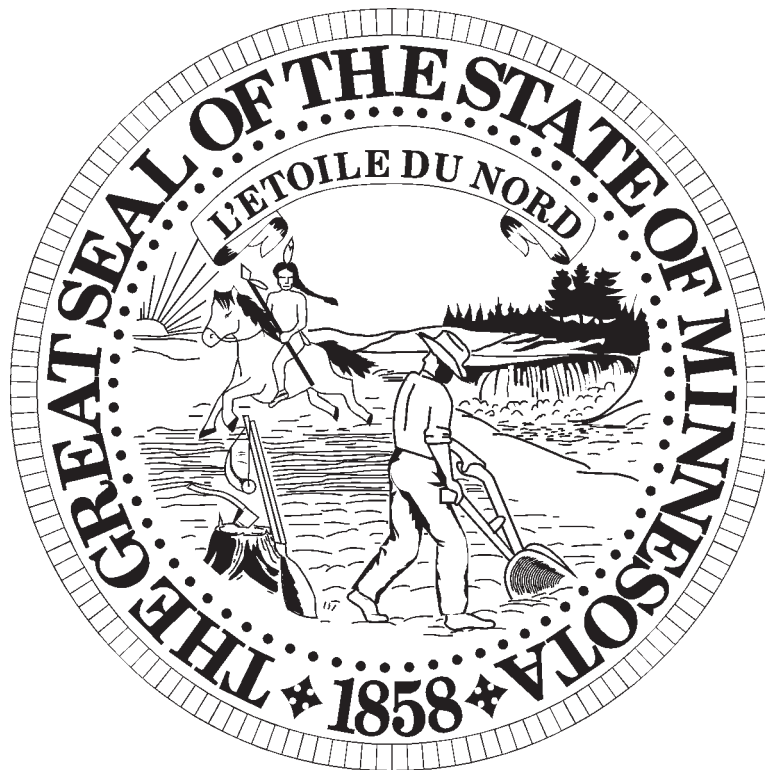


State of Minnesota

State Register



**Rules, Executive Orders, Appointments,
Commissioners' Orders, Revenue Notices, Official Notices, Grants,
State Contracts & Loans, Non-State Bids, Contracts & Grants**

Published every Monday (Tuesday when Monday is a holiday)

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State Register

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

- rules of state agencies
- commissioners' orders
- state grants and loans
- executive orders of the governor
- revenue notices
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- appointments
- official notices

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# 12	Monday 17 September	Noon Tuesday 11 September	Noon Wednesday 5 September
# 13	Monday 24 September	Noon Tuesday 18 September	Noon Wednesday 12 September
# 14	Monday 1 October	Noon Tuesday 25 September	Noon Wednesday 19 September

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Minnesota Rules: Amendments and Additions

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

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

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

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

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

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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

Construction Codes and Licensing Division

Proposed Permanent Rules Relating to Construction Code Inspectors, *Minnesota Rules*, parts 1301.1300 to 1301.1600

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

Introduction. The Department of Labor and Industry intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on Wednesday, October 10, 2007, a public hearing will be held in the Minnesota Room, Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155, starting at 12:30 PM on Friday, October 26, 2007. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after October 10, 2007 and before October 26, 2007.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Carrie Rohling, Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155, **phone:** (651) 284-5217, **Fax:** (651) 284-5725. **TTY** users may call the Department at (651) 297-4198.

Proposed Rules

Subject of Rules and Statutory Authority. The proposed rules are about: establishing minimum competency criteria for individuals serving as construction code inspectors (building, mechanical, and plumbing inspectors inspecting under the supervision of a certified building official designated by a municipality pursuant to *Minnesota Statutes*, section 16B.65; establishing or approving education programs for construction inspectors related to construction inspection and administration of the State Building Code; and establishing continuing education requirements for construction code inspectors. The statutory authority to adopt the rules is *Minnesota Statutes*, section 16B.655.

A copy of the proposed rules is published in the *State Register*. The proposed rules are also available on the Department's website at www.doli.state.mn.us. A free copy of the rules is available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m. on Wednesday, October 10, 2007, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday, October 10, 2007. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

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

Cancellation of Hearing. The hearing scheduled for October 26, 2007, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 284-5217 after October 10, 2007 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Kathleen D. Sheehy is assigned to conduct the hearing. Judge Sheehy can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **telephone:** (612) 341-7602, and **Fax:** (612) 3492665.

Hearing Procedure. If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the

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hearing. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day rebuttal period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

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

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

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, **telephone:** (651) 29-65148 or 1-800-657-3889.

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

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

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

Dated: August 21, 2007

Steve Sviggum, Commissioner
Department of Labor and Industry

1301.1300 AUTHORITY AND PURPOSE.

The purpose of parts 1301.1300 to 1301.1600 is to establish competency criteria, establish and approve education programs, and establish continuing education requirements for construction code inspectors pursuant to *Minnesota Statutes*, section 16B.655. Parts 1301.1300 to 1301.1600 shall be administered by the supervising designated building official.

1301.1310 DEFINITIONS.

Subpart 1. Generally. The definitions in this part apply to parts 1301.1300 to 1301.1600.

Subp. 2. Building construction. "Building construction" means soils supporting buildings, foundations, superstructures, the entire building envelope, and site work regulated by the State Building Code, but not mechanical systems or plumbing systems.

Subp. 3. Building inspection technology course or BIT course. "Building inspection technology course" or "BIT course" means a building inspection technology course from an accredited college or university that is recognized by the Department of Labor and Industry.

Subp. 4. Building inspector. "Building inspector" means an individual who, under the supervision of a designated building official, inspects building construction.

Subp. 5. Combination inspector. "Combination inspector" means an individual who, under the supervision of a designated building official, inspects buildings and structures in two or more of the following disciplines:

- A. building construction;
- B. plumbing systems; and
- C. mechanical systems.

Subp. 6. Construction code inspector. "Construction code inspector" means a building inspector, mechanical inspector, plumbing

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inspector, or combination inspector who, under the supervision of a designated building official, performs building, plumbing, or mechanical inspections.

Subp. 7. **Designated building official.** “Designated building official” means an individual who, as a certified building official, has been designated by a municipality pursuant to *Minnesota Statutes*, section 16B.65, subdivision 1.

Subp. 8. **Mechanical inspector.** “Mechanical inspector” means an individual who, under the supervision of a designated building official, inspects mechanical systems.

