

State of Minnesota

State Register



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

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

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

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoed Rules
- Executive Orders of the Governor
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- Proclamations
- Commissioners' Orders
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- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
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# 47	Monday 25 May	Noon Tuesday 19 May	Noon Wednesday 13 May
# 48	Monday 1 June	Noon Tuesday 26 May	Noon Wednesday 20 May
# 49	Monday 8 June	Noon Tuesday 2 June	Noon Wednesday 27 May

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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 the Construction Code

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendment to Rules Governing Manufactured Homes, *Minnesota Rules*, Chapter 1350; and Repeal of *Minnesota Rules*, Part 1350.3800, subpart 6, and 1350.6500

Introduction. The Department of Labor and Industry intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until Wednesday, June 17, 2009.

Agency Contact Person. You must submit comments or questions on the rules and written requests for a public hearing to the agency contact person. The agency contact person is: Carrie Rohling at the Dept. of Labor and Industry, 443 Lafayette Road N., St. Paul, MN 55155; **phone:** (651) 284-5006; **fax:** (651) 284-5725; and **e-mail:** DLI.rules@state.mn.us. **TTY** users may call the Department at (651) 297-4198.

Subject of Rules and Statutory Authority. The proposed rules are about providing Minnesotans with a manufactured home installation program, installation standards, and a dispute resolution process that is consistent with the requirements established by the National Manufactured Housing Construction and Safety Act of 1974 (the "Act"; 24 CFR Parts 3285 (installation standards), 3286 (installation program), and 3288 (dispute resolution program)). The effect of the proposed rules is that Minnesota's program, which will be administered and enforced by Department staff or the local authority having jurisdiction, will meet or exceed the minimum Federal mandates thereby providing a state program that will continue to be approved by the Department of Housing and Urban Development ("HUD"). Minnesota's approved program will be less costly for the manufactured home purchaser in this state than a HUD program administered by third parties.

The Act, as amended in December 2000, required HUD to, among other things, establish and implement a federal rule for dispute resolution, manufactured home installation standards, and a national installation program. The purpose and motivation of the proposed rule is to reaffirm the Department's installation program, installation standards, and dispute resolution process, so that they are consistent with and meet the minimum requirements of the federal mandate. Following HUD's promulgation of the federal regulations, the proposed rules modify Minnesota's dispute resolution program so that it is consistent with 24 CFR 3288, modify its installation standards so that they were consistent with 24 CFR 3285, and created an installation program consistent with 24 CFR 3286.

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Specifically, the proposed rules are in response to amendments to the Act, so that Minnesota's program continues to provide minimum installation standards, including approved manufacturers' installation instructions, minimum licensing requirements for installers, continuing education for installers, inspections of installations, tracking or record keeping for installations, consumer notification and awareness of installation requirements, allowable alternates for support stabilizing systems and foundation designs for manufactured home installation, licensing reciprocity with other states or government entities that license installers, protection of anchoring equipment from deterioration, clarification regarding replacement construction seals for the manufactured home, effects of altering the labeled manufactured home, and a dispute resolution process.

The statutory authorities to adopt the rules are set out in *Minnesota Statutes*, sections 326B.101, 326B.106, 326B.13 (formerly numbered as 16B.59, 16B.61, and 16B.64), 326B.02, 327.32, 327.33, and 327B.10.

Comments. You have until 4:30 p.m. on Wednesday, June 17, 2009, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and the agency contact person must receive it by the due date. The Department encourages comment. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. You must also make any comments about the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Department hold a hearing on the rules. Your request must be in writing and the agency contact person must receive it by 4:30 p.m. on Wednesday, June 17, 2009. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

Alternative Format. Upon request, the Department can make this Notice 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.

Modifications. The Department may modify the proposed rules as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules, unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Department encourages you to participate in the rulemaking process.

The Department intends to correct a typographical error at page 20, line 16, of the proposed rules by replacing the word "regulations" with the word "registrations."

Statement of Need and Reasonableness. The statement of need and reasonableness statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review or obtain copies the cost of reproduction by contacting the agency contact person.

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

Adoption and Review of Rules. If no hearing is required, the Department may adopt the rules after the end of the comment period. The agency will then submit the rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the Department submits the rules to the office. If you want to be so notified, or want to receive a copy of the

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adopted rules, or want to register with the Department to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Dated: April 29, 2009

Steve Sviggum, Commissioner
Department of Labor and Industry

1350.0100 DEFINITIONS.

[For text of subps 1 to 7, see M.R.]

