

# Minnesota State Register

(Published every Monday (Tuesday when Monday is a holiday.)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  
Executive Orders; Appointments; Commissioners' Orders; Revenue Notices;  
Official Notices; State Grants & Loans; State Contracts;  
Non-State Public Bids, Contracts & Grants**

**Monday 24 August 2015  
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Pages 203 - 236**

# Minnesota State Register

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

The *Minnesota 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. It 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- Withdrawn Rules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. 40 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> shows altered publish date)	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
# 9	Monday 31 August	Noon Tuesday 25 August	Noon Thursday 20 August
# 10	<b>TUESDAY 8 September</b>	Noon Tuesday 31 August	Noon Thursday 27 August
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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. TTY relay service phone number: (800) 627-3529

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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 Department of Labor and Industry (DLI)

### Proposed Permanent Rules Adopting a Change to the International Residential Code REQUEST FOR COMMENTS on Possible Amendment to Rules Governing the Means of Egress Regulation Relating to Stairway Width in the International Residential Code, *Minnesota Rules*, part 1309.0311, subpart 2; Revisor's ID Number R-04358

**Subject of Rules.** The Minnesota Department of Department of Labor and Industry requests comments on its possible amendment to rules governing the means of egress regulation relating to stairway width in the International Residential Code, *Minnesota Rules*, part 1309.0311, subpart 2. The Department is considering a rule amendment to correct a drafting error discovered after adoption of the rule. This error was corrected by an exempt temporary rulemaking (published in the *State Register* on January 5, 2015 [39 SR 1003]). The Department must now conduct a rulemaking to make the rule permanent.

**Persons Affected.** The amendment to the rules would likely affect municipal building officials, building inspectors, building contractors, installers, and homeowners.

**Statutory Authority.** *Minnesota Statutes*, section 326B.02, subdivision 5; 326B.101; 326B.106, subdivision 1; authorizes the Department to adopt rules.

*Minnesota Statutes*, section 326B.02, subdivision 5, authorizes, in part, the commissioner of the Department to adopt, amend, suspend, and repeal rules relating to the commissioner's responsibilities under Chapter 326B, except for rules for which the rulemaking authority is expressly transferred to the Plumbing Board, the Board of Electricity, or the Board of High Pressure Piping.

*Minnesota Statutes*, section 326B.101 requires, in part, that the commissioner of the Department administer and amend a state code of building construction which will provide basic and uniform performance standards, establish reasonable safeguards for health, safety, welfare, comfort, and security of the residents of this state and provide for the use of modern methods, devices, materials, and techniques which will in part tend to lower construction costs.

*Minnesota Statutes*, section 326B.106, subdivision 1(a), requires, in part, that the commissioner shall by rule and in consultation with the Construction Codes Advisory Council establish a code of standards for the construction, reconstruction, alteration, and repair of

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## Proposed Rules

buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety, including design and construction standards regarding heat loss control, illumination, and climate control. That statutory provision also requires that the code include duties and responsibilities for code administration, including procedures for administrative action, penalties, and suspension and revocation of certification.

**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 not plan to appoint an advisory committee to comment on the possible rules.

**Rules Drafts.** The Department has a draft of the rule amendment and can be viewed at:

[http://www.dli.mn.gov/pdf/docket/1309\\_0311rule.pdf](http://www.dli.mn.gov/pdf/docket/1309_0311rule.pdf)

**Agency Contact Person.** Written comments, questions, and requests for more information on these possible rules should be directed to: Colleen Clayton at Department of Labor and Industry, 443 Lafayette Road North, St. Paul, Minnesota 55155, phone: (651) 284-5867, fax: (651) 284-5749, and e-mail at [colleen.clayton@state.mn.us](mailto:colleen.clayton@state.mn.us).

**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 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: 5 August 2015

Ken B. Peterson, Commissioner  
Department of Labor and Industry

### 1309.0311 SECTION R311, MEANS OF EGRESS.

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

Subp. 2. **IRC section R311.7.1, Stairways Width.** Section R311.7.1 is ~~amended to read as follows~~ deleted and replaced with the following:

**R311.7.1 Stairways.** ~~All stairways serving a dwelling or accessory structure, or any part thereof, shall comply with this section. This shall include exterior stairs from a dwelling or garage to grade and those stairs serving decks, porches, balconies, sun rooms, and similar structures.~~

**Exceptions:**

- ~~1. Stairs serving attics or crawl spaces.~~
- ~~2. Stairs that only provide access to plumbing, mechanical, or electrical equipment.~~

**R311.7.1 Stairways; general.**

**R311.7.1.1 Stairways serving dwellings or accessory structures.** All stairways serving a dwelling or accessory structure, or any part thereof, shall comply with this section. This shall include exterior stairs from a dwelling or garage to grade and those stairs serving decks, porches, balconies, sun rooms, and similar structures.

**Exceptions:**

1. Stairs serving attics or crawl spaces.

# Proposed Rules

2. Stairs that only provide access to plumbing, mechanical, or electrical equipment.

**R311.7.1.2 Width.** Stairways shall not be less than 36 inches (914 mm) in clear width at all points above the permitted handrail height and below the required headroom height. Handrails shall not project more than 4.5 inches (114 mm) on either side of the stairway and the minimum clear width of the stairway at and below the handrail height, including treads and landings, shall not be less than 31-1/2 inches (787 mm) where a handrail is installed on one side and 27 inches (698 mm) where handrails are provided on both sides.

**Exception:** The width of spiral stairways shall be in accordance with Section R311.7.9.1.

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

**EFFECTIVE DATE.** *Minnesota Rules*, part 1309.0311, subpart 2, is effective January 24, 2017.

## Expedited Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for normal rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the conditions. Expedited rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain conditions.

Expedited rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited rules detail the agency's rulemaking authority.

**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 Pollution Control Agency (MPCA)

### Resource Management and Assistance Division

### Proposed Expedited Permanent Rules Relating to Subsurface Sewage Treatment Systems

#### Notice of Intent to Adopt Expedited Rules without a Public Hearing

#### Proposed Expedited Permanent Rule Amendments to *Minnesota Rules*, Chapter 7080, Governing Individual Subsurface Sewage Treatment Systems; Chapter 7081, Governing Midsized Subsurface Sewage Treatment Systems; and Chapter 7083, Governing Subsurface Sewage Treatment Systems Credentialing and Product Registration; Revisor's Number: RD 4349

**Introduction.** The Minnesota Pollution Control Agency (MPCA) intends to adopt amendments to rules using the expedited rulemaking process in the Administrative Procedure Act, *Minnesota Statutes*, section 14.389, and the rules of the Office of Administrative Hearings (OAH), *Minnesota Rules*, part 1400.2410. As explained in the Public Comment section below, interested parties may submit written comments on the proposed expedited rules until September 28, 2015.



**MPCA Contact Person.** Comments or questions on the rules must be submitted to:

Nick Haig, MPCA  
Resource Management and Assistance Division  
520 Lafayette Road North  
St. Paul, MN 55155-4194  
**E-mail:** [nick.haig@state.mn.us](mailto:nick.haig@state.mn.us)  
**Phone:** (651) 757-2536  
**Fax:** (651) 297-8676

**Subject of the Expedited Rules.** The MPCA proposes to amend its rules relating to Subsurface Sewage Treatment Systems (SSTS), specifically *Minnesota Rules*, chapters 7080, 7081 and 7083. This will enable the MPCA to comply with two rulemaking directives received during the 2015 Minnesota Legislative Session, including the requirement to align the applicable SSTS rule provisions with statutory changes. As summarized below, the proposed amendments will: (1) simplify the regulation and administration of work on building sewers connected to septic systems; and (2) establish a process for septic professionals who have not met their continuing education requirements to apply for a one-year extension of professional certification eligibility, provided certain conditions are met. For more information regarding the proposed amendments and basis for them, please refer to the justification memo at the following webpage:

<http://www.pca.state.mn.us/iryp3c9>

**1. Simplification of the regulation and administration of work on building sewers connected to septic systems.** The proposed amendments are intended to resolve a problem caused by regulatory overlap in the existing SSTS rules administered by the MPCA and the Plumbing Code rules administered by the Department of Labor and Industry (DLI). Currently, septic professionals who perform work on building sewers connected to septic systems must work with both the MPCA and DLI for their licensing needs. This has negatively affected their ability to maintain licensure and conduct work on building sewers. The proposed amendments will streamline the process and allow septic system professionals to work with only one agency, the MPCA, for their licensing needs and authorization to work on building sewers connected to septic systems with respect to the plumbing code.