Subp. 9. **Mechanical system.** “Mechanical system” means a system within the scope of chapter 1346 that is composed of devices, appliances, or equipment.

Subp. 10. **One year of experience.** “One year of experience” means 1,800 hours of time occurring within 12 consecutive months.

Subp. 11. **Plumbing inspector.** “Plumbing inspector” means an individual who, under the supervision of a designated building official, inspects plumbing systems.

Subp. 12. **Plumbing system.** “Plumbing system” means a system within the scope of chapter 4715 that is composed of devices, appliances, or equipment.

1301.1400 MINIMUM COMPETENCY CRITERIA.

Subpart 1. **Generally.** An individual conducting construction code inspections must meet the minimum competency criteria in this part, except that an individual holding a current certification as a building official under *Minnesota Statutes*, section 16B.65, is exempt from this part and part 1301.1600. All construction code inspectors hired on or after January 1, 2008, shall within one year of hire, be in compliance with the competency criteria of this part.

Subp. 2. **Building inspector.** To conduct the activities of a building inspector, an individual must meet at least one of the following minimum competency criteria:

- A. three years’ experience in construction with specific skilled participation in the construction of foundations and superstructures;
- B. five years’ experience in the complete design of buildings;
- C. successful completion of two or more BIT courses in building construction;
- D. vocational or trade school diploma or equivalent education related to building construction;
- E. bachelor’s degree or more in architecture, engineering, or construction management;
- F. national certification as a building inspector; or
- G. two years’ experience conducting building construction inspections while under the supervision of a Minnesota designated building official.

Subp. 3. **Mechanical inspector.** To conduct the activities of a mechanical inspector, an individual must meet at least one of the following minimum competency criteria:

- A. three years’ experience in the installation or design of mechanical systems;
- B. successful completion of two or more BIT courses, with at least one course specifically related to mechanical systems;
- C. vocational or trade school diploma or equivalent education related to mechanical systems;
- D. bachelor’s degree or more in architecture or engineering;
- E. national certification in mechanical system inspections; or
- F. two years’ experience conducting mechanical inspections while under the supervision of a Minnesota designated building official.

Subp. 4. **Plumbing inspector.** To conduct the activities of a plumbing inspector, an individual must meet at least one of the following minimum competency criteria:

- A. three years’ experience in the installation or design of plumbing systems;
- B. successful completion of two or more BIT courses, with at least one course specifically related to plumbing systems;
- C. vocational or trade school diploma or equivalent education related to plumbing systems;
- D. bachelor’s degree or greater in architecture or engineering;
- E. national certification in plumbing system inspection; or
- F. two years’ experience conducting plumbing inspections while under the supervision of a Minnesota designated building official.

Subp. 5. **Combination inspector.** To conduct the activities of a combination inspector, an individual must meet the minimum competency criteria for at least two of the following disciplines:

- A. building inspector;
- B. mechanical inspector; or
- C. plumbing inspector.

1301.1500 EDUCATION AND TRAINING.

Subpart 1. **Education programs provided.** The commissioner shall provide educational programs designed to train and assist construction code inspectors pursuant to *Minnesota Statutes*, section 16B.655, subdivision 2.

Proposed Rules

Subp. 2. Program evaluation. The commissioner shall evaluate code-related education programs offered by other states, correspondence schools, universities, or other educational or code-related entities which must be considered on an individual basis and shall award one continuing education hour per 50-minute contact hour. Continuing education programs completed by correspondence must be evaluated based upon the program content and the work the participant is required to successfully complete and submit in order to complete the program.

1301.1600 CONTINUING EDUCATION.

Subpart 1. Mandatory continuing education. Each construction code inspector must annually meet the requirements for continuing education in subparts 2 and 3, and provide evidence of completed continuing education credits to the designated building official. The designated building official must retain evidence of compliance for three years.

Subp. 2. Building, mechanical, and plumbing inspectors. Each building inspector, mechanical inspector, or plumbing inspector must complete 15 hours of continuing education annually, of which six hours must be in the discipline in which the individual meets the competency criteria.

Subp. 3. Combination inspectors. Each combination inspector must complete 20 hours of continuing education annually, of which six hours must be in each discipline in which the individual meets the competency criteria.

Adopted Rules

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

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

Department of Revenue

Adopted Permanent Rules Governing the Sales and Use Tax on Food Sold with Eating Utensils

The rules proposed and published at *State Register*, Volume 31, Number 47, pages 1701-1705, May 21, 2007 (31 SR 1701), are adopted with the following modifications:

8130.4705 FOOD SOLD WITH EATING UTENSILS.

Subp. 2. Seller's practice to physically give or hand utensil to the customer. Food is sold with eating utensils provided by the seller if the seller's practice for the item, as represented by the seller, is to physically give or hand a utensil to the customer with the food as part of the sales transaction. For purposes of this part, the seller's practice to "physically give or hand" a utensil to the customer means:

D. it is the seller's practice to place the utensil on a table, counter, or similar surface for the customer to use. A utensil previously placed by the seller, for example, as part of a place setting, is considered physically given to the customer. For purposes of this item, "table, counter, or similar surface" means furniture or surfaces where a customer sits or stands to eat.

Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* Sections 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only. The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

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.

Office of the Secretary of State Proposed Exempt Permanent Rules Governing the Safe at Home Program

The Office of the Secretary of State (OSS) is authorized by *Minnesota Statutes*, section 5B.08, to adopt rules under *Minnesota Statutes*, section 14.388, also known as "exempt" or "good cause" rules.

At the time the rules are submitted to the Office of Administrative Hearings (OAH) for review under *Minnesota Statutes*, section 14.388 by an Administrative Law Judge (ALJ), the public has five days in which to file comments with OAH with respect to these rules.

OSS expects to submit the proposed exempt rules and start the five-day comment period during the month of September.

This notice is in addition to the electronic notice on the OSS web site, and other electronic and hard copy notices required by *Minnesota Statutes*, chapter 14.

The text of the proposed exempt rules will be posted to the following web page at or before the time they are submitted to the ALJ:
<http://www.sos.state.mn.us/home/index.asp?page=753>

That Web page will also reflect the start and end dates of the five-day comment period.

