Section 221.0269, Subdivision 3(c).

IN TESTIMONY WHEREOF, I have set my hand this 23rd day of December, 2010.

Signed: TIM PAWLENTY
Governor

Filed According to Law:

Signed: MARK RITCHIE
Secretary of State

Commissioners' Orders

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

Minnesota Department of Natural Resources (DNR)

Commissioner's Order – WMA 10-002: Designation of Wildlife Management Areas

EFFECTIVE DATE: Dec 31, 2010

Statutory authority: MS 97A.135, Subd. 1, and 97A.145, Subd. 1

Supercedes: N/A

WHEREAS, certain lands in Minnesota, described as:

Becklin Homestead Wildlife Management Area Tr5, Isanti County

Government Lot 4, S13, T36, R24, and that part of GL 3, S14, T36, R24 W, lying north of the south 668.15 feet thereof, Isanti County, Minnesota. Together with a perpetual easement for ingress and egress over and across the east 33 feet of the NWNW of S24, T36, R24 W, Isanti County, Minnesota.

Benderberg Wildlife Management Area Tr19, Chippewa County

That part of the SE ¼ of S13, T119, R42 W, Chippewa County, described as follows:

Beginning at the east quarter corner of said S13; thence South 00° 00' 00" East, assumed bearing along the east line of the SE ¼ of said Section, a distance of 2632.21 feet to the southeast corner of said Section; thence North 89° 24' 36" West, along the south line of said SE ¼, a distance of 657.82 feet; thence North 30° 14' 23" West a distance of 1418.89 feet; thence North 02° 51' 48" East a distance of 455.00 feet; thence North 41° 57' 02" West a distance of 1309.20 feet to a point on the north line of said SE ¼; thence South 89° 15minutes 59" East, along said north line, a distance of 2225.00 feet to the point of beginning.

Clifton Wildlife Management Area Tr5 & 6, Lyon County

The SWSW of S5, T111), R40) W, Lyon County.

And

The SE ¼ of S6, T111), R40) W, Lyon County.

And

The Northwest Fractional Quarter (NW Fr. ¼), also described as the E ½ NW ¼ and Lots 1 and 2, all in S7, T111 R40 W, Lyon County, excepting the following described property:

Beginning at a point on the West quarter line (South line of the NW ¼) of said Section 880.0 feet west of the center of Section; thence North 41° 32' West 368.9 feet; thence North 72° 45' West 795.8 feet; thence North 38° 57' West 1170.9 feet to the West section line; thence South 00° 09' East 1411.7 feet along said line to the West quarter corner; thence South 89° 44' East 1736.4 feet along the West quarter line (South line of the NW ¼) to the point of beginning.

Cold Springs Wildlife Management Area Tr3, Renville County

That part of the NWSE of S2, T113, R36 W, Renville County, Minnesota, described as follows:

Commencing at the southeast corner of said NWSE; thence on a bearing based on the 1983 Renville County Coordinate System (1996 Adjustment) of North 00° 15' 44" East along the east line of said NWSE 805.13 feet to a ¾ inch rebar with a plastic cap stamped "MN DNR LS 17003" (DNR MON) and the POINT OF BEGINNING; thence continuing North 00° 15' 44" East along the east line of said NWSE 242.16 feet to the center line of County Road Number 15; thence North 73° 38' 11" West along said center line 154.45 feet to a DNR MON; thence South 16° 21' 51" West 83.16 feet to a DNR MON; thence South 39° 37' 55" East 267.32 feet to the point of beginning; containing 0.62 acres

AND

Surveyor's Lot 1 of GL2 of S12, T113, R36 W, Renville County, Minnesota, according to the plat on file and of record in Renville County Recorder's Office.

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AND

Surveyor's Lot 1 and Lot 2 of GL5 of S11, T113, R36 W, Renville County, Minnesota, according to the plat on file and of record in Renville County Recorder's Office.

Everglade Wildlife Management Area Tr4, Stevens County

The N ½ of the SW ¼, S36, T126, R44 W, subject to that certain wetlands reserve program easement granted to the USA by instrument filed Dec 13, 2004, and recorded as Document No. 0176196 in the office of the Stevens County Recorder.

Erickson-Lindstrom Wildlife Management Area Tr2, Kanabec County

The SWNE and the SENW of S16, T39, R23 W, Kanabec County.

Lamberton Wildlife Management Area Tr15, Redwood County

The NW ¼ of SW ¼; the SW ¼ of NW ¼; and the S ½ of SW ¼, excluding therefrom the building site described as the south half of the S ½ of SW ¼ of SW ¼ of S18, T109 36, Redwood County.

Little Nokasippi River Wildlife Management Area Tr3, Crow Wing County

That part of SE ¼ NW ¼ NW ¼, of S26 T43 R32, lying East and South of the Nokasippi River and East and South of the Little Nokasippi River, according to the U.S. Government Survey thereof on file and of record in the office of the Register of Deeds in and for said County and state.

Little Nokasippi River Wildlife Management Area Tr6, Crow Wing County

That part of the SWNW, S26, T43, R 32 W, Crow Wing County, Minnesota, lying north of the Nokasippi River.

Middle Antelope Valley Wildlife Management Area Tr4, Yellow Medicine County

The Southwest SW1/4 of S10, Township 114, R44 W, Yellow Medicine County.

Milan Wildlife Management Area Tr14, Chippewa County

That part of the W ½ NW ¼ and that part of the SE ¼ NW ¼ of S4, T119, R42 W, Chippewa County, Minnesota, described as follows:

Beginning at the northwest corner of said S4; thence North 90° 00' 00" East, assumed bearing along the north line of said Section, a distance of 420.00 feet; thence South 00° 00' 00" East a distance of 160.00 feet; thence South 54° 55' 09" West a distance of 119.00 feet; thence South 36° 07' 43" East a distance of 1463.00 feet; thence South 39° 28' 56" East a distance of 1460.00 feet to a point on the south line of the NW ¼ of said Section; thence South 89° 34' 38" West, along said south line, a distance of 2093.90 feet to the southwest corner of said NW ¼; thence North 00° 26' 30" West, along the west line of said NW ¼, a distance of 2552.44 feet to the point of beginning.

Pelican Lake Wildlife Management Area Tr6, Wright County

That part of the SW ¼ and Lot D which is part of the NESW and Government Lot 4 of S34, T21, R25. Lot D is described as follows:

Beginning 4.30 chains South of center of said Section; thence North 10.05 chains to Lake Paradise; thence along lakeshore South 72° West 5.80 chains; thence in a Southeasterly direction 9.77 chains to the point of beginning.

The north line of Lot D is limited to the following description per QCD Doc.#1163315:

Commencing at the southeast corner of said GL 4; thence North 00° 08' 31" West, on an assumed bearing along the east line of said Government Lot 4 and Lot D, a distance of 379.50 feet to the northeast corner of said Lot D marked by an in-place iron pipe and the point of beginning; thence South 70° 12' 54" West 352.03 feet to an in-place iron pipe; thence continuing S 70° 12' 54" West 33 feet, more or less, to the centerline of Northeast Davern Avenue and there terminating.

EXCEPT that part of the NWSE, S34, T121, R25, described as follows: Beginning at a point on the west line of said NWSE, distant 4.30 chains (283.80 feet) south of the northwest corner of said NWSE; thence east, perpendicular to said west line, a distance of 660.00 feet; thence at a right angle south 660.00 feet; thence at a right angle west 660.00 feet to said west line; thence north 660.00 feet along said west line to the point of beginning.