Subp. 7a. **Architect.** “Architect” means an architect that is an individual or entity licensed to practice architecture in a state or other United States jurisdiction and subject to all laws and limitations imposed by the agency in the state or jurisdiction that regulates the architect.

[For text of subps 8 to 19, see M.R.]

Subp. 19a. **Engineer.** “Engineer” means an engineer that is an individual or entity licensed to practice engineering in a state or other United States jurisdiction and subject to all laws and limitations imposed by the agency in the state or jurisdiction that regulates the engineer.

[For text of subps 20 to 24, see M.R.]

Subp. 24a. **HUD.** “HUD” means the United States Department of Housing and Urban Development.

[For text of subps 25 and 26, see M.R.]

Subp. 26a. **Individual.** “Individual” means a human being.

Subp. 27. **Installation.** “Installation” of a manufactured home means ~~assembly, at the site of occupancy, of all portions of the manufactured home, connection of the manufactured home to utility connections, and installation of support or anchoring systems; the completion of work to stabilize, support, anchor, and close up a manufactured home, and to join sections of a multisection manufactured home when any such work is governed by the state installation standards or federal installation standards in *Code of Federal Regulations*, title 24, part 3285, or by state installation standards that are certified as part of a qualifying installation program.~~

[For text of subps 28 and 29, see M.R.]

Subp. 30. **Installation instructions.** “Installation instructions” means ~~those instructions provided by the manufacturer accompanying each manufactured home detailing the manufacturer’s requirements for ground supports and anchoring systems attachments; a manufacturer’s Design Approval Primary Inspection Agency (DAPIA) approved set of specifications to ensure that a manufactured home is set up according to applicable installation standards, as required under *Code of Federal Regulations*, title 24, part 3285.~~

[For text of subp 31, see M.R.]

Subp. 31a. **Installation standards.** “Installation standards” means the standards established by HUD in *Code of Federal Regulations*, title 24, part 3285, or any set of state standards that the secretary has determined provide protection to the residents of manufactured homes that equals or exceeds the protection provided by the standards in *Code of Federal Regulations*, title 24, part 3285.

Subp. 32. **Installer.** “Installer” means a licensed manufactured home installer, according to *Minnesota Statutes*, sections 326.83 to 326.98; a person or entity that is retained to engage in, or who engages in, the business of directing, supervising, controlling, or correcting the installation or repair of a manufactured home, as governed by *Code of Federal Regulations*, title 24, part 3285, and this chapter. Installers are required to be licensed according to Minnesota laws and rules.

[For text of subps 33 to 45, see M.R.]

Subp. 46. **Person.** “Person” means a person, partnership, corporation, or other legal entity; ~~includes, unless the context indicates otherwise, a corporation, company, association, firm, partnership, society, or joint stock company, as well as an individual, but does not include a tribal entity on a federal reservation.~~

[For text of subps 47 and 48, see M.R.]

Subp. 48a. **Repair.** “Repair” means the reconstruction, replacement, or renewal of any part of an existing structure, using materials of like kind and type for the purpose of the structure’s maintenance.

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Subp. ~~48a.~~ 48b. **Replacement construction seal.** “Replacement construction seal” means a construction seal issued by the commissioner to replace a construction seal or label that has been lost or removed from a manufactured home after application has been made and verification has been received by the commissioner that the home complies with the manufactured home code.

Subp. ~~48b.~~ 48c. **Retailer.** “Retailer” is synonymous with dealer wherever it appears in parts 1350.0100 to 1350.9200 and in federal and state laws and rules relating to manufactured housing.

[For text of subps 49 to 51, see M.R.]

Subp. 51a. **Set up.** “Set up” means any assembly or installation of a manufactured home on site that includes aspects of work that are governed by *Code of Federal Regulations*, title 24, part 3280 or 3285, and this chapter.

[For text of subps 52 to 60, see M.R.]

1350.0200 AUTHORIZATION.

Parts 1350.0100 to 1350.6900 are authorized by *Minnesota Statutes*, sections ~~326B.02, 327.31 to 327.36, and 327B.04~~, and established through the rulemaking procedures in *Minnesota Statutes*, sections 14.02, 14.04 to 14.36, 14.38, and 14.44 to 14.45, to implement, interpret, and carry out the provisions of *Minnesota Statutes*, sections ~~326B.801, 327.31 to 327.36 and, 327B.04, and 327B.10~~, relating to manufactured homes. If parts 1350.0100 to 1350.6900 differ from the code promulgated by the American National Standards Institute as ANSI A119.1, or the provisions of the National Fire Protection Association identified as NFPA 501B, parts 1350.0100 to 1350.6900 govern in all cases.