The public is advised that the standards for review by the ALJ are set forth in *Minnesota Rules*, 1400.2100, Items A, D, E, F, and G, to wit:

1400.2100 STANDARDS OF REVIEW.

A rule must be disapproved by the judge or chief judge if the rule:

A. was not adopted in compliance with procedural requirements of this chapter, *Minnesota Statutes*, chapter 14, or other law or rule, unless the judge decides that the error must be disregarded under *Minnesota Statutes*, section 14.15, subdivision 5, or 14.26, subdivision 3, paragraph (d);

D. exceeds, conflicts with, does not comply with, or grants the agency discretion beyond what is allowed by, its enabling statute or other applicable law;

E. is unconstitutional or illegal;

F. improperly delegates the agency's powers to another agency, person, or group;

G. is not a "rule" as defined in *Minnesota Statutes*, section 14.02, subdivision 4, or by its own terms cannot have the force and effect of law;

For a further description of the "good cause" or "exempt" rulemaking process, please see the informative materials at:

<http://www.health.state.mn.us/rules/manual/11good-cause.doc>

If any citizen has questions about these proposed exempt rules, they should contact Bert Black, the rule coordinator for these rules, at the Office of the Secretary of State, 180 State Office Building, 100 Rev. Dr. Martin Luther King, Jr. Boulevard, Saint Paul MN 55155; **Phone:** (651) 201-1326, **Toll-Free:** 1-877-600-8683, **TTY:** MN Relay Service – 1-800-627-3529, **Fax:** (651) 215-0682, **E-mail:** Bert.Black@state.mn.us.

Executive Orders

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

Office of the Governor

Emergency Executive Order #07-12: Providing Temporary Shelter for Persons Displaced by Fire

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

WHEREAS, on August 29, 2007, a devastating fire moved through an apartment building in Owatonna, Minnesota; and

WHEREAS, the entire building was engulfed in flames, dozens of people were displaced from their homes and two firefighters were injured; and

WHEREAS, Steele County does not have adequate local resources to provide emergency shelter for the residents evacuated from the apartment fire; and

WHEREAS, the Steele County Sheriff requested the state provide the Owatonna Training and Community Center as a temporary shelter for residents displaced by the fire.

NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to state active duty on or about August 29, 2007, in the service of the State, such personnel and equipment of the military forces of the State as required and for such period of time as necessary to provide temporary shelter for people displaced due to the apartment fire in Owatonna.

Executive Orders

2. The Adjutant General is authorized to purchase, lease or contract goods or services necessary to accomplish the mission.

3. The cost of subsistence, transportation, fuel, pay and allowances of said individuals shall be defrayed from the general fund of the State, as provided for in Minnesota Statutes 2006, Sections 192.49, 192.52 and 192.54.

Pursuant to *Minnesota Statutes 2006*, Section 4.035, Subdivision 2, this Order is effective immediately and shall remain in effect until such date as elements of the military forces of the State are no longer required.

IN TESTIMONY WHEREOF, I have set my hand this 30th day of August, 2007.

Signed: TIM PAWLENTY
Governor

Filed According to Law:

Signed: Mark Ritchie
Secretary of State

Office of the Governor Emergency Executive Order #07-13: Providing for Emergency Relief from Regulations to Motor Carriers Operating in Minnesota

I, TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and *Minnesota Statutes 2006*, Section 221.0269, do hereby issue this Emergency Executive Order:

WHEREAS, flooding, lightning strikes and other unanticipated problems at refineries in other states have disrupted the normal supply of gasoline and diesel fuels in Minnesota; and

WHEREAS, many motor fuel terminals outside of the seven county metropolitan area are experiencing difficulties in obtaining their normal supply of gasoline and have been intermittently shut down for periods of time; and

WHEREAS, the motor fuel terminals are part of the distribution chain and gasoline from the terminals is pumped into trucks for delivery to local gas stations across Greater Minnesota; and

WHEREAS, many commercial motor carriers who haul motor fuels are experiencing significant delays at the terminals before they are able to fill their trucks, and/or are needing to obtain motor fuels from alternative terminals that are a significant distance from their delivery area; and

WHEREAS, because drivers are obtaining motor fuels at alternative terminals, there are long lines and delays at motor fuel terminals across the state; and

WHEREAS, Labor Day weekend is one of the peak travel times within Minnesota and relief is needed to ensure that local gas stations are able to obtain motor fuels for Minnesota consumers to ensure that consumers living and traveling in Greater Minnesota are not stranded without adequate access to necessary motor fuels; and

WHEREAS, the upcoming harvest season is one of the peak times for consumption of diesel fuel in the state and relief is needed to ensure that farmers have reliable supplies of diesel fuel to harvest crops.

NOW, THEREFORE, I hereby declare that:

1. An emergency exists in Minnesota that requires relief from regulations incorporated in *Minnesota Statutes 2006*, Section 221.0314, Subdivision 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles while in the process of

Executive Orders

obtaining and transporting motor fuels.

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

3. No motor carrier operating under the terms of this emergency order shall require or allow a fatigued or ill driver to operate a motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive hours off duty before the driver is required return to service.

4. Upon the expiration of the effective date of this emergency order, or when a driver or carrier ceases to provide direct assistance to the emergency relief effort, a driver that has had at least thirty four consecutive hours off-duty, shall be permitted to start his or her on-duty status hours and 60/70 hour clock at zero.

This order shall be effective immediately and shall remain in effect for 30 days or until the commercial motor carrier or driver ceases direct assistance in providing emergency relief, whichever occurs earlier. For purposes of this order, direct assistance is defined in *Minnesota Statutes 2006*, Section 221.0269, Subdivision 3(c). This order may be extended in accordance with *Minnesota Statutes 2006*, Section 221.0269, Subdivision 2.

IN TESTIMONY WHEREOF, I have set my hand this 31st day of August, 2007.

Signed: TIM PAWLENTY
Governor

Filed According to Law:

Signed: MARK RITCHIE
Secretary of State

Official Notices

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

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

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Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C on Behalf of Brent Pohlman

NOTICE IS HEREBY GIVEN that a public hearing will be held on October 1, 2007, at 9:00 a.m., Department of Agriculture Building, Agricultural Finance 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 construction of a 3,000 head hog finishing barn located: from Lakefield, MN, south 11 miles on Hwy. 86, five miles west on 710th Street, 3/4 mile south on 400th Ave., on east side of road, Section 34, S 1/2 SW 1/4, Sioux Valley Township, Jackson County, Minnesota on behalf of Brent Pohlman, (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$250,000.00.