To accomplish this, the MPCA is proposing amendments to the definitions in *Minnesota Rules*, Chapters 7080 and 7081, which will: (a) Incorporate the statutory definitions for the terms “building sewer” and “building sewer connected to a subsurface sewage treatment system”; (b) establish a definition for the term “plumbing program administrative authority”; and (c) modify the definitions of the terms “individual subsurface treatment system or ISTS” and “midsized subsurface treatment system or MSTs” to clarify that a building sewer connected to an SSTS is a component of both an ISTS and MSTs.

The MPCA is also proposing amendments to *Minnesota Rules*, Chapter 7083, to authorize appropriately certified and/or licensed septic professionals to perform work on building sewers that connect to septic systems and to clarify the requirements for doing this work. This will alleviate the need for septic professionals who work on building sewers connected to septic systems to continue to work with both the DLI and MPCA for their licensure needs.

In addition, the MPCA proposes to amend *Minnesota Rules*, Chapter 7083, to align the rules with the 2015 statutory change that amended SSTS license requirements at *Minnesota Statutes*, section 115.56, subdivision 2. This statutory amendment: (a) increased the minimal amount required for corporate surety bonds, from \$10,000 to \$25,000, for MPCA-licensed businesses who conduct the SSTS work specified; and (b) also clarified that the bond, to be used for both plumbing work and SSTS work, must satisfy the requirements and references identified in section 326B.46, subdivision 2. The MPCA is also proposing to modify the term of the bond and the notification of bond action requirements at *Minnesota Rules* part 7083.1000, subparts 3 and 4, respectively. Further, the MPCA proposes to repeal *Minnesota Rules* part 7083.2030 (the MPCA Surety Bond Form).

**2. Establish a process for septic professionals who have not met their continuing education requirements to apply for a one-year extension of professional certification eligibility, provided certain conditions are met.** As explained below (Statutory Authority section) the 2015 Legislative Session directed the MPCA to establish this process. To comply, the MPCA proposes to amend *Minnesota Rules*, Chapter 7083, so that the applicable provisions governing the expiration of SSTS test scores (part 7083.1040) and continuing education requirements

# Expedited Rules

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(part 7083.1060) allow for conditional certification eligibility. The MPCA is also proposing to revise part 7083.1060 to establish the criteria under which a septic professional may seek a nonrenewable, one-year conditional certification eligibility extension, as required by and consistent with the 2015 Legislative directive.

**Statutory Authority.** The statutory authority for the MPCA to adopt rules amendments governing SSTs is *Minnesota Statutes*, section 115.03, subdivision 1, *Minnesota Statutes*, section 115.55, subdivision 3, and *Minnesota Statutes*, section 115.56, subdivision 1. The statutory authority to adopt the amendments using the expedited rulemaking process under *Minnesota Statutes*, section 14.389, is in the 2015 Minnesota First Special Session Law, Chapter 4, sections 132 and 145 (Session Law), enacted on June 13, 2015. These are summarized below.

At section 132 of the Session Law the MPCA is instructed to adopt expedited rules to:

- Set forth procedures to conform with changes the Session Law made to *Minnesota Statutes*, chapter 115, which include (in Sections 102 and 103): (1) a new definition for “building sewer connected to a subsurface sewage treatment system” at *Minnesota Statutes*, section 115.55, subdivision 1 (defining it as both a septic system and plumbing component); and (2) an increase, from \$10,000 to \$25,000, in the minimal amount required for corporate surety bonds for MPCA-licensed businesses who conduct the SSTS work specified at *Minnesota Statutes*, section 115.56, subdivision 2 (aligning the amount required with the plumbing program bonding requirements).
- Streamline the SSTS license application and renewal process requirements so: (1) Surety bond and insurance requirements of licensed SSTS businesses meet the requirements of *Minnesota Statutes*, chapter 115, and section 326B.46, subdivision 2; and (2) Properly trained SSTS installers may complete work on a building sewer with respect to the Plumbing Code and plumbing program and SSTS designers and inspectors may complete work on a building sewer connected to an SSTS with respect to the Plumbing Code and plumbing program.

At section 145 of the Session Law the MPCA is instructed to adopt expedited rules “to create a procedure for previously or currently certification-eligible septic system professionals to apply to re-establish or maintain certification eligibility.” The Session Law specifies when conditional eligibility shall begin (upon acceptance of an application) and end (upon completion of recertification procedures, including completion of necessary continuing education and examinations); it also establishes the duration of the conditional eligibility (one year).

**Availability of Rules.** A copy of the proposed rule amendments is published in the *State Register* after this notice, or they can be viewed at the following MPCA web site: <http://www.pca.state.mn.us/iryp3c9>. A free copy is also available upon request by contacting Janice Lehner-Reil at (651) 757-2091. Only one copy will be sent per request.

**Public Comment.** You have until 4:30 p.m. on Monday, September 28, 2015, to submit written comments in support of or in opposition to the proposed expedited rule amendments and any part or subpart of the rules. Your comment must be submitted in writing and received by the MPCA contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed expedited rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

**Modifications.** The agency may modify the proposed expedited rule amendments as a result of public comments, if the modifications do not make them substantially different as defined in *Minnesota Statutes*, section 14.05, subdivision 2, paragraphs (b) and (c), unless the procedure under *Minnesota Rules*, part 1400.2110 has been followed. If the final rule amendments are identical to those originally published in the *State Register*, the agency will publish a notice of adoption in the *State Register*. If the final rules are different from the rule amendments originally published in the *State Register*, the agency must publish a copy of the changes in the *State Register*. If the proposed expedited rules affect you in any way, the agency encourages you to participate in the rulemaking process.

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

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

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# Expedited Rules

**Adoption and Review of Expedited Rule Amendments.** The MPCA may adopt the rule amendments after the end of the comment period. The MPCA will submit the rule amendments and supporting documents to the OAH for a legal review. You may ask to be notified of the date the rules are submitted to the OAH. If you want either to receive notice of this, to receive a copy of the adopted rules, or to register with the MPCA to receive notice of future rule proceedings, submit your request to the MPCA contact person listed above.

Dated:

John Linc Stine, Commissioner  
Minnesota Pollution Control Agency

## 7080.1100 DEFINITIONS.

[For text of subps 1 to 11, see M.R.]

Subp. 11a. **Building sewer.** “Building sewer” has the meaning given in part 4715.0100, subpart 27.

Subp. 11b. **Building sewer connected to a subsurface sewage treatment system.** “Building sewer connected to a subsurface sewage treatment system” has the meaning given in *Minnesota Statutes*, section 115.55, subdivision 1.

[For text of subps 12 to 40, see M.R.]

Subp. 41. **Individual subsurface sewage treatment system or ISTS.** “Individual subsurface sewage treatment system” or “ISTS” means a subsurface sewage treatment system or part thereof, as set forth in *Minnesota Statutes*, sections 115.03 and 115.55, that employs sewage tanks or other treatment devices with final discharge into the soil below the natural soil elevation or elevated final grade that are designed to receive a sewage design flow of 5,000 gallons per day or less.

ISTS also includes all holding tanks that are designed to receive a design flow of 10,000 gallons per day or less; sewage collection systems and associated tanks that discharge into ISTS treatment and dispersal components; and privies. ISTS does not include those components defined as plumbing under the Minnesota Plumbing Code, chapter 4715, except for a building sewer connected to a subsurface sewage treatment system.

[For text of subps 42 to 60, see M.R.]

Subp. 60a. **Plumbing program administrative authority.** “Plumbing program administrative authority” means the commissioner of labor and industry or the governing body of the adopting unit of government, its agents, and its employees according to the *Minnesota Plumbing Code*, part 4715.0100, subpart 2.

[For text of subps 61 to 93, see M.R.]

## 7081.0020 DEFINITIONS.

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

Subp. 4. **Midsized subsurface sewage treatment system or MSTs.** “Midsized subsurface sewage treatment system” or “MSTs” means a subsurface sewage treatment system, or part thereof, as set forth in *Minnesota Statutes*, sections 115.03 and 115.55, that employs sewage tanks or other treatment devices with final discharge into the soil below the natural soil elevation or elevated final grade and that is designed to receive sewage design flow of greater than 5,000 gallons per day to 10,000 gallons per day.