And EXCEPT that part of the SE ¼ of S34, T121, R25 described as follows: Beginning at the southeast corner

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of said SE; thence west on the south line of said SE, a distance of 350.00 feet; thence at a right angle north, 249.00 feet; thence at a right angle east, 350.00 feet to the east line of said SE; thence south on the east line of said SE 249.00 feet to the point of beginning.

AND

The SW ¼ of S35, T121, R25, lying westerly of the following described line: Commencing at the southeast corner of said SW; thence on an assumed bearing of North 89° 45' 22" West, along the south line of said SW, a distance of 69.70 feet to the point of beginning; thence North 11° 24' 48" West 2720 feet, more or less, to the north line of said SW and there terminating. Said line also being the centerline of Northeast Edmonson Avenue.

EXCEPTING THEREFROM:

That part of the South 633.00 feet of the said SW ¼ that lies westerly of a line described as follows: Commencing at the southwest corner of said SW; thence on an assumed bearing of South 89° 45' 22" East along the south line of said SW, a distance of 1050.00 feet; thence North 00° 14' 38" East perpendicular to the south line of said SW a distance of 633.00 feet; thence South 89° 45' 22" East a distance of 654.92 feet to the point of beginning of line to be described; thence South 05° 26' 49" East a distance of 636.14 feet to the south line of said SW and said line terminating.

ALSO EXCEPTING THEREFROM;

That part of said SW ¼ described as follows; Commencing at the southeast corner of said SW; thence on an assumed bearing of North 89° 45' 22" West along the south line of said SW, a distance of 69.70 feet; thence North 11° 24' 48" West a distance of 930.26 feet to the point of beginning; thence South 83° 20' 11" West a distance of 218.48 feet; thence North 04° 00' 35" West a distance of 229.43 feet; thence North 83° 19' 09" East a distance of 188.81 feet to the intersection of a line which bears North 11° 24' 48" West from the point of beginning; thence South 11° 24' 48" East to the point of beginning.

ALSO EXCEPTING THEREFROM;

That part of said SW ¼ described as follows: Commencing at the southeast corner of said SW; thence on an assumed bearing of North 89° 45' 22" West along the south line of said SW, a distance of 69.70 feet; thence North 11° 24' 48" West a distance of 1359.62 feet to the point of beginning; thence return South 11° 24' 48" East a distance of 100.88 feet; thence South 83° 19' 11" West a distance of 453.04 feet; thence North 00° 35' 21" East to a line which bears North 89° 56' 19" West from a point on the east line of said SW distant 1838.93 feet North of the southeast corner of said SW; thence South 89° 56' 19" East a distance of 746.49 feet to the east line of said SW; thence South 00° 28' 57" East along said east line to a line which bears South 89° 56' 19" East from the point of beginning; thence North 89° 56' 19" West a distance of 327.52 feet to the point of beginning.

ALSO EXCEPTING THEREFROM;

That part of the NESW described as follows: Commencing at the northeast corner of said NESW; thence on an assumed bearing of South 89° 52' 40" West along the north line of said NESW, a distance of 998.83 feet to the point of beginning; thence South 00° 01' 26" East a distance of 248.18 feet; thence North 89° 52' 40" East a distance of 463.79 feet to the centerline of Northeast Edmonson Avenue; thence North 11° 24' 48" West, along said centerline, a distance of 253.07 feet to the north line of said NESW; thence South 89° 52' 40" West along said north line, a distance of 413.82 feet to the point of beginning.

Rice Lake Wildlife Management Area Tr18, Faribault County

Government Lot 4 in S32, T104, R27 W, Faribault County.

Roseau River Wildlife Management Area Tr17&18, Roseau County

The SENE of S30, T163, R43 W; and the NWSE of S35, T163, R43 W, Roseau County.

Swan Lake Wildlife Management Area Tr103, Nicollet County

The W ½ of the SW ¼ of Section 32, Township 110, Range 29 W, Nicollet County.

Vermillion River WMA Tr11, Dakota County

The NENW of Section 23, Township 114, Range 19 W, Dakota County.

Verona WMA Tr1, Brown County

The W ½ of the NW ¼ in S2, T108, R33 W, Brown County

And

The SE ¼ of S3, T108, R33 W, Brown County, EXCEPTING THEREFROM the following two parcels:

The North 926.81 feet of the East 470 feet of the NESE, S3, T108, Range 33 W; and

The South 1,113 feet of the S ½ of the SE ¼, S3, T108, Range 33 W.

Warsaw WMA Tr1A & 1B, Goodhue County

The NENW of S8, T111, R18 W, Goodhue County, except the following described property:

That part of the NENW of S8, T111, R18 W, Goodhue County, described as follows:

Commencing at the northeast corner of the NENW of said S8; thence South 00° 00' 27" West, oriented with the Goodhue County Coordinate System, N.A.D. 83 (1996 adjustment, HARN), along the east line of the NENW of said S8, a distance of 1310.93 feet to the southeast corner of the NENW of said S8; thence North 89° 42' 07" West, along the south line of the NENW of said S8, a distance of 560.34 feet to the centerline of Minnesota Trunk Highway 56, as now located and established, also being the point of beginning of the land to be described; thence North 03° 53' 41" East, along said centerline, a distance of 546.28 feet; thence North 84° 54' 38" West, a distance of 511.06 feet; thence South 02° 43' 59" West, a distance of 588.43 feet to the south line of the NENW of said S8; thence South 89° 42' 07" East, along said south line, a distance of 500 feet to the point of beginning.

And

That part of the NWNW lying east of the west 35.00 acres thereof.

And

The SWSE of S5, and the NWNE of S8, all in T111, R18, Goodhue County.

And

The SWNE of S8, T111, R18 W, Goodhue County.

White Bear Lake WMA Tr9, Pope County

That part of the N ½ of the SE ¼ and that part of the NWSW, all being within S4, T125, R39 W, Pope County, Minnesota, described as follows:

Beginning at the east quarter corner of said S4; thence South 02° 48' 42" West, assumed bearing along the east line of said S4, a distance of 813.74 feet; thence North 87° 11' 16" West 36.93 feet; thence North 45° 02' 08" West 129.77 feet; thence North 24° 08' 55" West 85.83 feet; thence North 09° 05' 14" West 196.18 feet; thence North 20° 07' 22" West 48.52 feet; thence South 89° 37' 31" West 1197.12 feet; thence South 03° 28' 43" West 268.23 feet; thence North 89° 13' 05" West 1092.36 feet; thence North 00° 31' 14" East 252.81 feet; thence North 89° 46' 45" West 816.51 feet; thence South 00° 07' 40" West 177.23 feet; thence North 89° 57' 53" West 456.76 feet; thence South 00° 58' 01" East 760.22 feet to the south line of aforesaid NESW of S4; thence South 89° 56' 35" West, along said south line, 222.47 feet to the west line of said NESW; thence North 02° 47' 58" East, along said west line 1319.24 feet to the north line of said NESW; thence North 89° 37' 31" East, along said north line and along the north line of aforesaid N ½ of SE ¼ of S4, a distance of 3973.69 feet to the point of beginning.

William M Rath WMA Tr1A & 1B, Pine County

The SWSW of S5, T44, R17 W, in Pine County, and;

All of S8, T44, R17 W, in Pine County, and;

The NENW, the NWNW, the SWNW, and the NWSW of S17, T44, R17, Pine County

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Winding Creek Wildlife Management Area Tr2, Brown County

The S ½ of the NW ¼ of Section 12, Township 108, Range 33 W, Brown County.