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: September 5, 2007

Jim Boerboom
RFA Director

**Minnesota Department of Health
Division of Environmental Health****REQUEST FOR COMMENTS on Possible Amendment of Rules Governing Health Risk Limits for Groundwater, *Minnesota Rules*, Parts 4717.7100 to 4717.7800 to Be Renumbered as Parts 4717.7810 to 747.7900**

Subject of Rules. The Minnesota Department of Health requests comments on its possible amendment to rules governing Health Risk Limits (HRLs) for groundwater (*Minnesota Rules*, parts 4717.7100 to 4717.7800). The Department is considering changes to current rules to incorporate new scientific data and risk assessment methods into the process that MDH uses to calculate health-protective values for groundwater contaminants.

Persons Affected. The amendments have the potential to benefit Minnesotans who use groundwater as their source of drinking water, especially those who live in areas affected by chemical leaks or spills. The amendments to the rules will likely affect state environmental and agricultural programs that use the HRLs to evaluate the need for regulations and to set clean-up goals. The amendments may indirectly affect other businesses and industries regulated by state and federal environmental programs.

Statutory Authority. The Groundwater Protection Act of 1989 (*Minnesota Statutes*, section 103H.201) authorizes the Department to promulgate health risk limits for substances degrading groundwater. In addition, requirements for developing standards are contained in the Health Standards Statute (*Minnesota Statutes*, section 144.0751). Recent Minnesota Session Laws 2007 (Chapter 37 on Perfluorochemical Health Risk Limits and Chapter 147 Article 17 on MCL-based Health Risk Limits) also provide direction to the Department on developing rules.

Public Comments. Interested persons or groups may submit comments or information on these possible rules in writing until MDH publishes further notice in the *State Register* that the Department intends to adopt or to withdraw the rule. Interested members of the public can find information from past public meetings on possible rule amendments at:

<http://www.health.state.mn.us/divs/eh/groundwater/hrlgw/meetings.htm>

The most recent public meeting, April 2007, included an overview of planned amendments. MDH plans to hold additional public meetings. To learn about future meetings through email, you may subscribe to the email notification system by clicking on the subscribe button at <http://www.health.state.mn.us/divs/eh/groundwater/index.html> and providing an email address.

Rules Drafts. A draft of the possible rules and Statement of Need and Reasonableness will be available at:

<http://www.health.state.mn.us/divs/eh/groundwater/hrlgw/revrule.html>

Written copies of the draft possible rules can be obtained from the agency contact person at the address or telephone number listed below.

Agency Contact Person. Written or oral comments; questions; and requests to receive a draft of the rules or a draft of the Statement of Need and Reasonableness should be directed to: Paul Moyer (e-mail: paul.moyer@health.state.mn.us) at the Minnesota Department of Health, Freeman Building, 625 Robert Street N, P.O. Box 64975, Saint Paul, MN 55164-0975; **Phone:** (651) 201-4912, or **Fax:** (651) 201-4606. **TTY** users may call the Department at (651) 201-5797.

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

NOTE: MDH will not necessarily include comments that respond to this notice in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency must submit to the judge only those written comments that it receives 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: 31 August 2007

John L. Stine, Director
Environmental Health Division
Minnesota Department of Health

Official Notices

Minnesota Department of Labor and Industry

Construction Codes and Licensing Division

REQUEST FOR COMMENTS on Possible Rules Governing Window Fall Prevention Devices, *Minnesota Rules* (citation to be determined)

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its possible rules governing window fall prevention devices. The Department is considering rules that adopt window fall prevention devices pursuant to *2007 Minnesota Laws*, chapter 147, article 16, section 1 (to be codified as *Minnesota Statutes* § 16B.61, subdivision 3c). The Department is considering rules governing window fall prevention devices that include, but are not limited to, safety screens, hardware, guards, and other devices, and to establish a scope that includes applicable building occupancies, and the types, locations, and sizes of windows that will require the installation of fall devices.

Persons Affected. The rules would likely affect manufacturers, builders, certified building officials, fire fighters, and child advocacy groups.

Statutory Authority. *2007 Minnesota Laws*, chapter 147, article 16, section 1 (to be codified as *Minnesota Statutes* § 16B.61, subdivision 3c), requires the Department to adopt rules for window fall prevention devices as part of the State Building Code.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on Friday, November 9, 2007. The Department has appointed an advisory committee to assist in the development of the possible rules. The advisory committee met on August 22, 2007, and is likely to meet again in September and October 2007. These meetings are open to the public. Questions about the advisory committee should be directed to the agency contact person at the address or telephone number below.

Rules Drafts. The Department does not anticipate that a draft of the rules will be available before the publication of the proposed rules. A link to the draft rules, if available before the publication of the proposed rules in the State Register, will be posted on the Department's rule docket web site at:

http://www.doli.state.mn.us/rulemaking_activity.html

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Ms. Carrie Rohling, Dept. of Labor and Industry, Third Floor, 443 Lafayette Road N., St. Paul, MN 55155, **phone:** (651) 284-5217, or **Fax:** (651) 284-5725. **TTY** users may call the Department at (651) 297-4198.

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

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

Dated: August 29, 2007

Steve Sviggum, Commissioner
Department of Labor and Industry

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.

Minnesota Department of Health

Office of Rural Health and Primary Care

Community Clinic Grant Program

Notice of Grant Opportunity to Improve Minnesota's Clinic-based Safety Net Providers

The Minnesota Department of Health (MDH) is seeking applications from eligible community clinics through the Community Clinic Grant Program. The purpose of these grants is to improve the ongoing viability of Minnesota's clinic-based safety net providers. Grants help clinics serve people with low incomes, reduce current or future uncompensated care burdens, or improve care delivery infrastructure. The level of funding for the community clinic grant program is \$567,000 for fiscal year 2008. An eligible community clinic means a nonprofit clinic, government entity, Indian tribal government or Indian health service unit; or a consortium of these entities. Applicants must also use a sliding fee scale or other procedure to determine eligibility for charity care or to ensure that no person will be denied services because of inability to pay. The Office of Rural Health and Primary Care expects that successful applicants will be able to begin their grant projects by April 2008.