MSTs also includes sewage collection systems and associated tanks that discharge into MSTs treatment or dispersal components. MSTs does not include those components defined as plumbing under the Minnesota Plumbing Code, chapter 4715, except for a building sewer connected to a subsurface sewage treatment system.

[For text of subps 5 to 8, see M.R.]

## 7083.0740 DESIGN LICENSE.

### Subpart 1. Authorization.

A. A licensed basic design business is authorized to conduct site and soil evaluations, design ~~systems~~ all system components, including the building sewer connected to a subsurface sewage treatment system, and write management plans for a Type I, II, or III ISTS as described under parts 7080.2200 to 7080.2300 serving dwellings or other establishments with a design flow of 2,500 gallons per day or less.

B. A licensed advanced design business is authorized to conduct site and soil evaluations, design ~~systems~~ all system components,

# Expedited Rules

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including the building sewer connected to a subsurface sewage treatment system, and write management plans for all sizes and types of SSTs.

Subp. 2. **Responsibilities.** All design licensees must:

A. inform the proposed system owner of the type classification of the system under parts 7080.2200 to 7080.2400;

B. provide written reasonable assurance of system performance to the local unit of government including, but not limited to:

(1) adherence to system type requirements; or

(2) technical basis for design elements for Type II to Type V systems; ~~and~~

C. prepare detailed design sheets, drawings, calculations, materials, system layout, and elevations; ~~and~~

D. prior to installation, submit plans and specifications for the building sewer connected to a subsurface sewage treatment system for approval as required by part 1300.0215, subpart 6.

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

## 7083.0750 INSPECTION LICENSE.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Certified inspectors.** Certified inspectors are responsible for personally conducting the necessary procedures to assess system compliance. Certified inspectors must complete and sign the agency's existing system inspection form. Certified inspectors may permit, inspect, or permit and inspect a building sewer connected to a subsurface sewage treatment system for compliance with the Minnesota Plumbing Code when:

A. the installation is not subject to the requirements of part 1300.0215, subpart 6, and no other approval is required by the plumbing program administrative authority; or

B. authorized by the appropriate plumbing program administrative authority.

## 7083.0760 INSTALLATION LICENSE.

Subpart 1. **Authorization.** A licensed installation business is authorized to construct, install, alter, extend, maintain, or repair all SSTs and the building sewer connected to a subsurface sewage treatment system only according to an approved design.

Subp. 2. **Responsibilities.** Installation licensees must:

A. ensure all work is done according to ~~an approved~~ a design report approved by the local SSTs authority under part 7082.0500 and the plumbing program administrative authority as required under part 1300.0215, subpart 6;

B. ~~notify~~ provide adequate notice to the local unit of government and the plumbing program administrative authority when work is in need of required inspections requires inspection;

C. ensure that all work is done according to applicable storm water regulations and the Minnesota Plumbing Code;

~~E~~ D. provide as-built drawings to the owner and local unit of government within 30 days of system installation;

~~D~~ E. maintain quality control and quality assurance records for five years;

~~E~~ F. provide system owners with information concerning system operation and maintenance;

~~F. ensure that all construction activities comply with applicable storm water regulations;~~

G. follow recommended standards and guidance documents for registered products and check the quality of materials used;

H. negotiate with the system owner and jointly determine who will be responsible for seeding, erosion and frost protection, watering, and other vegetation establishment activities; and

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## Expedited Rules

I. pay the septic system tank fee and submit the form according to *Minnesota Statutes*, section 115.551, including notification if no tanks were installed during the reporting year. The form and payment are due to the commissioner by January 31 for the previous calendar year's installations.

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

### 7083.1000 BONDING AND INSURANCE FOR SSTS LICENSED BUSINESSES; LIABILITY.

#### Subpart 1. Bond and insurance requirements.

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

C. To be eligible for SSTS licensing, a business must hold a corporate surety bond in the amounts specified in Table I or greater. If a business seeks more than one license, then the license category with the highest bonding amount fulfills the bond requirement for all licenses sought of at least \$25,000.

Table I	
License	Minimum Bond Amounts
Basic design	\$10,000
Advanced design	\$25,000
Inspection	\$10,000
Advanced inspection	\$25,000
Installation	\$10,000
Maintenance	\$10,000
Service provider	\$10,000

D. The corporate surety bond must be written by a corporate surety licensed to do business in Minnesota.

E. The corporate surety bond must be submitted to the commissioner on the bond form provided in this chapter, or on an alternate bond form provided by the commissioner, and must name the applicant as the principal.

F. The corporate surety bond must be signed by an official of the business who is legally authorized to represent the business and must list a contact if a claim is to be filed.

G. The corporate surety bond must cover work to be done under all SSTS licenses to be held by the business and must be for the benefit of persons injured or suffering financial loss by reason of failure to comply with the Minnesota Plumbing Code and *Minnesota Statutes*, sections 115.55 and 115.56.

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

Subp. 3. **Term of bond.** The term of the corporate surety bond must be continuous with the term of the license or, in the case of a plumbing bond provided according to Minnesota Statutes, section 326B.46, subdivision 2, concurrent with the term of the plumbing license. The penal sum of the bond is ~~noncumulative~~ cumulative and must not be aggregated every year two years that the bond is in force. The aggregate liability is limited to the bond penalty shown on the bond form for each two-year period the bond remains in effect for any losses that occur during each two-year period

Subp. 4. **Notification of bond actions.** The corporate surety must provide written notice to the commissioner within 30 days of cancellation or 15 days of reduction of a licensee's bond. If a corporate surety bond is canceled or the amount of coverage is reduced to less than the amounts in subpart 1, ~~Table I item C~~, the license immediately and automatically becomes invalid and the business must not perform SSTS work until the business obtains another corporate surety bond meeting the requirements of this part and submits notification of renewed bond coverage to the commissioner. The corporate surety must notify the principal and commissioner of any claims pending against the bond within ~~five~~ 15 days of the receipt of the claim and notify the principal and commissioner of any payments made against the bond within ~~five~~ 15 days of payment.

Subp. 5. **Other professional assistance.** An SSTS business that seeks, accepts, and implements work products developed by a noncertified individual is responsible and liable for the related performance of the system.

# Expedited Rules

## 7083.1040 EXAMINATION.

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

Subp. 2. **Expiration of test score.** An examination that qualifies for certification expires if the continuing education requirements under part 7083.1060, subpart 1, are not fulfilled. The period within which continuing education must be completed starts when the first examination is taken in which a passing score is received or when conditional eligibility under part 7083.1060, subpart 1, item E, is awarded by the commissioner.

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

## 7083.1060 CONTINUING EDUCATION.

### Subpart 1. **Renewal requirements.**

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

C. Certified individuals and apprentices must complete the applicable hours of continuing education under items A and B that meet the criteria under subpart 2 for each time period specified in those items. The continuing education requirement is not increased for multiple specialty area certifications. Continuing education hours earned in excess of those required under this subpart shall not be carried over to meet the requirements for future renewal periods. The renewal period begins when the first examination is taken in which a passing score is received under part 7083.1040 or when conditional eligibility under item E is awarded by the commissioner.

D. The continuing education must be taken during the time specified in this subpart and remains valid even though not reported before the end of the certification period. However, certification is considered expired until the training is reported. ~~If adequate continuing education training is not taken during the certification period, recertification must be gained by taking the necessary continuing education hours and retaking the examinations.~~

E. ~~If adequate continuing education training is not taken during the certification period, certification eligibility must be regained by retaking the required training and passing the examinations under parts 7083.1030 and 7083.1040, or by commissioner approval of an application for a nonrenewable, one-year conditional certification eligibility extension. The application must be submitted on a form provided by the commissioner. The application must contain a signed statement that the applicant agrees to complete, within one year, all continuing education that was not taken and to pass no more than two different specialty area examinations within one year applicable to the certification eligibility that the commissioner determined has lapsed. The applicant must include information with the application to verify compliance with part 7083.1090, when applicable. If the applicant does not meet the conditions of the one-year conditional certification eligibility agreement, the certification eligibility expires and the individual must complete all missed continuing education and pass exams under part 7083.1040 for each specialty area sought in order to regain eligibility for certification.~~

E.F. In each certification period, certified individuals and apprentices must accrue continuing education hours specified in items A to C. At least one-half of the required training must be directly related to the administrative and technical parts of chapters 7080 to 7083 as determined by the commissioner.