And all of S8, T44, R17, Pine County.

And the NENW, the NWNW, the SWNW and the NWSW of S17, T44, R17, Pine County.

Younger Brothers WMA Tr7, Watonwan County

The W ½ of the NW ¼ and the W ½ of the SW ¼ of S23, T107, R31 W, Watonwan County, Minnesota.

EXCEPTING THEREFROM

That part of the SWSW of said S23, described as follows:

Commencing at the southwest corner of said S23; thence easterly on a Minnesota State Plane Grid Azimuth from north of 90° 01' 39" along the south line of said SW ¼ 686.20 feet to the POINT OF BEGINNING; thence continue easterly 90° 01' 39" azimuth along said south line 435.60 feet; thence northerly 00° 01' 39" azimuth 500.00 feet; thence westerly 270° 01' 39" azimuth 435.60 feet; thence southerly 180° 01' 39" azimuth 500.00 feet to the point of beginning.

and

WHEREAS, The above described lands meet the criteria as being suited for wildlife management areas;

and

WHEREAS, the most effective means by which such lands can be managed for wildlife production and public hunting access is designation as Wildlife Management Areas;

THEREFORE, IT IS HEREBY ORDERED, pursuant to the provisions of *Minnesota Statutes*, section 97A.135, subdivision 1 and *Minnesota Statutes*, section 97A.145, subdivision 1, the above described lands that will be under the jurisdiction of the Minnesota Department of Natural Resources are designated as Wildlife Management Areas:

This order takes effect upon signature. A copy of this order shall be filed with the Secretary of State.

Date signed: 15 December 2010

Approved by: Mark Holsten, Commissioner
Department of Natural Resources

Official Notices

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

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

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Governor’s Residence Council Notice of Meetings for 2011

NOTICE IS HEREBY GIVEN that the Governor’s Residence Council will meet on the following dates at 9:30 a.m. at the Minnesota Department of Administration, 50 Sherburne Avenue, Conference Room 116B, St. Paul, MN to consider matters which may properly come before the Council in accordance with *Minnesota Statutes* 16B.27.

January 12 (conference room 116C)
March 9
May 11
July 13
September 14
November 9

For additional information contact: Winnie Sullivan, Department of Administration at Winnie.Sullivan@state.mn.us or (651) 201-2556.

Minnesota Higher Education Facilities Authority (MHEFA) Notice of Public Hearing on Revenue Obligations on Behalf of the College of St. Scholastica, Inc

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the “Authority”) with respect to the proposal to issue revenue bonds or other obligations on behalf of the College of St. Scholastica, Inc., a Minnesota nonprofit corporation (the “College”), as owner and operator of the College of St. Scholastica, an institution of higher education, at the Authority’s offices at 380 Jackson Street, Suite 450, St. Paul, Minnesota, on Wednesday, January 19, 2011, at 2:00 p.m.

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Under the proposal, the Authority would issue its revenue bonds or other obligations in an aggregate original principal amount of up to \$11,000,000 to finance a portion of the costs of the acquisition, construction, furnishing and equipping of an approximately 42,000 square foot expansion of and renovations to the Science Building and related facilities (the "Project"). The Project is owned and operated by the College and located on its main campus, the principal street address of which is 1200 Kenwood Avenue, Duluth, Minnesota.

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

Dated: January 3, 2011.

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

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.

Minnesota Department of Natural Resources (DNR) Division of Fish and Wildlife REQUEST FOR COMMENTS on Possible Amendment to and Repeal of Rules Governing Public Lands, Hunting, Trapping, and Stamps, *Minnesota Rules*, Chapters 6230, 6232, 6234, 6236, 6240, 6290

Subject of Rules. The Minnesota Department of Natural Resources requests comments on its possible amendment to and repeal of rules governing public lands, hunting, trapping and stamps. The Department is considering rule amendments and repealing its rules that:

- 1.) Modify various special provisions for wildlife management areas and state game, goose and waterfowl refuges.
- 2.) Modifying season for hunting and trapping raccoon, fox, badger and opossum.
- 3.) Clarify snaring provisions.
- 4.) Modify provisions for transporting and possessing incidentally taken fisher, otter, pine marten or bobcat.
- 5.) Establish a 30-day fall turkey season and modify requirements for muzzleloaders used in turkey hunting.
- 6.) Modify goose zones, season dates and provisions for hunting on refuges to reflect a lengthened Canada goose season and the elimination of the late Canada goose season.
- 7.) Modify application procedures, reproduction rights, design standards and judging requirements for pictorial stamp contests.

Persons Affected. The rules may affect persons using some wildlife refuges and controlled hunt zones; small game, deer, and waterfowl hunters. Most of the rules have been in effect for at least two seasons. Individuals or businesses that provide goods and services to hunters and trappers may also be affected.

Statutory Authority. The adoption of the proposed rules is authorized by *Minnesota Statutes*, sections 86A.06, 97A.045, 97A.091, 97A.092, 97A.095, 97A.137, 97A.401, 97A.535, 97B.105, 97B.112, 97B.301, 97B.305, 97B.311, 97B.411, 97B.425, 97B.431, 97B.605, 97B.621, 97B.631, 97B.635, 97B.711, 97B.721, 97B.723, 97B.731, 97B.803, 97B.911, 97B.915, 97B.921, 97B.925, and 97B.931.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing by e-mail or orally until 4:30 p.m. on Monday, February 28, 2011. The Department does not anticipate appointing an advisory committee to comment on the possible rules.

Rules Drafts. The Department has prepared a draft of the possible rules amendments and repeals.

Agency Contact Person. Written or oral comments, questions, requests to receive a draft of the rules, and requests for more information on these possible rules should be directed to:

Jason Abraham
Department of Natural Resources
500 Lafayette Road
St. Paul, Minnesota 55155-4007
Phone: (651) 259-5197
Fax: (651) 297-4961
Email: Jason.Abraham@dnr.state.mn.us
TTY users may call the Department of Natural Resources at 1-800-657-3929

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

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

Dated: December 17, 2010

Mark Holsten, Commissioner
Department of Natural Resources

Minnesota Pollution Control Agency (MPCA)

Advanced Notice and Request for Comments on Planned Amendments to *Minnesota Rules*, Chapters 7001 and 7035, to Reduce Ground Water Risks When Locating Solid Waste Land Management Units (Landfills) by Applying Improved Siting Criteria, and to Protect Taxpayers by Improving Reliability of Financial Assurance

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (Agency) is requesting public comments on planned amendments to *Minnesota Rules*, Chapters 7001 and 7035.

Subject of Rules. In May 2008, the Minnesota Legislature (Legislature) enacted a law (2008 *Minnesota Laws*, Chapter 363, Article 5, Section 24) that directed the Agency to amend its rules to reduce risks to ground water when siting solid waste landfills and to assure that financial assurance (FA) required for solid waste landfills would protect Minnesota taxpayers from having to pay for ground water

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cleanup. The law put a moratorium on the permitting of most new landfills until the new siting rules were enacted. Pursuant to the legislative charge, the Agency published a Request for Comments on July 7, 2008 (32 *State Register* 17, Pages 17-18). Following that notice, the Agency worked with a wide range of interested parties and stakeholders, developed preliminary rule language and provided a status report on key rulemaking issues to the Legislature on January 15, 2010. The Legislature renewed and elaborated on the rulemaking directive in a revised law (2010 *Minnesota Laws*, Chapter 361, Article 4, Sections 63 and 64), signed by the Governor on May 17, 2010. This notice updates the original *Request for Comments* dated July 7, 2008, and summarizes the altered directive from the Legislature.