Because of limited funding, applicants will be required to submit pre-applications and only the strongest of these will be invited to submit a final application. Prospective applicants who have questions and/or would like a copy of the application forms may contact Debra Jahnke at 651-201-3845 or 800-366-5424 or debra.jahnke@health.state.mn.us. The pre-application and final application forms are also available on the Office of Rural Health and Primary Care Web site at:

<http://www.health.state.mn.us/divs/cfh/orhpc/grant/home.htm#community>

Pre-applications must be received by 4 p.m. on October 5, 2007. Final applications must be received by 4 p.m. on January 4, 2008. Applications may be mailed or delivered to the following addresses:

Debra Jahnke
Office of Rural Health and Primary Care
Division of Community Health
Minnesota Department of Health
P.O. Box 64882
St. Paul, MN 55164-0882

Or via courier:

85 East 7th Place, Suite 220
St. Paul, MN 55101

Minnesota Department of Human Services

Continuing Care Administration

Home and Community-Based (HCBS) Employee Scholarship Program Open For Proposals

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals from qualified Medicaid Home and Community-Based service (HCBS) providers interested in receiving scholarship funds for employee education and training in nursing and other health care fields.

The Minnesota legislature, under *Minnesota Statutes* §256B.0918, enacted a program to provide scholarships for Home and Community-Based healthcare workers. The purpose of the HCBS Scholarship fund is to help create meaningful career paths for employees (Cite 32 SR 469)

State Grants & Loans

serving in the field of long-term care, specifically those serving in HCBS programs. In addition, this funding supports provider efforts to recruit, retain and train qualified employees and to expand the long-term care workforce.

Home and Community-Based providers approved to participate in the HCBS scholarship program will receive a rate adjustment of up to 3/10 of one percent of their medical assistance reimbursement rate, to be used for qualified employee scholarships. The term of any resulting contract is anticipated to be from October, 2007 or upon program implementation (whichever is later), until September 30, 2009. A bidder's conference will be held at The Minnesota Department of Human Services (DHS) Elmer Andersen Building, 540 Cedar Street, St. Paul, MN., on Thursday September 18, 2007, from 12:30 to 2:00 p.m., in Room 3335.

The Request for Proposal (RFP) can be obtained from:

Munna Yasiri
State Programs Administrator Director
Department of Human Services
Continuing Care Administration
Phone: (651) 431-2264
E-mail: munna.yasiri@state.mn.us

Proposals submitted in response to the Request for Proposals in this advertisement **must be received at the address above no later than 4:00 p.m., Central Time, Friday September 28, 2007. Late proposals will not be considered.**

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

Department of Public Safety Office of Justice Programs Justice and Community Grants Request for Letters of Intent to Fund YOUTH INTERVENTION PROGRAMS

Purpose: The Minnesota Office of Justice Programs, Department of Public Safety, is requesting both new and reapplication proposals to fund Youth Intervention Programs (YIP). YIP is an early intervention, nonresidential, community-based program providing advocacy, education, counseling, mentoring, and referral services to youth and their families experiencing personal, familial, school, legal, or chemical problems with the goal of resolving the present problems and preventing the occurrence of future problems.

Total available funding:

\$500,000 is available for new two-year grants (grant awards of up to \$50,000/two years)

\$802,000 is available for reapplication/increases for current YIP grants.

Legislative authority: *Minnesota Statute 299A.30*

Application DEADLINE: Proposals must be submitted electronically via the Web Enhanced Grants Operations (WEGO) system by **4:00 p.m., Thursday, October 11, 2007.**

For more information and a complete Request for Proposal go to:

www.dps.state.mn.us/OJP or

Tricia Hummel tricia.hummel@state.mn.us
(651) 201-7320

State Contracts

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

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

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

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

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- Easy Access to *State Register* Archives
- Indexes to Vols. 31, 30, 29, 28 and 27

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

Department of Administration Real Estate & Construction Services Notice of State Real Property for Sale in Duluth, Minnesota

NOTICE IS HEREBY GIVEN that the Department of Administration is offering for sale by sealed bid the real property located 716 Garfield Avenue, Duluth, MN. This former grain inspection facility consists of a 1-story, masonry structure constructed in 1941 containing of approximately 2,240 sq.ft. and a detached, wood frame garage-style building. The land area is 6,000 sq.ft. The property is located adjacent to the I-535 / US 53 highway connecting Duluth, MN and Superior, WI. To obtain a copy of the bid package, visit www.admin.state.mn.us/recs (click on Notices), e-mail: wayne.waslaski@state.mn.us or call (651) 201-2548. Written bids must be received no later than 2:30 p.m., on Tuesday, September 25, 2007.

Department of Administration Real Estate & Construction Services Notice of State Real Property for Sale in Golden Valley, Minnesota

NOTICE IS HEREBY GIVEN that the Department of Administration is offering for sale by sealed bid two secluded wooded lots located at 228 and 308 Meander Road in Golden Valley, Minnesota. The lots, containing approximately 1.3 and 1.04 acres, respectively, are located in a residential neighborhood adjacent to the Perpich Center for Arts Education. To obtain the complete bid packages, visit www.admin.state.mn.us/recs, e-mail: wayne.waslaski@state.mn.us or call (651) 201-2548. Written bids must be received no later than 2:30 p.m., on Tuesday, September 25, 2007.

State Contracts

Department of Administration

Real Estate & Construction Services

Notice of State Real Property for Sale in Hermantown, Minnesota

NOTICE IS HEREBY GIVEN that the Department of Administration is offering for sale by sealed bid the real property located 5668 W. Arrowhead Road, Hermantown, MN 55811. The property consists of a 4 bedroom, 3 bathroom ranch-style home with 2-car detached garage and 12-ft x 22-ft storage bldg. The site is a private lot containing approximately 2 acres. Minimum bid of \$160,000. To obtain a copy of the bid package, visit www.admin.state.mn.us/recs (click on Notices), e-mail: wayne.waslaski@state.mn.us or call (651) 201-2548. Written bids must be received no later than 2:30 p.m., on Tuesday, September 25, 2007.

Department of Administration

Division of State Architect's Office

Notice of Request for Qualifications (RFQ) and Fee Schedule for Professional Services of Minnesota Registered Architects, Engineers, Interior Designers, Land Surveyors, Landscape Architects, and Geoscientists

The Department of Administration, State Architect's Office ("State"), requests qualifications of Minnesota registered architects, engineers, interior designers, land surveyors, and geoscientists ("Consultant") to assist the State in providing studies, predesigns, design through construction documents, construction administration, post construction services, interior design, land surveys, geoscience, and project-related professional services as needed for up to a five-year period. These projects will be varied in nature and scope and will involve new construction and remodeling, which includes but is not limited to buildings, commissioning, bridges, parking structures, site and utility work, roadways, and land development.