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

**RENUMBERING INSTRUCTION.** Effective January 23, 2016, in each part of *Minnesota Rules* referred to in column A, the reference in column B shall be deleted and the reference in column C shall be inserted.

Column A	Column B	Column C
7080.1100, subp. 11a	part 4715.0100, subp. 27	the Minnesota Plumbing Code, chapter 4714
7080.1100, subp. 41	chapter 4715	chapter 4714
7080.1100, subp. 60a	part 4715.0100, subp. 2	chapter 4714
7080.2050, subp. 2	chapters 4715 and 4725	chapters 4714 and 4725
7080.2150, subp. 2	chapters 4715 and 4725	chapters 4714 and 4725
7081.0020, subp. 4	chapter 4715	chapter 4714
7081.0270, subp. 2	chapters 4715 and 4725	chapters 4714 and 4725
7082.0300, subp. 2	chapters 4715, 4720, 4725, 6105, and 6120	chapters 4714, 4720, 4725, 6105, and 6120

**REPEALER.** *Minnesota Rules*, part 7083.2030, is repealed.



# Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Expedited emergency rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain emergency conditions.

Expedited emergency rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited emergency rules detail the agency's rulemaking authority.

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

## Minnesota Department of Natural Resources (DNR) Adopted Expedited Emergency Game and Fish Rules: Mille Lacs Lake Fishing

**NOTICE IS HEREBY GIVEN** that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subd. 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, sections 97C.005 and 97C.401. The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that the Mille Lacs Lake walleye fishing season was closed on August 3 because walleye harvest by anglers had exceeded the state's allotment for 2015 by more than 2,000 pounds. Walleyes are currently the most commonly targeted and caught species in Mille Lacs. Therefore, there is an immediate need to develop and implement strategies to help address the economic challenges of the Mille Lacs area without compromising the long term sustainability of public trust resources. This revised rule is not anticipated to have any significant biological impacts to the largemouth or smallmouth bass populations, but will provide additional opportunities that may increase angling activity and interest in Mille Lacs Lake.

Dated: 7 August 2015

Tom Landwehr, Commissioner  
Department of Natural Resources

### 6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

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

#### Subp. 4. Mille Lacs Lake and associated tributaries special management regulations.

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

B. While a person is on or fishing in Mille Lacs Lake or its associated tributaries, the possession limit for largemouth and smallmouth bass in aggregate is six, with only one smallmouth bass greater than 18 inches in length, except that the regulation limiting anglers to one smallmouth bass over 18 inches is waived by Department of Natural Resources permit for a limited number of bass fishing tournaments each year. Selection of tournaments for this exemption is based on tournament size, expected participation, and potential to generate public interest and local economic activity. The season for taking largemouth and smallmouth bass is the Saturday two weeks prior to the Saturday of Memorial Day weekend to the last Sunday in February. Notwithstanding part 6262.0200, subpart 1, item A, subitem (2), the catch and release season does not apply to Mille Lacs Lake or its associated tributaries to the posted boundaries.

[For text of item C, see 39 SR 1569]

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

[For text of items E and F, see 39 SR 1539]

G. Fish that are taken by angling and not immediately released into the water after capture are considered to be in possession and part of the bag limit. Once a fish has been reduced to possession, culling or live-well sorting (the act of exchanging one fish for another) is not allowed: except that culling or live-well sorting, prior to meeting a bag limit of fish reduced to possession, is allowed for largemouth and smallmouth bass. Once a smallmouth bass over 18 inches is reduced to possession, culling or live-well sorting of smallmouth bass over 18 inches is not allowed, except as authorized by permit under item B, since the possession limit is one.

[For text of item H, see 39 SR 1539]

[For text of subps 5 to 58, see M.R.]

[For text of subp 59, see 39 SR 1086]

[For text of subps 60 to 124, see M.R.]

# 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.

## Minnesota Department of Agriculture (MDA)

### Minnesota Rural Finance Authority

#### Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond under *Minnesota Statutes*, Chapter 41C for Purchase of 80 Acres in Stony Run Center Township, Yellow Medicine County

**NOTICE IS HEREBY GIVEN** that a public hearing will be held on September 8, 2015, at 9:00 A.M., Department of Agriculture Building, Rural Finance Authority Division, 625 Robert Street North, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under Minnesota Statutes, Chapter 41C, in order to finance the purchase of 80 acres of bare land/54 tillable; located 3 miles south of Montevideo, MN on State Hwy. 19, 2 ½ miles east on 340<sup>th</sup> Ave., 1 mile south on 480<sup>th</sup> St., 1 mile east on 330<sup>th</sup> Ave.; Section 9, Stony Run Center Township, Yellow Medicine County, Minnesota on behalf of Garrett C. Cole, (the Borrower/s).

The maximum aggregate face amount of the proposed bond issue is \$180,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof.

Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 13 August 2015

James A. Boerboom, Deputy Commissioner

## Minnesota Department of Agriculture (MDA)

### Minnesota Rural Finance Authority

#### RESOLUTION NO. AB002-15 - Giving Primary Approval to the Issuance of an Agricultural Development Revenue Bond and Authorizing Preparation of Necessary Documents on Behalf of Share Roberts

**BE IT RESOLVED** by the Minnesota Rural Finance Authority (the Authority), as follows:

##### Section 1. Recitals and Findings.

1.01 The Authority has received an application proposing that it issue a revenue bond for \$ 250,000.00 under *Minnesota Statutes*, Chapter 41C (the Act), on behalf of the Borrower named above for the purpose of financing all or a portion of the costs of the project described as follows: construction of a 2,400 head hog finishing barn; located 5 miles east of Truman, MN on County Blacktop Road 52; Section 9, Nashville Township, Martin County; Minnesota.

**Section 2. Preliminary Approval.**

2.01 It is hereby determined to proceed with the issuance of the Bond and the Authority hereby declares its present intent to issue the Bond under the Act to finance the Project. Notwithstanding the foregoing, however, the adoption of this resolution shall not be deemed to establish a legal obligation on the part of the Authority to issue or to cause the issuance of such Bond. If, based on comments received at the public hearing call pursuant to Section 3, it appears that the Project and the issuance of Bond to finance the costs thereof are not in the public interest or consistent with the purposes of the Act, the Board reserves the right to repeal this resolution. The Bond, if issued shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof, and the Bond, when, as and if issued, shall recite in substance that the Bond, including interest thereon, is payable solely from the revenues and property specifically pledge to the payment thereof, and shall not constitute a debt of the Authority or the State of Minnesota within the meaning of any constitutional or statutory limitation.

2.02 If the Bond is issued and sold, the Authority will enter into a loan agreement with the Borrower and the loan payments or other amounts payable by the Borrower shall be sufficient to pay the principal of and interest and redemption premium, if any, on the Bond as and when the same shall be due and payable. The executive director, staff and Bond Counsel are hereby authorized and directed to take such further actions, including the preparation of necessary documents, to effect the intent and purpose of the resolution.

**Section 3. Public Hearing.**

3.01 Section 147(f) of the Internal Revenue Code of 1986, as amended, requires that prior to the issuance of the Bond, the Authority approve the Bond and the Project, after conducting a public hearing thereon. A public hearing on the proposal to undertake the Project through the issuance of the Bond is hereby called and shall be held at the time and place specified in loan file maintained at RFA's office. The public hearing shall be conducted by the executive director or his designee.

3.02 The Executive Director has caused notice of the public hearing to be published in (i) the *State Register*, the publication in which official notices of the State of Minnesota are published and (ii) the newspaper which is a newspaper of general circulation in locality of the Project, at least once not less than fourteen days prior to the date fixed for the public hearing. The notice as published is hereby ratified.

Adopted by the Minnesota Rural Finance Authority this 13th day of August, 2015.

Lori Schmidt, Aggie Bond Loan Administrator  
Minnesota Rural Finance Authority

**Minnesota Department of Agriculture (MDA)  
Division of Dairy and Food Inspection****Minnesota Department of Health (MDH)  
Environmental Health Division****REQUEST FOR COMMENTS Possible Amendments to *Minnesota Rules*, Chapter 4626, Minnesota Food Code; Revisor's ID 4071**

**Subject of the Rules.** The Minnesota Departments of Agriculture and Health request comments on possible amendments to *Minnesota Rules* Chapter 4626, Minnesota Food Code (Code). The departments are considering rule amendments that would bring the Code up to date and in substantial compliance with the 2013 United States Food and Drug Administration (USFDA) Food Code.