After hearings, the Legislature revised the 2008 law in May 2010 to clarify its direction to the Agency. The most significant clarification related to the scope of the rules: the Legislature specified that the rule amendments should not apply to any landfills permitted before January 1, 2011, nor to certain types of demolition-debris landfills newly permitted after that date. Upon enactment, the 2010 law established a new, 18-month deadline by which the Agency is to publish the rules for public comment. That new deadline is November 17, 2011. The 2010 law also directed the Agency to form a multi-sector advisory panel on FA and to gather input from its members on specific questions, before resuming rulemaking.

The Agency divided its rulemaking efforts into a landfill siting track and a FA track so that efforts could proceed more efficiently.

The Agency has convened four siting rule stakeholder input meetings since May 2010. Two were focused on ground water sensitivity and two on karst geology. The Agency also convened a FA advisory panel. Over six meetings from June to October 2010, panelists received background information, and then offered their input to the Agency. Beginning in June 2010, these meetings have been made available as Webcasts.

The Agency maintains a Web page related to its landfill siting and FA rule efforts that hold relevant documents, meeting summaries and “white papers” provided by stakeholders. This Web page can be viewed at:

<http://www.pca.state.mn.us/index.php/waste/waste-permits-and-rules/waste-rulemaking/financial-assurance-and-siting-fasit-rulemaking.html>.

Persons Affected. These rule amendments could affect any business or citizen in Minnesota who utilizes landfills, operates landfills, or who might otherwise be harmed if their ground water is not adequately protected or if their liability as Minnesota taxpayers is not adequately protected by landfill FA.

Statutory Authority. *Minnesota Statutes* § 116.07, Subdivision 4 authorizes the Agency to adopt rules relating to the disposal of solid waste. *Minnesota Statutes* § 115.03, Subdivision 1 authorizes the Agency to adopt or modify rules to prevent water pollution. 2008 *Minnesota Laws*, Chapter 363, Article 5, Sections 33 and 34, followed by 2010 *Minnesota Laws*, Chapter 361, Article 4, Sections 63 and 64 provide the Agency with specific authority for the planned rulemaking.

Public Comment. Interested persons or groups may submit comments or information on these planned rule amendments until the Agency proposes rules for public comment. In addition to this request, the Agency has established a page on its Web site, www.pca.state.mn.us, to provide further information about this proposed rulemaking and stakeholder process. Although you may submit comments to the Agency contact person at any time during this comment period, please also feel welcome to visit the Agency Web site for project updates.

With this request, the Agency is initiating the rulemaking process by seeking general comments and by seeking those parties who wish to receive future notification regarding this rule. When the stakeholder process has been completed, proposed rules will be drafted and published in the *State Register* for public comment for a period of at least 30 days. If you are interested in being directly notified when proposed rules are published for public comment, please advise the listed Agency contact person.

Rules Drafts. Interested parties may request the Agency contact person to notify them if a draft rule is made available prior to publishing a rule for public comment.

Agency Contact Person. Written or oral comments, questions or requests to receive notice when the draft rules are available, or requests for more information should be directed to:

Nathan Cooley
Minnesota Pollution Control Agency
520 Lafayette Road North

St. Paul, MN 55055-4194
Telephone: (651) 757-2290, or
TTY: (651) 282-5332
E-mail: nathan.cooley@state.mn.us

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille or cassette tape. Make such requests to the Agency contact person.

NOTE: The Administrative Procedures Act requires the Agency to include in the formal rulemaking record only those comments received after rules are published for public comment. If you submit comments in response to this Request or during the development of these rules, and you want to ensure that those comments become part of the official record that is considered by the Administrative Law Judge in promulgating these rules, you must resubmit the comments after the rules are formally proposed.

Dated: 15 December 2010

Paul Eger, Commissioner
Minnesota Pollution Control Agency

Minnesota Department of Public Safety (DPS) Division of the Minnesota State Patrol REQUEST FOR COMMENTS on Possible Rules Governing Training and Certification of Over Dimensional Load Escort Drivers, *Minnesota Rules* Chapter 7585

Subject of Rules. The Minnesota Department of Public Safety requests comments on its possible rules governing the training and certification of over dimensional load escort drivers. The Department is considering rules that will ensure uniform training and certification regarding vehicle, driver, and safety equipment standards for over dimensional load escort drivers. It would also put the State of Minnesota in line with the best practices guidelines currently being used in other states.

Persons Affected. The rules would likely affect companies that provide over dimensional load escorts and the motor carrier industry that contracts with them for their service.

Statutory Authority. *Minnesota Statutes*, section 299D.085, subdivision 5 requires the Department to adopt rules for the training and certification of over dimensional load escort drivers

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 will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Department does plan to appoint an advisory committee to comment on the possible rules.

Rules Drafts. The Department has not yet drafted the possible rules.

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: Lt. Tom Nelson at the Minnesota State Patrol, 3725 - 12th Street North, St. Cloud, MN 56303, phone: (320) 202-6430, fax: (320) 654-5395, and e-mail: thomas.j.nelson@state.mn.us. TTY users may call the Minnesota State Patrol at (651) 282-6555.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. 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

Official Notices

comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: 6 December 2010

Michael Campion, Commissioner
Department of Public Safety

Department of Transportation (Mn/DOT) Engineering Services Division, Office of Construction and Innovative Contracting Notices of Suspension and Debarment

NOTICE OF SUSPENSION

NOTICE IS HEREBY GIVEN that the Department of Transportation (Mn/DOT) has ordered that the following vendors be suspended effective December 28, 2009, until final disposition of the hearing or hearing appeal:

Riley Bros. Companies Inc. and its affiliates, Morris MN
Riley Bros. Construction Inc. and its affiliates, Morris MN
Riley Bros. Properties, LLC, and its affiliates, Morris MN
Riley Bros. Utilities, Inc. dba/Chris Riley Utilities, Inc. and its affiliates, Morris MN

NOTICE OF DEBARMENT

NOTICE IS HEREBY GIVEN that the Department of Transportation (Mn/DOT) has ordered that the following vendors be debarred for a period of three (3) years effective February 24, 2010 until February 24, 2013:

Joseph Edward Riley, Morris, MN
John Thomas Riley, Morris, MN

Minnesota Statutes, Section 161.315, prohibits the Commissioner, counties, towns or home rule or statutory cities from awarding or approving the award of a contract for goods or services to a person who is suspended or debarred; including

- 1) any contract under which a debarred or suspended person will serve as a subcontractor or material supplier,
- 2) any business or affiliate which the debarred or suspended person exercises substantial influence or control, and
- 3) any business or entity which is sold or transferred by a debarred person remains ineligible during the period of the seller's or transfer's debarment.