Unless otherwise provided in *Minnesota Statutes* § 16B.33, the following guidelines apply when using the Master Roster. State agency construction projects requiring a primary designer will have an estimated cost of construction of no greater than \$2,000,000.00; or a study, report, or predesign for a state agency planning project will have a consultant estimated fee no greater than \$200,000.00. Higher education construction projects requiring a primary designer will have an estimated cost of construction of no greater than \$2,000,000.00; and a study, report or predesign for a planning project will have a consultant estimated fee no greater than \$200,000.00. Primary Designers for Projects to construct, erect, or remodel a building with an estimated cost in excess of these amounts will be selected by the State Designer Selection Board in accordance with *Minnesota Statutes* § 16B.33.

The Request for Qualifications document may be found online at: www.sao.admin.state.mn.us. Copies of the RFQ may also be requested from:

Contracts Officer
State Architect's Office
301 Centennial Building, 658 Cedar Street
St. Paul, MN 55155-1625
(651) 201-2399

The Request for Qualifications and Fee Schedule will remain open continually to enable individuals and firms not currently on the Roster to submit their qualifications and fee schedules. One year after a completed response is added to the Master Roster, the firm will be asked whether it wants to remain on the roster. If the responder wants to continue to remain on the roster it will be able to update its fee schedule, and will be required to submit updated written documents. If no response is received within 30 days of the notice, the responder's name will be removed from the Master Roster until such time as it has re-submitted a complete response to the RFQ.

The State reserves the right to cancel this solicitation if it is considered to be in its best interest. The RFQ is not a guarantee of work and it does not obligate the State to award any contracts. The State reserves the right to discontinue the use or cancel all or any part of this Master Roster program if it is determined to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota State Colleges and Universities (MnSCU)

Notice of Availability of Request for Proposal (RFP) for Designer Selection for the Classroom Building Addition and Renovation to the Fine Arts Building at Anoka Ramsey Community College, Coon Rapids, MN (State Project No. 07-03)

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Anoka Ramsey Community College, 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 State Colleges and Universities website: www.facilities.mnscu.edu, click on "Solicitation Announcements."

An informational meeting is tentatively scheduled for 2:00 PM, September 11, 2007 in the Mississippi Room at Anoka Ramsey Community College, 11200 Mississippi Boulevard, Coon Rapids, MN 55433. All firms interested in this meeting should contact Louise Duff, at (763) 433-1469 or louise.duff@anokaramsey.edu to sign up for the meeting.

Proposals must be delivered to Mary Golike, Executive Secretary, State Designer Selection Board, Real Estate and Construction Services, 301 Centennial Office Building, 658 Cedar St., St. Paul, MN 55155-1628, not later than 1:00 P.M., Tuesday, September 18, 2007. Late responses will not be considered.

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

Minnesota State Colleges and Universities

Hennepin Technical College, Eden Prairie, Brooklyn Park Campuses Notice of Availability of Request for Proposal (RFP) for Designer Selection for Hennepin Technical College, Eden Prairie and Brooklyn Park Campuses Science Labs, Library and Student Services Renovations Project (State Project No. 07-04)

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Hennepin Technical College, 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 State Colleges and Universities website: www.facilities.mnscu.edu, click on "Solicitation Announcements."

A **MANDATORY** informational meeting is scheduled for **8:30 A.M., Wednesday, September 26, 2007** in Room D125 at Hennepin Technical College, Eden Prairie Campus, 13100 College View Drive, Eden Prairie, MN 55347. The second part of the meeting will be held at the Brooklyn Park Campus. All firms interested in this meeting should e-mail Diane Paulson at Diane.paulson@hennepintech.edu to indicate they plan to attend. The meeting will include a tour of the proposed project areas and a review of the scope of work. ***All prime responder firms that submit proposals must have an individual present at this meeting to be eligible for consideration by the State Designer Selection Board process for this Request for Proposals.***

Proposals must be delivered to Mary Golike, Executive Secretary, State Designer Selection Board, in the Real Estate and Construction Services Office, 301 Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155, not later than **1:00 P.M., Monday, October 8, 2007**. Late responses will not be considered.

State Contracts

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 & Universities (MnSCU) Minneapolis Community and Technical College Request for Bids for Installation of Technology Infrastructure and Security System

NOTICE IS HEREBY GIVEN that Minneapolis Community and Technical College is requesting bids for installation of technology cabling infrastructure and security system in the new Science/Allied Health Center to be located in the remodeled building at:

1301 Hennepin Avenue
Minneapolis Community and Technical College
Minneapolis, MN 55403

Bids will be received by: **Mary Prozeller**
Minneapolis Community and Technical College
1501 Hennepin Avenue
T – Building, Room T. 0600
Minneapolis, MN 55403

Until **2:00 PM, local time, September 26th, 2007** at which time the bids will be opened and publicly read aloud.

Project Scope: In general, the work will include the installation of technology cabling infrastructure and security system. There will also be fire-stopping needs associated with this project.

A **MADATORY** pre-bid meeting will be held at 1:00 PM, September 12th, 2007 in Room M2700 of the Minneapolis Community and Technical College's Management Education Center, 1300 Harmon Place, Minneapolis MN55043. The Project consultant and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding documents as prepared by the Project consultant, **Elert & Associates** are on file at the offices of the:

- 1.) Elert & Associates Technology Consultants.
- 2.) Following Builders Exchanges: **Minneapolis, & St. Paul**
- 3.) McGraw Hill Construction Plan Room
- 4.) Reed Construction Data Plan Room
- 5.) National Association of Minority Contractors of Upper Midwest
- 6.) MEDA Minority Contractors Plan Room

Complete sets only of bid forms and Drawings and Specifications for use by Bidders in submitting a bid may be obtained at the following address:

Tony Chojnowski, RCDD
Elert & Associates Technology Consultants
140 3rd Street South
Stillwater, MN 55082
Phone: (651) 705-1228

A deposit of \$50.00 is required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable payment (check made out to the Consultant) for [\$30.00] per set for shipping & handling (in addition to the \$50.00 deposit) to the Architect. Such deposits and payments may be sent prior to **September 12th, 2007** Documents will be sent to street addresses only (P.O. Boxes not acceptable).

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

Minnesota State Colleges and Universities (MnSCU) Notice of Availability of Request for Proposal (RFP) for Designer Selection for Technical Instruction Addition & Renovations Project Ridgewater College, Willmar Campus (State Project No. 07-05)

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Ridgewater College, 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 State Colleges and Universities website: www.facilities.mnscu.edu, click on "Solicitation Announcements."