This is the departments' second Request For Comments (RFC) for this rulemaking and comprises an additional opportunity for public comment and input. The first RFC for this rulemaking was published on December 21, 2009.

Since the publication of the first RFC the departments have sought input from an advisory committee representing the likely affected

(Cite 40 SR 219) *Minnesota State Register*, Monday 24 August 2015 Page 219

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parties. With the committee's input and after having reviewed submitted comments and information, the departments have developed draft rule chapters. The departments have placed these draft chapters at this URL:

<http://www.health.state.mn.us/divs/eh/food/code/2009revision/draftprule/index.html>

Possible food safety and sanitation subject considered and that will continue to be considered during this rulemaking are:

- Management and Personnel, including Food Protection Manager Certification
- Food Characteristics, Protection from Contamination, Destroying Organisms, Food Identity and Contaminated Food
- Equipment, Utensils and Linens
- Water, Plumbing and Waste
- Physical Facilities
- Poisonous or Toxic Materials
- Compliance and Enforcement
- Temporary and Portable Food Establishments
- Other related items that may surface during the rulemaking process as time permits

**Persons Affected.** The amendments would likely affect entities that prepare, serve, vend, store, package or otherwise provide food to the public whether or not payment is received. This includes, but is not limited to:

restaurant owners and managers	grocery stores	food service and retail food workers and food handlerscertified food managers
bakeries	schools	food protection manager certification trainers
convenience stores	caterers and catering companies	meat processors
vending machine owners and operators	food processing companies and food packaging manufacturers	special event and mass gathering sponsors
food scientists	community-based facilities that prepare or serve food	motels, hotels and bed and breakfast establishments
children and youth camps	board and care homes	lodging and boarding houses
assisted living facilities	day care centers and homes	other entities that prepare for or sell food to the public

Local units of government that are delegated to administer the state food safety program also would likely be affected.

**Statutory Authority.** *Minnesota Statutes*, sections 144.07 and 157.011 authorize the Department of Health and *Minnesota Statutes*, sections 31.11 and 31.101 authorize the Department of Agriculture to adopt rules for food safety and sanitation standards.

**Public Comment.** Interested persons or groups may submit comments or information on these possible rule amendments in writing or orally until further notice is published in the *State Register* that the department intends to adopt or to withdraw the rules. The departments 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 proposed rule amendments may require some local units of government to adopt or amend ordinance(s) or other regulation(s) under *Minnesota Statutes*, section 14.128. The departments are requesting that affected local governments provide information about their relevant ordinance(s) or other regulations to the departments.

**Rule Amendment Draft.** The departments have prepared a draft of the possible new rule language. It is available on the MDH website, <http://www.health.state.mn.us/divs/eh/food/code/2009revision/draftprule/index.html> or from the agency contact person.

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

Linda D. Prail, Rule Coordinator  
Food, Pools, and Lodging Services Section  
Environmental Health Division  
Minnesota Department of Health  
Freeman Building  
625 Robert Street North  
P. O. Box 64975  
St. Paul, Minnesota 55164-0975  
**E-mail:** [linda.prail@state.nm.us](mailto:linda.prail@state.nm.us)  
**Office:** (651) 201-5792  
**Fax:** (651) 201-4514

**Alternative Format.** Upon request, this Request for Comments can be made available in all alternative formats, 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 be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is scheduled. 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: 6 August 2015  
Benjamin Miller, PhD, RS  
Food and Response Program Manager  
Minnesota Department of Agriculture

Dated: 6 August 2015  
Tom Hogan, Director  
Environmental Health Division  
Minnesota Department of Health

## Minnesota Department of Employment and Economic Development (DEED)

### Notice of Public Hearing by the Minnesota Department of Employment and Economic Development with Respect to a Proposed Project and the Provision of Funds from the Minnesota Job Creation Fund Program under *Minnesota Statutes* 116J.8748

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Employment and Economic Development (“DEED”) will conduct a public hearing on Friday, September 4, at 1:00 p.m., or as soon thereafter as reasonably possible at 332 Minnesota Street, Suite E200, in Saint Paul, Minnesota, on a proposal to provide funding through the Minnesota Job Creation Fund Program pursuant to authority granted under *Minnesota Statutes* 116J.8748 and *Minnesota Rules* Chapter 4301. This hearing is conducted in accordance with *Minnesota Statutes* 116J.994, Subd. 5.

#### Description of Projects and Proposed JCF Funding:

**Arctic Cat, Inc.**, may expand in Thief River Falls (Pennington County), Minnesota. The company designs, engineers, manufactures, and markets snowmobiles, all-terrain vehicles (ATVs) and recreational off-highway vehicles (ROVs) as well as related parts, garments and accessories to customers located throughout North America and Europe. The company is considering modernizing their facility and adding a new paint line. The company expects to retain its current workforce in Thief River Falls and invest approximately \$26,070,274 in the project. The project is eligible for a capital investment rebate of up to \$950,000.

**SSB Manufacturing Company**, may expand in Lakeville (Dakota County), Minnesota. The company is a manufacturer and distributor of premium branded bedding products principally sold to retail and hospitality customers throughout the United States,

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Canada, and Puerto Rico. The company is considering moving into a 240,000 square foot build-to-suit manufacturing facility. The company expects to create 200 jobs at an average cash wage of \$17.30 per hour and have a total project cost of \$27,305,000. The project is eligible for a job creation award of up to \$886,000 and a capital investment rebate of up to \$208,522.

All interested persons may appear and be heard at the time and place set forth above. Persons interested in participating via teleconference should contact Emily Johnson, Minnesota Job Creation Fund Program Manager at (651) 259-7450 or [Emily.A.Johnson@state.mn.us](mailto:Emily.A.Johnson@state.mn.us) prior to the date of the hearing for instructions on how to participate in the conference call.

Interested persons may mail written comments to Emily Johnson at the street or e-mail address set forth above prior to the date of the hearing set forth above. All persons who appear at the meeting or participate via teleconference will be given an opportunity to express their views with respect to the proposal to award funds from the Minnesota Job Creation Fund.

## Minnesota Pollution Control Agency (MPCA)

### Remediation Division

#### Notice of Proposed Update of the State Superfund Priority List (State Superfund List) (also known as the Permanent List of Priorities (PLP)) Among Releases or Threatened Releases of Hazardous Substances or Pollutants or Contaminants

**NOTICE IS HEREBY GIVEN** that the Minnesota Pollution Control Agency (MPCA) is publishing for public comment proposed additions to the State Superfund List which lists releases or threatened releases of hazardous substances, pollutants, or contaminants for which the MPCA may take removal or remedial actions under the Minnesota Environmental Response and Liability Act (MERLA), *Minnesota Statutes* §§ 115B.01-115B.20.

Pursuant to *Minnesota Statutes* § 115B.17, the MPCA is authorized to take any removal or remedial action which the MPCA deems necessary to protect the public health, welfare or the environment whenever there is a release, or substantial threat of release, from a facility of any pollutant or contaminant which presents an imminent and substantial danger to the public health, welfare, or the environment, or whenever a hazardous substance is released or there is a threatened release of a hazardous substance from a facility.

*Minnesota Statutes* § 115B.17, subd. 13 required the MPCA to establish priority rules regarding releases or threatened releases of hazardous substances, and pollutants or contaminants. These rules, *Minnesota Rules* chapter 7044, became effective on April 5, 1993.

*Minnesota Statutes* § 115B.17, subd. 13 also require the MPCA to adopt the State Superfund List and to update the list annually according to the criteria set forth in the priority rules. Before any update of the State Superfund List is adopted by the MPCA, it must be published in the State Register and a 30-day public comment period must be provided. This notice is, therefore, published to inform the public that the MPCA is proposing to update the State Superfund List and to solicit public comment on the proposed additions.

Pursuant to *Minnesota Statutes* § 115B.17 and *Minnesota Rules* 7044.0950, the MPCA is proposing the following changes to the Superfund List.

The MPCA is proposing to partially delist a portion of the following Site from the Superfund List: Burlington Northern Car Shops Superfund Site, Brainerd, Crow Wing County.