Minnesota Department of Transportation (Mn/DOT) Notice of Public Hearing and Public Comment Period on Greater Minnesota Transit Investment Plan

The Minnesota Department of Transportation (Mn/DOT) encourages the public to attend a videoconference public hearing on the Greater Minnesota Transit Investment Plan. The plan quantifies future transit need in Greater Minnesota, estimates the cost of providing additional transit service to meet future need, and sets priorities for future transit investment. Access to the public hearing will be available at fifteen locations statewide from 4-6 p.m. on Wednesday, January 19. For information on hearing locations, visit:

www.dot.state.mn.us/transit/transitplan/outreach.html

The goal of the Greater Minnesota Transit Investment Plan is to reduce unmet transit need by:

- Documenting the needs of current and potential transit customers
- Calculating total and unmet transit needs at the county level
- Building support for transit investment priorities

Official Notices

The purpose of the public hearing is to solicit official comment on the Greater Minnesota Transit Investment Plan. The comments will be considered when finalizing the plan and will become part of the official public hearing record. Additional opportunities to comment on the plan will be available until the close of the comment period on Monday, January 24 at 4:30 p.m. Comments will be accepted through:

E-mail: fay.cleveland@state.mn.us

Fax: (651) 366-4192

Phone: (651) 366-4194

U.S. Mail: Minnesota Department of Transportation
Office of Transit
Fay Cleaveland - Transportation Planner
Mail Stop 430
395 John Ireland Blvd
St. Paul, MN 55155

The Greater Minnesota Transit Investment Plan is available for download on the Mn/DOT website:

www.dot.state.mn.us/transit/transitplan/,

and printed copies will be available for review at each of the public hearing sites.

A printed copy of the plan is available for review at the Mn/DOT Central Office in St. Paul, 395 John Ireland Blvd., or at district headquarters offices throughout the state. To request this document in an alternative format call (651) 366-4718 or e-mail ADArequest@dot.state.mn.us.

To request an ASL interpreter or other reasonable accommodations at the public hearing, call (651) 366-4718 or e-mail: ADArequest@dot.state.mn.us by Wednesday, January 12.

State Grants & Loans

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

Grant Opportunities

The *State Register* is one of the best ways to advertise your grants - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$13.60 per 1/10 of a page you cannot go wrong.

Check up on all the "active" state grants in the "Contracts & Grants" section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of ALL the current rules, a growing INDEX, and previous years' indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings). Here's what you receive via e-mail:

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

It's all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at (651) 297-8777, or **Fax:** (651) 297-8260, or **E-mail:** loretta.diaz@state.mn.us

Minnesota Department of Human Services (DHS)

Child Safety and Permanency Division

Notice of Request for Proposals to Provide Early Intervention Services to American Indian Families Through the Parent Support Outreach Program

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to provide early intervention services to American Indian families through the Parent Support Outreach Program.

Work is proposed to start during the second quarter of 2011. For more information, or to obtain a copy of the Request for Proposal, contact:

Suzanne Staudenmaier
Department of Human Services
Child Safety and Permanency Division
P.O. Box 64943
444 Lafayette Road North, St. Paul, MN 551550943
Phone: (651) 431-4699, or
Fax: (651) 431-7522
E-mail: Suzanne.staudenmaier@state.mn.us

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

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, March 4, 2011. Late proposals will NOT be considered.** Faxed or e-mailed proposals will **NOT** be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:

http://www.dhs.state.mn.us/main/id_000102

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

State Contracts

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

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

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

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

Business Opportunities in Government

The state spends about \$2 billion a year on contracts. The *State Register* is one of the best ways to advertise your contracts - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$13.60 each 1/10 of a page, you cannot go wrong.

Subscribers receive a list of **all current contracts and grants**, as well as LINKS to the *State Register*, Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. To view, open the *State Register* and click on BOOKMARKS in the left hand corner. Here's what you receive via e-mail:

- **Word Search Capability**
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Department of Administration (Admin)

State Designer Selection Board Project #11-01

Notice of Availability of Request for Proposal (RFP) for Designer Selection for Predesign and Design of the State of Minnesota Department of Public Safety/Homeland Security Emergency Operations Center

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

A full Request for Proposal is available on the Department of Administration, Real Estate and Construction Services website:
www.admin.state.mn.us/recs

Click on "Construction Services" and then "Solicitations and Announcements." A mandatory informational meeting is scheduled for 2:30 p.m. C.T., January 11, 2011 at the Department of Public Safety, Division of Homeland Security and Emergency Management, 444 Cedar St., St. Paul, MN. Directions are available at above referenced website. Project questions shall be referred to the appropriate person(s) as listed in the Request for Proposal.

Proposals must be delivered to Sherry Van Horn, Executive Secretary, State Designer Selection Board, 309 Administration Building, 50 Sherburne Ave., St. Paul, MN 55155, **phone:** (651) 201-2376, not later than 12:00 noon C.T., Tuesday, January 18, 2011. Late responses will not be considered.

State Contracts

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

Minnesota State Colleges and Universities (MnSCU) Anoka Technical College Request for Proposals on Video Project

GENERAL STATEMENT/SCOPE:

The college is seeking proposals from vendors to shoot, produce and edit up to 38 separate video vignettes for Anoka Technical College. TO RECEIVE A COMPLETE COPY OF THE PROPOSAL REQUEST/SPECS, PLEASE CONTACT PAMELA MOGENSEN, (763) 576-4785.

There will be a non-mandatory meeting on Tuesday, January 18, 2011 at 10 AM in Conference Room 179 for additional information and to answer questions.

Proposals must be sealed with a notation on the outside of the envelope stating:

VIDEO PROJECT PROPOSAL – DELIVER IMMEDIATELY.

Mail or deliver (*faxes will not be accepted*) sealed proposal by **FRIDAY, JANUARY 21, 2011, NO LATER THAN 10 AM CST** to:

Anoka Technical College
Business Office
Attn. Pamela Mogensen
1355 West Highway 10
Anoka, Minnesota 55303
Phone: (763) 576-4785

PROPOSAL CLOSE DATE IS **FRIDAY, JANUARY 21, 2011 – 10 AM CST**

Department of Corrections Notice of Availability of Contract for the Establishment and Operation of a Secure Offender Messaging System at DOC Facilities

The Minnesota Department of Corrections (DOC) is requesting proposals for the purpose of creating and operating a secure electronic offender messaging system at DOC facilities. The purpose of the system will be to allow offender contacts to send electronic messages to the facility to be distributed by facility staff to the appropriate offender. No computer access by offenders is contemplated as a part of this request for proposal (RFP); offender return responses will be sent via the U.S. Postal Service.

Work is proposed to start after February 15, 2011.

An RFP will be available by mail from the office below through January 14, 2011. **A written request is required to receive the RFP.** After January 14, 2011, the RFP must be picked up in person. The RFP may be obtained from:

Mary McComb, Project Coordinator
Associate Warden of Administration
Department of Corrections
5329 Osgood Avenue North
Stillwater, MN 55082-1117

Proposals submitted in response to the RFP in this notice must be received at the address above no later than 2:30 p.m. central standard time January 24, 2011. **Late proposals will NOT be considered.** Faxed or emailed proposals will **NOT** be considered.

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

Minnesota Historical Society (MHS) Notice of Request for Bids for Art Gallery Attic Restoration Project at the James J. Hill House Historic Site in Saint Paul

The Minnesota Historical Society is seeking bids from qualified firms to provide all labor, materials, equipment, and supplies to perform work including, but not limited to, the following:

- restore plaster parging on the underside of existing slate roof in the Attic above the James J. Hill House Art Gallery
- replace existing HVAC ductwork in the Art Gallery Attic.

There will be a **MANDATORY** pre-bid meeting at the Site for all interested parties at **9:00 a.m. Local Time on Tuesday, January 11, 2011.**

Bids must be received by **2:00 P.M. Local Time on Thursday, January 20, 2011.** Late bids will not be accepted.