AMANDATORY informational meeting is scheduled for **10:00 A.M., Thursday, September 13, 2007** in the Student Services Building Conference Center, Ridgewater College, 2101 15th Avenue N.W., Willmar, MN 56201. All firms interested in this meeting should e-mail Gary Myhre at Gary.myhre@ridgewater.edu to indicate they plan to attend. The meeting will include a tour of the proposed project areas and a review of the scope of work. ***All prime responder firms that submit proposals must have an individual present at this meeting to be eligible for consideration by the State Designer Selection Board process for this Request for Proposals.***

Proposals must be delivered to Mary Golike, Executive Secretary, State Designer Selection Board, in the Real Estate and Construction Services Office, 301 Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155, not later than **1:00 P.M., Monday, September 24, 2007**. Late responses will not be considered.

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

Minnesota Pollution Control Agency Request for Proposals for Professional/Technical Contract for Policy & Technical Support for Development of Biological Standards and Tiered Aquatic Life Uses (TALU) for Water Quality Management in Minnesota

The Minnesota Pollution Control Agency (MPCA) requests proposals to develop an institutional framework and implementation plan for MPCA water programs that will help to facilitate the Agency's transition into numeric biological standards and tiered aquatic life uses (TALU) that will eventually be placed into rule by the MPCA. The contractor will assist the agency by: 1) Leading discussions regarding the regulatory and technical implications of biological standards and a TALU framework to internal and external stakeholder groups, 2) identifying the implications of the proposed changes to each stakeholders program activities, 3) developing an implementation plan for stakeholders that will suggest options to modify their programmatic activities to accommodate the new biological standards and TALU framework, and 4) providing technical assistance on biological criteria and TALU, including review and recommendations related to index of biological integrity (IBI) development, the biological condition gradient, habitat indicators of beneficial uses, impairment thresholds, and the other criteria used to designate an aquatic life use that is legally and scientifically defensible, understandable by stakeholders and amenable to implementation by a public water quality agency.

State Contracts

The MPCA seeks a Contractor with strong technical background and experience in the development and implementation of biological monitoring programs, biological standards, and TALU. In addition, the Contractor must have experience bringing diverse stakeholder groups together to develop solutions to complex environmental problems especially in the areas of biological standards and TALU.

For a copy of the Request for Proposal Contact:

Kurtis Soular
Minnesota Pollution Control Agency
520 Lafayette Road North
St Paul, MN 55155-4194
Telephone: (651) 297-7574
Fax: (651) 297-8676
E-mail: Contracts@pca.state.mn.us

Responders are encouraged to supply an email address and to receive the RFP electronically. The subject line of the e-mail request should state "TALU RFP CR1084."

Proposal Due Date and Time: October 18, 2007, at 2:00 p.m. (Central Time). Late Proposals will not be considered.

Questions: Responders must submit in writing a list of questions they would like addressed. Questions must be mailed, faxed, or e-mailed to Kurtis Soular and received by September 28, 2007, at 2:00 p.m. (Central Time).

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

Department of Transportation (Mn/DOT) Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities ("Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Brad Hamilton at (651) 366-4626 for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop the Consultant Pre-Qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to use the Consultant Pre-Qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available for application. Applications are accepted on a continual basis. All expenses 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:

Brad Hamilton
Consultant Services

Office of Technical Support
Minnesota Department of Transportation
395 John Ireland Blvd. Mail Stop 680
St. Paul Minnesota 55155

Note: DUE DATE: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

Department of Transportation (Mn/DOT) Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities

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

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

Department of Transportation (Mn/DOT) State Aid for Local Transportation Division Request for Information about Potential Solutions May Be Available for Replacing an Existing Crash Data Mapping Tool Application ('MnCMAT')

The Minnesota Department of Transportation ('Mn/DOT'), State Aid for Local Transportation Division ('State Aid') is exploring what options may be available for replacing an existing Crash Data Mapping Tool application ('MnCMAT').

MnCMAT is a GIS viewer that displays the locations of reported crashes on a state map. The crash points are displayed at the appropriate location on a graphic representation of the state map overlaid with recorded highways, bridges, RR crossings, lakes, etc. Multiple crashes at the same point are graphically represented as 'stacked' points. Users are able to filter the crashes displayed using the crash details such as location, date range, case number, severity of injury, time of day, weather conditions, driver age, et al. Statistical data about the displayed crashes is accessible by 'hovering', clicking on a crash indicator, or via generation of a pre-defined report, chart, or exportable data file.

A Request for Information (RFI) soliciting information about potential solutions has been issued. Responses are due October 05, 2007. An electronic copy of the RFI is available for download at Mn/DOT Consultant Services website:

<http://www.dot.state.mn.us/consult/files/notices/notices.html>

For further information, contact the Mn/DOT State Aid for Local Transportation Division via email to MnCMAT Administration (E-mail to MnCMAT@dot.state.mn.us)

Non-State Bids, Contracts & Grants

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

Metropolitan Council

Notice of Invitation for Bids (IFB) for Metro SMB FBR Activated Carbon

Reference Number 07P077

The Metropolitan Council is requesting bids for furnishing and delivery of 360,000 lbs. of SMB FBR Activated Carbon over a period of three years.

Issue Invitation for Bids

September 4, 2007

Bids Due

September 20, 2007, at 2:00 PM local time

Award Contract

September 2007

All firms interested in submitting bids for this contract and desiring to receive an IFB package are invited to make a written request either by e-mail, fax or mail to:

Miriam Lopez-Rieth
Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
390 North Robert Street
St. Paul, MN 55101
Phone: (651) 602-1095
Fax: (651) 602-1083
E-mail: miriam.lopez.rieth@metc.state.mn.us

Metropolitan Council

Notice of Request for Proposals (RFP) for PC Refresh Contractors

Reference Number 07P121

The Metropolitan Council is soliciting proposals to provide PC Hardware Refresh Contractors (2). The successful proposer will provide 2 contracted personnel to facilitate the ongoing replacement of PC hardware.