The entire 102.5 acre Burlington Northern (BN) Car Shops Superfund Site was listed on the Permanent List of Priorities (PLP) in December 1988. Beginning in 1988 several investigations have taken place to determine the extent and magnitude of contamination for the Site in its entirety and for very specific areas. In most cases, contaminated soils were removed to a landfill and backfill material was brought in from clean, off-site sources. The entire BN Car Shop Site is characterized by the north half being owned by Burlington Northern Santa Fe (BNSF) and the southern half owned by Northern Pacific Center, Inc. (NPC). In 2011, 21.85 acres of the Site owned by NPC was delisted from the PLP. The remaining 25.89 acres owned by NPC is the property proposed for delisting. The MDD as amended November 7, 2011 documents that the MPCA has determined the selected response actions are protective of public health and welfare and the environment. MPCA staff recommends that the NPC property be removed from the PLP because NPC has taken all reasonable and



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appropriate actions related to the identified releases. The PLP deletion criteria have been met by NPC for the southern portion of the site and no further Minnesota Environmental Response and Liability Act (MERLA) response actions are necessary there. In addition, no further MERLA-funded response actions are necessary because there is no longer a threat to human health or the environment under the current and proposed future use.

The MPCA invites members of the public to submit written comments on the proposed deletion from the State Superfund List. All written comments with regard to these proposed changes to the Superfund List must be received no later than 4:30 p.m. on September 24, 2015.

Written comments regarding the proposed deletion from the State Superfund List should be submitted to:

Crague Biglow  
Remediation and Redevelopment Section, Remediation Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, Minnesota 55155-4194

All written comments received by the above deadline will be considered by the MPCA in establishing the updated State Superfund List.

John Linc Stine, Commissioner  
Minnesota Pollution Control Agency

## Minnesota Pollution Control Agency (MPCA)

### Watershed Division

### Public Notice of Availability of the Draft Mississippi-River Winona Watershed Pollutant Reduction Project Total Maximum Daily Load (TMDL) Study for Nutrients, Sediment and Bacteria and Request for Comment

Public comment period begins:

August 24, 2015

Public comment period ends:

September 24, 2015

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Mississippi-River Winona Watershed Pollutant Reduction Project TMDL Study for Nutrients, Sediment and Bacteria Report (Report). This Report includes two lake basins and seventeen stream reaches located in the Mississippi River-Winona Watershed (HUC 07040003) in southeastern Minnesota that are on the 2014 EPA's 303(d) list of impaired waters.

The following pollutant sources were evaluated for each lake or stream: watershed runoff, loading from upstream waterbodies, atmospheric deposition, lake internal loading, point sources, feedlots, septic systems, and in-stream alterations. An inventory of pollutant sources was used to develop a lake response model for each impaired lake and a load duration curve model for each impaired stream. These models were then used to determine the pollutant reductions needed for the impaired waterbodies to meet water quality standards.

The draft TMDL report is available on the MPCA website at:

<http://www.pca.state.mn.us/index.php/water/water-types-and-programs/watersheds/mississippi-river-winona.html#restoration-and-protection>

Comments on the draft Report should be addressed to the MPCA contact person listed below and must be received by the MPCA by 4:30 p.m. on September 24, 2015. The MPCA will review all comments received, determine possible revision to the draft Report and prepare written responses to the comments. The MPCA will then submit the draft Report to the U. S. Environmental Protection Agency (EPA) for approval.

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

Shaina Keseley  
Minnesota Pollution Control Agency

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18 Wood Lake Drive Southeast

Rochester, Minnesota 55904

**Phone:** (507) 206-2622

**E-mail:** [shaina.keseley@state.mn.us](mailto:shaina.keseley@state.mn.us)

**TTY** users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864

**Preliminary Determination on the Draft TMDL Report.** The MPCA Commissioner has made the preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report is available for review at the MPCA office at the address listed above and on the MPCA website at:

<http://www.pca.state.mn.us/index.php/water/water-types-and-programs/watersheds/mississippi-river-winona.html#restoration-and-protection>

Suggested changes will be considered before the TMDL Report is sent to the EPA for approval.

**Written Comments.** You may submit written comments on the conditions of the draft TMDL Report or on the Commissioner's preliminary determination. Written comments must include the following:

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

**Petition for Public Information Meeting.** You may request that the MPCA Commissioner hold a public information meeting. A public information meeting is an informal meeting the MPCA may hold to solicit public comment and statements on matters pertaining to the TMDL study and process, and to help clarify and resolve issues.

A petition requesting a public information meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reason the MPCA should hold a public information meeting; and
4. The issues that you would like the MPCA to address at the public information meeting.

**Petition for Contested Case Hearing.** A petition for a contested case hearing may be submitted. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the application or draft TMDL Report; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL Report. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

**MPCA Decision:** The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this TMDL Report. If the MPCA does not receive written comments, requests, or petitions during

the public comment period, MPCA staff as authorized by the Commissioner, will make the final decision on the draft TMDL Report.

Dated: August 2015

## **Minnesota Department of Transportation (Mn/DOT)**

### **Notice to Bidders: Suspensions/Debarments as of January 12, 2015**

#### **NOTICE OF DEBARMENT**

**NOTICE IS HEREBY GIVEN** that MnDOT has ordered that the following vendors be debarred for a period of three (3) years, effective May 6, 2013 until May 6, 2016:

- Gary Francis Bauerly and his affiliates, Rice, MN
- Gary Bauerly, LLC and its affiliates, Rice, MN
- Watab Hauling Co. and its affiliates, Rice, MN

**NOTICE IS HEREBY GIVEN** that MnDOT has ordered that the following vendors be debarred for a period of three (3) years, effective September 17, 2014 until September 17, 2017:

- Jeffrey Plzak and his affiliates, Loretto, MN
- Laurie Plzak and her affiliates, Loretto, MN
- Honda Electric Incorporated and its affiliates, Loretto, MN
- Jeffrey and Laurie Plzak doing business as Honda Electric Logistics, and its affiliates, Loretto, MN

**NOTICE IS HEREBY GIVEN** that MnDOT has ordered that the following vendors be debarred for a period of three (3) years, effective January 12, 2015 until January 12, 2018:

- Marlin Dahl, Granada, MN
- Dahl Trucking, Elmore, MN
- Elmore Truck and Trailer, Inc., Elmore, MN

*Minnesota Statute* 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 to a relative or any other party over whose actions the debarred person exercises substantial influence or control, remains ineligible during the duration of the seller's or transfer's debarment.

# 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.

SEE ALSO: Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

## Minnesota Department of Health (MDH) Medical Education and Research Costs (MERC) Grant Announcement

The Minnesota Department of Health is accepting MERC grant applications for clinical training provided in **fiscal year 2014** through Minnesota teaching institution's with accredited teaching programs providing clinical training for advanced practice nursing, clinical social workers, community health workers, community paramedics, dental students/residents, dental therapists/advanced dental therapists, chiropractic students, medical students/residents, pharmacy students/residents, physician assistants, and psychologists.

MERC grant applications will be accepted until **4 p.m. on October 31, 2015**.

Programs wishing to apply for a grant must submit their application through their sponsoring institution. A sponsoring institution may be a hospital, school or consortium that supports accredited teaching programs. These sponsoring institutions typically provide funding and accounting for the programs. Applications submitted by any entity other than a sponsoring institution will not be accepted.

Grant application materials can be found on the Minnesota Department of Health website:

<http://www.health.state.mn.us/divs/hpsc/hep/merc/mcapinfo.html>

Contact: Diane Reger at (651) 201-3566 or [diane.reger@state.mn.us](mailto:diane.reger@state.mn.us).

## Minnesota Department of Human Services (DHS) Housing and Support Services Community Living Supports Availability of Long Term Homeless Supportive Services Fund Assistance

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services (DHS) Community Living Supports Unit announces the availability of Long Term Homeless Supportive Services Fund (LTHSSF) funding. Funding under this program may be used to pay the costs of providing supportive services to persons experiencing Long Term Homelessness. Eligible applicants include Minnesota counties and tribal Governments.