The Request for Bids and other front-end documents are available by contacting Mary Green-Toussaint, Purchasing Coordinator, Minnesota Historical Society, via e-mail only: mary.green-toussaint@mnhs.org.

Dated: 3 January 2011

Minnesota Historical Society (MHS) Notice of Request for Bids for Printing of the 2011 Historic Sites and Museums Poster

The Minnesota Historical Society is seeking bids from qualified vendors for the printing, mail preparation, and delivery of the 2011 Historic Sites and Museums Poster.

The Society will supply the winning bidder with Adobe InDesign CS4 files with high-resolution images in place on Macintosh disk or uploaded to the vendor's FTP site. Successful vendor must provide color proofs and include all charges for setup in its bid. Please refer to the Request for Bids for details.

The Request for Bids is available from Mary Green-Toussaint, the Society's Purchasing Coordinator, via e-mail: mary.green-toussaint@mnhs.org.

All bids must be received by 2:00 p.m. Local Time, Thursday, January 20, 2010. Late bids will not be accepted.

Dated: 3 January 2011

State Contracts

Minnesota State Lottery

Request for Proposals for Sponsorship Agreements

Description of Opportunity

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

Proposal Content

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

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

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

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

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

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

Questions

Questions concerning this Solicitation should be directed to:

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

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

Response Delivery

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

Minnesota Pollution Control Agency (MPCA) Green Chemistry and Design Demonstration Projects Request for Proposals

The Minnesota Pollution Control Agency (MPCA) has reopened the application period to Minnesota manufacturers, retailers or other businesses with control over product design for a grant opportunity to use *Green Chemistry and Design techniques*. The MPCA has approximately \$60,000 remaining for the project or projects which will be awarded in the amount needed to those who score the highest based upon the evaluation criteria stated in this Request for Proposals (RFP) and who score a minimum of 70%. Application materials and additional information regarding this RFP may be found at <http://www.pca.state.mn.us/greenchemistry>. Applications are due on Tuesday, February 22, 2011, at 2:00 p.m. CST.

Department of Transportation (Mn/DOT) Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of General Organizational Related Activities

(This document is available in alternative formats for persons with disabilities by calling Melissa McGinnis at 651-366-4644; for persons who are hearing or speech impaired by calling the Minnesota Relay Service at 800-627-3529.)

Mn/DOT, in conjunction with the Department of Administration, have developed a streamlined approach for fast-tracking select general organization service projects. These general organizational projects may include, but are not limited to, work in the following categories: 1) Develop, implement and summarize internal and external surveys; 2) Recommend best practices in an organizational structure; 3) Assist with organizational health structure; 4) Provide marketing support; 5) Develop, implement and provide support of ad hoc forums; 6) Establish and facilitate collaborative groups, including cross-organization and public-private teams; 7) Provide project management for non-technical initiatives; and 8) Facilitate non-technical activities and events.

This streamlined approach includes developing an email list of firms that are interested in receiving direct notification of general organizational projects. Firms will be added on an on-going basis. Fast-tracked projects will have a shorter advertising period and turn-around time. Firms will be asked to submit responses within 5 business days and will be required to work diligently with Mn/DOT toward establishing a contract upon selection. All projects will be advertised to the public. Your firm will be directly notified that there is a project posted on the Consultant Services Website (www.dot.state.mn.us/consult) that requires general organizational skills. Please note that this notice is not a solicitation or request for proposals of any kind. Being placed on the list does not guarantee work nor does it obligate Mn/DOT to provide any contracting opportunities under this program.

Interested firms should send the following information to the e-mail address below: Firm name, firm contact person, phone number, and email address.

Contact: Melissa McGinnis, Contract Administrator
E-mail: melissa.mcginnis@state.mn.us
Telephone: (651) 366-4644

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 Kelly Arneson at (651) 366-4774; for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

State Contracts

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:

Kelly Arneson
Consultant Services
Office of Technical Support
Minnesota Department of Transportation
395 John Ireland Blvd. Mail Stop 680
St. Paul, MN 55155

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.

Other Contracts

The *State Register* offers one of the cheapest, yet far reaching methods, of notifying the public about your agency's bids, contracts and grants. It is available to any government, non-profit, or private agency. Space is charged at the current rate of \$13.60 per each 1/10th of a page used in the *State Register*. Agencies are only billed for the space used in the *State Register*.

Agencies wishing to take advantage of this offer should submit what you want printed in the *State Register* via e-mail to: robin.panlener@state.mn.us. Attach to your entry a short note indicating when you wish the notice to be published (one, or many dates), if you want a copy of the issue your notice appears in (a TEAR SHEET will be sent free with your bill), and whether you want an "Affidavit of Publication."

Metropolitan Airports Commission (MAC)

Minneapolis-Saint Paul International Airport (Terminal 1-Lindbergh)

NOTICE OF CALL FOR BIDS MAC Energy Program-Phases 14/15/16 (Heat Recovery, Motor & Lighting Controls, Envelope Sealing)

MAC Contract No.:

106-2-614

Bids Close At:

2:00 p.m. January 18, 2011

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota. 55450, until the date and hour indicated. The work for this project includes mechanical, electrical, lighting and architectural energy improvements:

Targeted Group Businesses (TGBs): The goal of the MAC for the utilization of TGBs on this project is 3%.

Bid Security: Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to: Architectural Alliance. Deposit per set (refundable): \$150. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids (Document 00020) for this project will be available on December 27, 2010, at MAC's web address of www.metroairports.org/business/solicitations (construction bids).

Non-State Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Minneapolis-Saint Paul International Airport (Terminal 1-Lindbergh)

NOTICE OF CALL FOR BIDS MAC T1 Air Handling Unit Replacement – Phase 1

MAC Contract No.:

106-2-620

Bids Close At:

2:00 p.m. January 18, 2011

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota, 55450, until the date and hour indicated. This project provides for the replacement of existing air handling units with more energy efficient models as well as asbestos abatement.

Targeted Group Businesses (TGBs): The goal of the MAC for the utilization of TGBs on this project is 3%.

Bid Security: Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

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MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids (Document 00020) for this project will be available on December 27, 2010, at MAC's web address of: www.metroairports.org/business/solicitations (construction bids).

Elm Creek Watershed Management Commission

Request for Interest Proposals - Professional Services for Administrative, Legal, Technical and Wetland Consulting Services

Pursuant to *Minnesota Statutes Annotated* 103B.227.subd. 5., the Elm Creek Watershed Management Commission hereby solicits Letters of Interest for administrative, legal, technical and wetland consulting services for the fiscal years of 2011 and 2012. The annual budget for all services for the Commission for the year 2011 is \$357,850.

All wetland consulting services will be performed under the direction of the Commission's Technical Advisor and will include conducting annual monitoring, preparing annual monitoring reports, preparing as-built plans, and performing duties as a member of Technical Evaluation Panels on behalf of the Commission. The Consultant must identify the dollar amount of fixed and/or hourly fees and costs to be charged for providing the services to the Commission and separately identify the rate for any overhead cost items to be billed.