Issue Request for Proposals

September 10, 2007

Questions Due

September 21, 2007

Proposals Due

October 2, 2007

Award Contract

October 2007

All firms interested in submitting proposals for this contract and desiring to receive an RFP package are invited to make a request either by e-mail, fax, or mail to:

Sunny Jo Emerson
Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
390 Robert Street
St. Paul, MN 55101
Fax: (651) 602-1083
E-mail: sunnyjo.emerson@metc.state.mn.us

Non-State Bids, Contracts & Grants

Metropolitan Council

Notice of Request for Proposals (RFP) for Service Desk Contractors

Reference Number 07P122

The Metropolitan Council is soliciting proposals to provide Service Desk Contractors (2). The successful proposer will provide 2 contracted personnel to provide personnel to Council's service desk.

<i>Issue Request for Proposals</i>	September 10, 2007
<i>Questions Due</i>	September 21, 2007
<i>Proposals Due</i>	October 2, 2007
<i>Award Contract</i>	October 2007

All firms interested in submitting proposals for this contract and desiring to receive an RFP package are invited to make a request either by e-mail, fax, or mail to:

Sunny Jo Emerson
Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
390 Robert Street
St. Paul, MN 55101
Fax: (651) 602-1083
E-mail: sunnyjo.emerson@metc.state.mn.us

Metropolitan Council - Metro Transit

Fall 2007 ADA Improvements at Bus Stops

Metro Transit, a service of the Metropolitan Council, is soliciting sealed bids for Fall 2007 ADA Improvements at Bus Stops. No Pre-Bid Meeting will be held. Bids are due at 2:00 PM on October 9, 2007. Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
Attn: Candace Osiecki
515 N. Cleveland Avenue
St. Paul, MN 55114
Phone: (612) 349-5070
E-mail: candace.osiecki@metc.state.mn.us

Metropolitan Council - Metro Transit

REQUEST FOR PROPOSALS for Assistant Project Director Services for Central Corridor Light Rail Transit System

Metro Transit, a division of the Metropolitan Council, is seeking the services of a consultant to assist the Project Director and the Deputy Project Director in oversight of the design and construction of the Central Corridor Light Rail Transit System. The responsibilities of the consultant are described in the Request for Proposals document.

A Pre-Proposal Conference will be held on September 10, 2007 at 11:00 AM in the Metropolitan Council Chambers, Metropolitan Council, 390 N. Robert St., St. Paul, MN 55101.

Proposals are due by 2:00 p.m. on October 1, 2007.

Non-State Bids, Contracts & Grants

Firms interested in receiving the Request for Proposals document should contact:

Candace Osiecki
Metro Transit
515 N. Cleveland Avenue
St. Paul, MN 55114
Phone: (612) /349-5060
Fax: (612) 349-5069
E-mail: *Candace.osiecki@metc.state.mn.us*

Metropolitan Council - Metro Transit Request for Proposals for HHH and Lindbergh Station Shuttle Upgrade Design Procurement Number 7461

Metro Transit, a division of the Metropolitan Council, is seeking the services of a qualified firm for HHH and Lindbergh Stations Shuttle Upgrade Design services. The project includes: Vital and Non-Tital VPI Software upgrades to support bidirectional shuttle operations between HHH Station and Lindbergh Station on the Hiawatha Light Rail Trnasit Line.

The RFP will be issued during the week of September 4, 2007.

A Pre-Proposal Conference will be held September 17, 2007 at 10:00 a.m. local time, at the HLRT Operations and Maintenance Facility, 1810 East Franklin Avenue, Minneapolis, Minnesota, 2md Floor Conference Room.

Proposers are encouraged to attend and participate in the Pre-Proposal Conference.

Proposals are due by 2:00 p.m. local time on October 3, 2007.

Firms interested in receiving the Request for Proposals document should contact:

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

Minnehaha Creek Watershed District Bids Solicited for Wetland and Upland Restoration of about 30 Acres

NOTICE IS HEREBY GIVEN that the Minnehaha Creek Watershed District (MCWD) is soliciting bids for wetland and upland restoration of approximately 30 acres. The project is located 301 Rolling Hills Drive in the City of Minnetrista. Work shall begin no later than October 1, 2007.

Sealed Bid Proposals for the furnishing of all labor, materials and all other items necessary to complete the work will be received by Minnehaha Creek Watershed District at its office, 18202 Minnetonka Boulevard, Deephaven, MN until 12:00 PM, September 19, 2007. Bid submittals must be clearly labeled "MCWD 301 Rolling Hills Drive Bid Package" on the outside of the submittal package.

Non-State Bids, Contracts & Grants

All communications relative to this project should be addressed to the Project Manager prior to opening of the Bid. Minnehaha Creek Watershed District: Attention Renae Clark, rclark@minnehahacreek.org or phone (952) 471-0590.

Contractors desiring a copy of the bid package, plans, specifications and proposal forms may obtain them from the office of Minnehaha Creek Watershed District, payment of a \$25.00 non-refundable fee for each bid package. Bid packages are also available for examination at each location, or electronically at <ftp://www.minnehahacreek.org/301%20Rolling%20Hills%20Drive%20Specifications/>

A mandatory pre-bid meeting will be held at the Minnehaha Creek Watershed District office at 12:00 PM on September 12, 2007.

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

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

University of Minnesota Subscribe to Bid Information Service (BIS)

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

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

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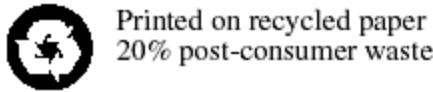


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Complete attached order blank. Please include sales tax. Include either your VISA/MasterCard, American Express or Discover credit card number with the expiration date, or a check/money order made out to the State of Minnesota. Orders by phone are accepted when purchasing with your credit card. Please include a phone number where you can be reached during the day in case we have questions about your order.

PREPAYMENT REQUIRED.

Merchandise may be returned if it is in resalable condition.

NOTE:
State Register and other subscriptions do not require sales tax or postage and handling fees.

Shipping Charges	
Subtotal	Add:
Up to \$25.00	\$3.00
\$25.01 - \$50.00	\$5.00
\$50.01 - \$100.00	\$7.00
\$100.01 - \$1,000.00	\$10.00



Prices subject to change without notice.

Please allow about 6 weeks for delivery.
 In a hurry? Stop by our Bookstore.
 Bookstore hours: 8:00-5:00 Monday-Friday

For Your Convenience, photocopy this order blank

Code No.	Quantity	Description	Item Price	Total
Name or Company			Subtotal	
Attention			6½% tax MN residents 7% St. Paul residents	
Address				
City	State	Zip	Add Shipping Charges from chart at left.	
American Express/VISA/MasterCard/Discover No.			TOTAL	
Signature		Expiration Date	Telephone (During Day)	

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