The amount of available funding is \$13,820,000. All funds will be awarded through a competitive grant process. Funds will be awarded for a two-year period beginning January 1, 2016 and ending December 31, 2017. To be considered for funding under this program, one electronic application or one hard copy application must be received by 4:00 pm on Wednesday, October 7, 2015. E-mail one electronic copy of the application to [jan.basta@state.mn.us](mailto:jan.basta@state.mn.us) or mail one hard copy of the application, to:

Jan Basta  
Minnesota Department of Human Services  
Community Living Supports Unit  
P.O. Box 64962  
St. Paul, MN 55164-0962

For more information or to request an application packet, contact:

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## State Grants & Loans

Patrick Leary  
Minnesota Department of Human Services  
Community Living Supports Unit  
P.O. Box 60951  
St. Paul, MN 55164-0951  
**Phone:** (651) 431-3843, or  
**E-mail:** [pat.leary@state.mn.us](mailto:pat.leary@state.mn.us)

### State Contracts

In addition to the following listing of state contracts, readers are advised to check the Statewide Integrated Financial Tools (SWIFT) Supplier Portal at: <http://supplier.swift.state.mn.us> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

**Informal Solicitations:** Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be advertised in the Supplier Portal (see link above) or posted on the Department of Administration, Materials Management Division's (MMD) Web site at: <http://www.mmd.admin.state.mn.us/solicitations.htm>.

**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 advertised in the SWIFT Supplier Portal or alternatively, in the *Minnesota State Register* if the procurement is not being conducted in the SWIFT system.

## Minnesota Department of Administration (Admin) Minnesota State Colleges and Universities (MnSCU) State Designer Selection Board Project No. 15-11 Notice of Availability of Request for Proposal (RFP) for Designer Selection for Minnesota West Community and Technical College Jackson Campus Powerline Technology Training Facility

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Minnesota West Community and Technical College Jackson Campus, 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 Proposals is available on the Minnesota Department of Administration's website at <http://mn.gov/admin/government/construction-projects/sdsb/sdsb-projects.jsp> (click 15-11).

# State Contracts

Questions concerning the project RFP should be referred to Lori Voss. **Submit questions by e-mail ONLY to: [Lori.voss@mnwest.edu](mailto:Lori.voss@mnwest.edu).** When emailing questions, please include the subject line, "RFP questions from (firm name)".

Questions regarding this RFP must be received by **Friday, August 28, 2015** no later than 12:00 noon, Central Daylight Time. Only Prime Firms responding to this RFP should send inquiries on behalf of themselves and of their Sub-Consultants.

Proposals must be delivered to Charlye McMillan, Executive Secretary, State Designer Selection Board, Real Estate and Construction Services, Room 309, Administration Building, 50 Sherburne Ave., St. Paul, MN 55155 (651.201.2372) not later than **12:00 noon on Tuesday, September 8, 2015**. Late responses will not be considered. (Please note that due to the holiday, State offices are closed on Monday, September 7, 2015.)

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

## Minnesota State Colleges and Universities (MnSCU) South Central College Request for Bids for Hydraulics Training Simulators

**NOTICE IS HEREBY GIVEN** that sealed bids will be received by South Central College, North Mankato, MN, until 9:30 AM on Wednesday, September 9, 2015. The bid opening will be held in Donna Sampson's office on the South Central College North Mankato campus.

Bids are to be for a quantity of **3 Fluid Power Training Institute MF100-PH Hydraulic Simulators** (double-sided) & must include the following features & accessories. South Central College reserves the right to reject bids without the requested specifications.

### Standard Features & Specifications

All steel, uni-frame design with tubular construction	Six "T" assemblies
All non-flexible transmission lines made from stainless steel tubing with Swagelok-type connections	Three Glycerin-filled, Bourdon tube pressure gauges (0-1000 PSI)
All steel parts finished in high-quality powder coating	Two in-line flow meters
Four wheel, heavy-duty casters with wheel locks	Digital tachometer
2.5 gallon hydraulic reserve integrated in frame	Digital oil temperature gauge
1HP, 120V, single-phase, electric motor (operates on a single 20-amp circuit)	Pressure-compensated, axial piston-type pump – 1GPM, 1000 PSI
Electronic stopwatch with auto retract	Digital ambient temperature gauge
Pressure Control Valves (Director operated pressure relief valve; pilot-operated pressure relief valve with remote option; sequence valve; counterbalance valve; pressure reducing valve)	Directional Control Valves (3-position, 4-way: tandem -center, solenoid-operated; closed-center, solenoid -operated; float-center, handlever-operated; open -center, handlever operated)
Flow Control Valves & Flow Dividers (Needle valve; flow control valve; restrictor-type pressure-compensated flow control valve)	Actuators (bi-directional hydraulic motor; double -acting, single-rod cylinder; double-acting, double-rod cylinder with load/no-load capability)



Ammeter	Oil level sight glass
Check Valves (conventional in-line; pilot-operated; shuttle valve	Integrated load with solenoid-operated load engagement mechanism
Return-line, spin-on/off filter with by-pass indicator	Oil reservoir filler/breather located in drip tray
Hydraulic Hoses with quick-disconnect fittings (Six 24" hoses – twelve 40" hoses; two hose connectors)	Two joystick controllers for solenoid-operated directional control valves
Motor on/off switch with thermal protection	Illuminated load select & de-select switch
Transparent protective covers for moveable parts	Two lined work trays located on motor housing
Integrated swing-out paper towel holder	Swing-out/stow-away hose caddy
Four 24 VDC receptacles	Valve Docking Plate

Bid should include warranty, freight, & shipping charges & be valid for 90 days.

## Other Specifications & Options

Turnkey Training System which includes PowerPoint Presentations in CD Format, student workbooks featuring simulator activities, and an instructor's manual

## Bids

Please address any questions to Donna Sampson, 1920 Lee Blvd, North Mankato, MN 56003; (507) 389-7287; or at [donna.sampson@southcentral.edu](mailto:donna.sampson@southcentral.edu). Securely seal the bid & endorse upon the outside of the envelope "Bid for Hydraulics Training Simulators."

Mail sealed bids to:

Donna Sampson  
South Central College  
1920 Lee Blvd  
North Mankato, MN 56003

## Minnesota State Colleges and Universities (MnSCU)

### South Central College

### Request for Bids for Miller Axxess 300 Stationary Welders

**NOTICE IS HEREBY GIVEN** that sealed bids will be received by South Central College until 9:00 AM on Wednesday, September 9, 2015. The bid opening will be held in Donna Sampson's office on the South Central College North Mankato campus.

Bids are to be for a quantity of **6 Miller Axxess 300 Stationary Systems** (Software driven, multi-MIG Platform Systems) & must include the following features & accessories. South Central College reserves the right to reject bids without the requested specifications.

## Standard Features

- Miller Axxess 300 Stationary package which includes Power Source, Bench Feeder, Bernard Q-gun, and industrial MIG 4/0 kit.

## Other Specifications & Options

- **Processes: Multi-MIG®**
  - Accu-Pulse® MIG (GMAW-P)
  - Rated Output: 300 A at 29 VDC, 60%

## State Contracts

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- Accu-Curve™
  - Accu-Speed™ Optional
  - Pulsed MIG (GMAW-P)
  - MIG (GMAW)
  - Metal-Cored
  - RMD® Optional
  - Carbon Arc Gouging (CAC-A) can also be activated
- Duty Cycle (225 A at 25.3 VDC, 100% Duty Cycle)
  - Voltage Range: 10–44 V
  - Auxiliary Power: 120 VAC , 10 A Duplex
  - Net Weight: 112 lb. (50.8 kg)
  - .035/.045 drive rolls

Bid should include warranty, freight and shipping charges; and setup, electrical hook-up (not plugs) & training on machine. Bid must be valid for 90 days after the bid opening date.

### Bids

Please address any questions to Donna Sampson, 1920 Lee Blvd, North Mankato, MN 56003; (507) 389-7287; or at [donna.sampson@southcentral.edu](mailto:donna.sampson@southcentral.edu). Securely seal the bid & endorse upon the outside of the envelope "Bid for Miller Axcess 300 Stationary Welders."

Mail sealed bids to:

Donna Sampson  
South Central College  
1920 Lee Blvd  
North Mankato, MN 56003

## Minnesota Department of Human Services (DHS)

### Minnesota Board on Aging

### Notice of Request for Proposals to Provide Services, Education, and/or Resources for Persons with Dementia and their Caregivers

**NOTICE IS HEREBY GIVEN** that the Minnesota Board on Aging is requesting proposals to increase awareness of Alzheimer's disease, increase the rate of cognitive testing, promote the benefits of early diagnosis, or connect caregivers of persons with dementia to education and resources. Grants are intended to stimulate collaboration, coordination, and strengthen community relationships and partnerships to promote the benefit of physician consultation for all individuals suspected of having a memory or cognitive problem, to promote the benefits of early diagnosis of Alzheimer's disease and other dementias, and to provide informational materials and other resources to caregivers of persons with dementia.