Letters should include a brief description of the company and the experience of the individual(s) proposing to perform services for the Commission. The Commission will review said letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest should be submitted on or before January 28, 2011, to:

Doug Baines, chair
Elm Creek Watershed Management Commission
3235 Fernbrook Lane
Plymouth, MN 55447
(NO CALLS)

Non-State Bids, Contracts & Grants

Minnehaha Creek Watershed District

Project 0185-4587

Sealed Bids Sought for Removal/Abatement of Hazardous Materials, Building Demolition and Site Grading and Restoration

Site Demolition: 415/427/429 Blake Road North and 1303/1305 Lake Street NE,
Hopkins, Hennepin County, Minnesota
Owner: Minnehaha Creek Watershed District
Class of Work: Removal/Abatement of Hazardous Materials, Building Demolition and
Site Grading and Restoration
Project Location: City of Hopkins, Hennepin County, Minnesota
Pre-Bid Meeting: 1:00 PM January 17, 2011
Bids Close at: 1:00 PM January 24, 2011

1.1 NOTICE TO CONTRACTORS

Sealed Bid Proposals for the furnishing of all labor, materials and all other items necessary to complete the work described herewith, will be received by Minnehaha Creek Watershed District at its office located at 18202 Minnetonka Blvd., Deephaven, MN, until 1:00 PM, January 24, 2011, at which time such bids will be opened and read aloud. The work, in accordance with drawings and specifications prepared by Wenck Associates, Inc. consists of the following major items of work:

- Asbestos Containing Materials Removal/Abatement
- Hazardous Materials Removal and Disposal
- Erosion Control
- Demolition of Two Apartment Buildings and Disposal of Materials
- Clearing and Grubbing
- Demolition of Rental Parking Garage and Disposal of Materials
- Demolition of Residences, Garage and Disposal of Materials
- Removal and Disposal of Associated Concrete Slabs and Disposal
- Removal and Recycling of Asphalt Paving
- Removal and Recycling of Asphalt Aggregate Base
- Capping/Abandonment of Utility Services
- General Filling and Site Grading
- Furnish and Install Topsoil

Contractors desiring a copy of the bid package, plans, specifications and proposal forms may obtain them from the offices of Minnehaha Creek Watershed District, the payment of a \$65.00 **non-refundable** fee for each bid package. Bid packages are also available for examination at the District office. All communications relative to this project should be addressed to the ENGINEER Attn: Mike Panzer, Project Engineer, Wenck Associates, Inc. Pioneer Creek Center, Maple Plain, MN, 55359, **phone:** (763) 479-4207, **e-mail:** mike.panzer@wenck.com, prior to opening of the Bid.

Bid Proposals shall be submitted on forms furnished for that purpose.

Each bid proposal shall be accompanied by a "Bid Security" in the form of a certified or cashier's check made payable to Minnehaha Creek Watershed District ("OWNER") in an amount not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the OWNER, with a surety company duly authorized to do business in the state of Minnesota, such Bid Security to be a guarantee that the bidder, if awarded a contract, will enter into a contract with Minnehaha Creek Watershed District; and the amount of the certified check will be retained or the bond enforced by the OWNER in case the bidder fails to do so. The OWNER will retain the deposits for the three lowest bidders until the contract has been awarded and executed but not longer than sixty (60) days. No bid may be withdrawn for a period of sixty (60) days following the bid opening.

An optional PRE-BID meeting will be held at the Minnehaha Creek Watershed District office at 1:00 PM, January 17, 2011. **The sites and buildings will be open for viewing from 8:00 am until 12:00 noon on January 17, 2011.**

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The bid of the lowest responsible bidder is intended to be accepted on or before the expiration of sixty (60) days after the date of the opening of bids. The OWNER, however, reserves the right to reject any or all bids and to waive any minor irregularities, informalities or discrepancies, and further reserves the right to award the contract in the best interest of Minnehaha Creek Watershed District.

Pioneer-Sarah Creek Watershed Management Commission Request for Interest Proposals - Professional Services for Administrative, Legal, Technical and Wetland Consulting Services

Pursuant to *Minnesota Statutes Annotated* 103B.227.subd. 5., the Pioneer-Sarah Creek Watershed Management Commission hereby solicits Letters of Interest for administrative, legal, technical and wetland consulting services for the fiscal years of 2011 and 2012. The annual budget for all services for the Commission for the year 2011 is \$164,070.

All wetland consulting services will be performed under the direction of the Commission's Technical Advisor and will include conducting annual monitoring, preparing annual monitoring reports, preparing as-built plans, and performing duties as a member of Technical Evaluation Panels on behalf of the Commission. The Consultant must identify the dollar amount of fixed and/or hourly fees and costs to be charged for providing the services to the Commission and separately identify the rate for any overhead cost items to be billed.

Letters should include a brief description of the company and the experience of the individual(s) proposing to perform services for the Commission. The Commission will review said letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest should be submitted on or before January 28, 2011, to:

Lisa Whalen, chair
Pioneer-Sarah Creek Watershed Management Commission
3235 Fernbrook Lane
Plymouth, MN 55447
(NO CALLS)

Shingle Creek Watershed Management Commission Request for Interest Proposals - Professional Services for Legal, Engineering and Technical, and Administrative Consulting Services

Pursuant to *Minnesota Statutes Annotated* 103B.227.subd. 5., the Shingle Creek Watershed Management Commission hereby solicits Letters of Interest for legal, engineering and technical, and administrative consulting services for the fiscal years of 2011 and 2012. The annual budget for all services for the organization for the year 2011 is \$1,050,900.

Letters should include a brief description of the company and the experience of the individual(s) proposing to perform services for the Commission. The Commission will review said letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest should be submitted on or before January 28, 2011 to:

Tina Carstens, chair
Shingle Creek Watershed Management Commission
3235 Fernbrook Lane
Plymouth, MN 55447
(NO CALLS)

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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.

University of Minnesota (U of M) Oak Street Ramp Request for Proposals for Bike Center and Radio Frequency Identification System (RFID)

MnDOT Project No.	SP-097-091-002
MINN. Project No.	NMTP 8810 (156)
U of M Project No.	01-141-09-1662

University Bike Center will be housed in existing space which was once a bus station in the U of M Oak Street Parking Ramp and will feature:

- Retail, bike storage, bike maintenance, and meeting space
- Upgraded electrical, mechanical systems
- 1,800 finished sq. ft. with adjacent 2,800 sq. ft. secure bike storage
- 252 sheltered secure bike parking
- Lockers, bathrooms, changing facilities and 3 showers
- Gate and doors secured by electronic card access (to grant 24 hour access to members)
- Retail bike parts and accessories
- Bike maintenance shop
- Meeting space and information for cyclists including safety, how-to classes, printed literature, maps, electronic information kiosk
- “Nice Ride” bike rentals and loaners

Radio Frequency Identification (RFID) is electronic commuter verification system

- Bike commuters RFID tag are attached to bicycles which transmit information
- Sensors are placed throughout campus which read the RFID tag and log the number of trips taken; this information is stored in a database
- This system verifies bike commuters trips on campus and logs requirements for University/federal benefits, such as Wellness Rewards and commuter tax benefits

The Work shall be substantially complete by May 24, 2011 for the Bike Center and the RFID system.

Prime contract bidding will close 2 p.m., local time, Tuesday, February 15, 2011.

Sealed bids will be received by the Regents of the University of Minnesota at Facilities Management Purchasing Services, B15 Donhowe Building, 319 - 15th Avenue SE, Minneapolis, Minnesota 55455, until the stated times, when they will be publicly opened and read aloud.

Bidding Documents may be examined at:

Builder’s Exchanges in Minneapolis and St. Paul, Minnesota.