Work is proposed to start January 1, 2016. For more information, or to obtain a copy of the Request for Proposal, contact:

Nancy E. Lee  
Minnesota Board on Aging  
**Phone:** (651) 431 – 4258  
**E-mail:** [mbagrants@state.mn.us](mailto:mbagrants@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 emailed and received at the above e-mail address no later than **4:00 p.m., Central Time, Wednesday, September 30, 2015. Late proposals will NOT be considered.** Faxed, mailed, or hand delivered proposals **will NOT** be considered.

The RFP can be viewed by visiting the Minnesota Board on Aging web site:

[http://www.mnaging.net/en/Administrator/DementiaGrants/~media/MNAging/Docs/Admin/Dementia/Dementia\\_Grants\\_RFP\\_PDF.ashx](http://www.mnaging.net/en/Administrator/DementiaGrants/~media/MNAging/Docs/Admin/Dementia/Dementia_Grants_RFP_PDF.ashx)

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.

### Legislative Branch

#### **Lessard-Sams Outdoor Heritage Council Notice of Request for Proposal for Outdoor Heritage Fund Land Acquisition Report**

The Lessard-Sams Outdoor Heritage Council (LSOHC) is requesting proposals from a consulting firm or team to develop a Land Acquisition Report for the LSOHC with presentation to the MN State Legislature.

The selected contractor will be responsible for developing a Land Acquisition Report for the LSOHC in response to the MN Legislature's directive in ML2015, 1<sup>st</sup> Special Session, Chapter 2, Article 1 Subdivision 6(d). Project includes state land acquisition (fee title and easement) records retrieval, research, compilation and analysis as well as presentation to the LSOHC and potentially committees of the MN House and Senate.

For a copy of the full text of the RFP, go to [www.lsohc.leg.mn](http://www.lsohc.leg.mn) or contact:

Joe Pavelko, Assistant Director  
Lessard-Sams Outdoor Heritage Council  
Room 95 State Office Building  
100 Rev. Dr. Martin Luther King, Jr. Blvd.  
St. Paul, MN 55155  
**Phone:** (651) 297-7142 (voice)  
**E-mail:** [joe.pavelko@lsohc.leg.mn](mailto:joe.pavelko@lsohc.leg.mn)

All proposals must satisfy the criteria as outlined in the full text of the RFP. **Proposals must be received by 4:00 p.m., Thursday, September 10, 2015. Late applications may not be accepted.** All expenses incurred in responding to this notice shall be borne by the responder.

### **Minnesota State Arts Board Minnesota Percent for Art in Public Places Minnesota Department of Military Affairs and the Minnesota National Guard Camp Ripley Education Center Request for Proposals for Public Art**

The Minnesota State Arts Board, on behalf of the Minnesota Department of Military Affairs, requests proposals from professional public artists or artist-led teams for permanent, site-specific public artwork within the newly expanded Camp Ripley Education Center in Little Falls, Minnesota. This two-phase Request for Proposals (RFP) is undertaken pursuant to the provisions of *Minnesota Statutes* § 16B.35, Art in State Buildings, 129D, 16C.08, 471.59, *Minnesota Rules*, Chapter 1900, and other applicable laws.

Proposals must be submitted through WebGrants no later than **4:30 P.M. (CDT) on Tuesday, September 29, 2015**. Duplicate, incomplete or late submissions will not be considered. A detailed description of the project and instructions for completing the application are contained in the RFP. Use the following link to request a copy: <http://goo.gl/forms/zcyhLC5L2z>

# State Contracts

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## Minnesota 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.

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 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

## Minnesota Department of Transportation (Mn/DOT)

### Engineering Services Division

#### Notice Concerning Professional/Technical Contract Opportunities and Taxpayers’ Transportation Accountability Act Notices

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

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

## Non-State Public 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.

Besides the following listing, readers are advised to check: <http://www.mmd.admin.state.mn.us/solicitations.htm> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>.

### Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for 2015 Telecommunications Room Equipment Continuity (TREC) P5

**MAC Contract No:**  
**Bids Close At:**

**106-2-731**  
**2:00 p.m. on Tuesday, September 15, 2015**

**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 consists of minor demolition, hollow metal doors and frames, interior finishes, and associated mechanical, electrical, and technology work for remodeling.

**NOTE:** You can sign up on our Web site ([www.metroairports.org](http://www.metroairports.org)) to receive email notifications of new business opportunities or go directly to [https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE\\_RED](https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE_RED) and choose this and other topics about which you are interested.

**Targeted Group Businesses (TGB):** The goal of the MAC for the utilization of TGB on this project is 5%.

**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 Alliance, the Minnesota Builders Exchange; Dodge Data and Analytics; 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: 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 for this project will be available on August 24, 2015, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

### Metropolitan Airports Commission (MAC) Public Notice for Statements of Qualifications for Bankruptcy Law Legal Services

The Metropolitan Airports Commission ("MAC") is requesting statements of qualifications (SOQ) from law firms interested in representing MAC as bankruptcy counsel.

MAC's Request for Qualifications for Bankruptcy Law Legal Services is available on the following website at:

# Non-State Public Bids, Contracts & Grants

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<http://www.metroairports.org/business/solicitations/default.aspx>

(Select: Solicitations/Request for Qualifications/Bankruptcy Law Request for Qualifications).

You may also contact Wendy Cornelius, MAC's Legal Administrator, at (612) 726-8192 or [wendy.cornelius@mspmac.org](mailto:wendy.cornelius@mspmac.org) with any questions by or before September 4, 2015.

The SOQs are due on or before 4:00 p.m. on Thursday, September 14, 2015.

## Metropolitan Airports Commission (MAC) Public Notice for Statements of Qualifications for General Legal Services

The Metropolitan Airports Commission ("MAC") is requesting statements of qualifications (SOQ) from law firms interested in representing MAC as general legal services outside counsel.

MAC's Request for Qualifications for General Legal Services is available on the following website at:

<http://www.metroairports.org/business/solicitations/default.aspx>

(Select: Solicitations/Request for Qualifications/General Legal Services Request for Qualifications).

You may also contact Wendy Cornelius, MAC's Legal Administrator, at (612) 726-8192 or [wendy.cornelius@mspmac.org](mailto:wendy.cornelius@mspmac.org) with any questions by or before September 4, 2015.

The SOQs are due on or before 4:00 p.m. on Thursday, September 14, 2015.

## Metropolitan Airports Commission (MAC) Public Notice for Statements of Qualifications for IT Staff Augmentation Services

The Metropolitan Airports Commission (MAC) is requesting qualifications statements from firms interested in presenting MAC with respect to IT Staff Augmentation Services.

MAC's Request for Qualifications for IT Staff Augmentation Services (RFQ) is available to download on MAC's website at:

<http://www.metroairports.org/business/solicitations/default.aspx>

(Select: Request for Qualifications and then IT Staff Augmentation Services Request for Qualifications).

Questions regarding this RFQ must be received by 4:00 p.m. on September 15, 2015. Qualifications statements must be received on or before 4:00 p.m. on September 29, 2015.

The contact person for this RFQ is Paula Rivet, Manager Project Delivery and Planning, and she may be contacted at (612) 794-9169 or [paula.rivet@mspmac.org](mailto:paula.rivet@mspmac.org).



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A subscription to the **STATE REGISTER** gets you the **EARLIEST** delivery. Instead of waiting until Monday at 8:00 am when the magazine is posted on our website, we'll SEND you the magazine on Friday at close of business with the State, 4:30 pm: 2-1/2 days early.

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## ***Minnesota's Bookstore***

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

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

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

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

Order Online at: [www.minnesotasbookstore.com](http://www.minnesotasbookstore.com)



### 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](http://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) \_\_\_\_\_

#### Shipping Charges

<i>If Product</i>	<i>Please</i>
<b>Subtotal is:</b>	<b>Add:</b>
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*
* \$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.	
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** \_\_\_\_\_

Credit card number: \_\_\_\_\_

Expiration date: \_\_\_\_\_ Signature: \_\_\_\_\_

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