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Reed Construction Data Virtual Plan Room
Document Processing Center
30 Technology Drive, Suite 500
Norcross, GA 30092-2912
Fax Addenda to: (800) 303-8629

McGraw Hill Construction Plan Room
(Formerly, F. W. Dodge)
1401 Glenwood Avenue North
Minneapolis, MN 55405-1226
Fax: (612) 381-2295 / Phone: (612) 381-2290

And on-line at: http://www.uservices.umn.edu/purchasing/construction_services.html

Obtaining copies of the Bidding Documents shall be the responsibility of the bidding contractor.

Direct all communications regarding this project to Chip Foster, with U of M Purchasing at **e-mail:** Foste048@umn.edu, address: B15 Donhowe Building, 319 - 15th Avenue SE, Minneapolis, Minnesota 55455 phone number: 612 626-6080.

Each prime and subcontract bid shall be accompanied by a bid security of 5% of the maximum amount of the bid in the form of a Surety Bond, certified check, cashier's check.

Minimum wage rates to be paid by the Contractors have been predetermined and are subject to the Work Hours Act of 1962, P.L. 87-581 and implementing regulations.

READ CAREFULLY THE WAGE SCALES AND DIVISION A OF THE SPECIAL PROVISIONS AS THEY AFFECT THIS/THESE PROJECT/PROJECTS

The Minnesota Department of Transportation hereby notifies all bidders:

- in accordance with Title VI of the Civil Rights Act of 1964 (Act), as amended and Title 49, *Code of Federal Regulations*, Subtitle A Part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation, it will affirmatively assure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded maximum opportunity to participate and/or to submit bids in response to this invitation, and will not be discriminated against on the grounds of race, color, disability, age, religion, sex or national origin in consideration for an award;
- in accordance with Title VI of the Civil Rights Act of 1964 as amended, and Title 23, *Code of Federal Regulations*, Part 230 Subpart A-Equal Employment Opportunity on Federal and Federal-Aid Construction Contracts (including supportive services), it will affirmatively assure increased participation of minority groups and disadvantaged persons and women in all phases of the highway construction industry, and that on any project constructed pursuant to this advertisement equal employment opportunity will be provided to all persons without regard to their race, color, disability, age, religion, sex or national origin;
- in accordance with the Minnesota Human Rights Act, *Minnesota Statute* 363A.08 Unfair discriminatory Practices, it will affirmatively assure that on any project constructed pursuant to this advertisement equal employment opportunity will be offered to all persons without regard to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age;
- in accordance with the Minnesota Human Rights Act, *Minnesota Statute* 363A.36 Certificates of Compliance for Public Contracts, and 363A.37 Rules for Certificates of Compliance, it will assure that appropriate parties to any contract entered into pursuant to this advertisement possess valid Certificates of Compliance.

If you are not a current holder of a compliance certificate issued by the Minnesota Department of Human Rights and intend to bid on any job in this advertisement you must contact the Department of Human Rights immediately for assistance in obtaining a certificate.

The following notice from the Minnesota Department of Human Rights applies to all contractors:

"It is hereby agreed between the parties that *Minnesota Statute*, section 363A.36 and *Minnesota Rules*, parts 5000.3400 to 5000.3600 are incorporated into any contract between these parties based on this specification

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or any modification of it. A copy of *Minnesota Statute 363A.36* and *Minnesota Rules*, parts 5000.3400 to 5000.3600 is available upon request from the contracting agency.”

“It is hereby agreed between the parties that this agency will require affirmative action requirements be met by contractors in relation to Minnesota Statute 363A.36 and Minnesota Rules 5000.3600. Failure by a contractor to implement an affirmative action plan or make a good faith effort shall result in revocation of its certificate or revocation of the contract (*Minnesota Statute 363A.36*, Subd. 2 and 3).”

A minimum goal of 10% Good Faith Effort to be subcontracted to Disadvantaged Business Enterprises.

The successful prime contract bidder shall furnish Performance and Payment Bonds as describe in attachment **S-1 Requirement of Contract Bond**.

The University reserves the right to reject any and all bids, accept any bid, waive informalities in bids submitted, and waive minor discrepancies in bidding procedures, as it deems to be in its best interest.

This project has been partially funded by a grant for the United States Department of Transportation and shall comply with all the Equal Employment Opportunity and Affirmative Action Policies as set forth by this department. U of M Targeted Business and Urban Community Economic Development Program does not apply reference attachment **RFB -2 DBE Description of Work and Field Monitoring Report**.

Bid result information may be obtained via **e-mail** request to Mr. Denis Larson at: *d-lars@umn.edu*

Prebid access to the work site is limited to specific times and dates. **A pre-bid site tour is scheduled for Thursday, January 27, 2011 at 9:00 AM. Meet in the 1st floor elevator lobby of the U of M Oak Street Parking Ramp, 401 Oak Street SE, Minneapolis, MN 55455.**

REGENTS OF THE UNIVERSITY OF MINNESOTA
Mr. Denis Larson
CPPM & Facilities Management Purchasing Manager
E-mail: *d-lars@umn.edu*

West Mississippi Watershed Management Commission Request for Interest Proposals - Professional Services for Legal, Engineering and Technical, and Administrative Consulting Services

Pursuant to *Minnesota Statutes Annotated 103B.227.subd. 5.*, the West Mississippi Watershed Management Commission hereby solicits Letters of Interest for legal, engineering and technical, and administrative consulting services for the fiscal years of 2011 and 2012. The annual budget for all services for the organization for the year 2011 is \$432,600.

Letters should include a brief description of the company and the experience of the individual(s) proposing to perform services for the Commission. The Commission will review said letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest should be submitted on or before January 28, 2011, to:

Tina Carstens, chair
West Mississippi Watershed Management Commission
3235 Fernbrook Lane
Plymouth, MN 55447
(NO CALLS)



Several convenient ways to order:

- ♦ **Retail store** Open 8 a.m. - 5 p.m. Monday - Friday, 660 Olive Street, St. Paul
- ♦ **Phone** (credit cards): 8 a.m. - 5 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)
- ♦ **On-line orders:** www.minnesotasbookstore.com
- ♦ **Minnesota Relay Service:** 8 a.m. - 5 p.m. Monday - Friday, 1.800.627.3529 (nationwide toll-free)
- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
- ♦ **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

PREPAYMENT REQUIRED. Prices and availability subject to change.

Fax and phone orders: Credit card purchases ONLY (American Express/Discover/MasterCard/VISA). Please allow 1-2 weeks for delivery. **Mail orders:** Complete order blank and send to address above. Enclose check or include credit card information. Please allow 4-6 weeks for delivery. Please make checks payable to "Minnesota's Bookstore." A \$20.00 fee will be charged for returned checks.

Stock No.	Title	Quantity	Unit Price	Total

Send my order to:

Company _____

Name _____

Street Address (Not deliverable to P.O. boxes) _____

City () State Zip _____

Daytime phone (In case we have a question about your order) _____

Credit card number: _____

Expiration date: _____ Signature: _____

Shipping Charges

<i>If Product</i>	<i>Please Add:</i>
Up to \$15.00	\$ 5.00
\$15.01-\$25.00	\$ 6.00
\$25.01-\$50.00	\$ 9.00
\$50.01-\$100.00	\$ 14.00
\$100.01-\$1,000	\$ 17.00*
<small>*\$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.</small>	
More than \$1,000	Call

Product Subtotal _____

Shipping _____

Subtotal _____

Sales tax _____

(6.875% sales tax if shipped to MN address, 7.625% if shipped to St. Paul address. 7.125% MN transit tax or other local sales tax if applicable)

TOTAL _____

If tax exempt, please provide ES number or completed exemption form.
ES# _____