1350.0400 REQUIREMENT FOR SEALS, CODE COMPLIANCE, CONSTRUCTION COMPLIANCE CERTIFICATES, OR LABELS.

Subpart 1. **Construction seals; code compliance; construction compliance certificates or labels.** After July 1, 1972, no person shall sell or offer for sale in this state any manufactured home manufactured after July 1, 1972; manufacture any manufactured home in this state; or ~~park~~ install for occupancy any manufactured home manufactured after July 1, 1972, in any manufactured home park in this state, unless the manufactured home complies with the code and the commissioner’s revisions to it, bears a construction seal issued by the commissioner, and is accompanied by a construction compliance certificate by the manufacturer or dealer, on a form issued by the commissioner, both evidencing that it complies with the code, or if manufactured after June 14, 1976, bears a label as required by the secretary.

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

Subp. 3. **Requirement for installation seals.** No person shall install or connect to any manufactured home or manufactured home accessory structure a ~~ground~~ support or anchoring system unless the system and installation comply with parts 1350.0100 to 1350.6900. The installer shall affix the correct installation seals to the manufactured home or the manufactured home accessory structure installed in compliance with parts 1350.0100 to 1350.6900. Evidence of compliance shall be supported by the submission of a certificate to the commissioner, ~~the retailer~~, and the manufactured home owner. Installation seals and certificates are ~~not~~ required for all manufactured homes installed ~~on a foundation system in Minnesota, including those in a municipality enforcing the State Building Code. Exceptions to the requirement for seals and certificates apply to manufactured homes installed on a federal reservation or by the homeowner of the manufactured home.~~ Retailers shall submit documentation to the commissioner for manufactured homes installed according to the exception for seals and certificates on a form provided by the commissioner. A permit to install a manufactured home in a municipality enforcing the State Building Code is required by the municipality.

[For text of subps 4 and 5, see M.R.]

1350.0500 ACQUISITION OF LABELS AND SEALS; INSTALLER LICENSING.

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

Subp. 2. **Acquisition of ~~construction seals or replacement construction seals.~~ Any** A person may qualify for replacement seals by furnishing proof on forms furnished by the commissioner that the manufactured home to which the seal or label was affixed ~~and~~ was manufactured in compliance with the State or Federal Manufactured Home Building Code and has not been brought out of conformance because of damage, additions, or alterations.

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

Subp. 4. **Installer licensing; proper seal issuance; proper code or standard application.** Application for installer licensing shall be issued by the Department of ~~Commerce~~ Labor and Industry as required by *Minnesota Statutes*, section ~~326.89~~ 326B.83. Installer license

verification must be submitted as supporting evidence to the commissioner of labor and industry to establish that installation seals issued to an installer will be affixed only to those manufactured homes where the support system and ground anchoring system installations comply with parts 1350.0100 to 1350.6900 ~~and the applicable State Building Code provisions, or federal installation standards. The State Building Code provisions or federal installation standards that apply to the installation are dependent upon the date that the home was manufactured.~~

Subp. 5. **Acquisition of installation seals.** Any licensed installer shall qualify for acquisition of installation seals by providing proof of licensure in good standing ~~with the Department of Commerce that has been issued by the commissioner or a reciprocal manufactured home licensing program in another state or federal jurisdiction of the United States that has been approved by the commissioner.~~

1350.0900 PLACEMENT AND LOCATION OF SEALS.

Subpart 1. **Replacement construction seals or construction seals.** Each replacement construction seal ~~or construction seal~~ shall be assigned and affixed to a specific manufactured home. Assigned replacement construction seals ~~or construction seals~~ are not transferable and are void when not affixed as assigned, and all voided replacement construction seals or original HUD labels shall be returned to, or may be confiscated by, the commissioner.

The replacement construction seal shall be securely affixed to the rear of the manufactured home on the lower left corner of the exterior wall ~~not less than six inches above the floor line.~~

Subp. 2. **Installation seals.** Only one of ~~each type of~~ installation seal shall be assigned to a manufactured home whether the manufactured home consists of one or multiple units. The installation seal shall be placed in a readily visible location adjacent to the primary label or construction seal. Appropriate installation seals shall be affixed to each accessory structure.

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

1350.1100 RETURN OF SEALS.

Subpart 1. **Installation seals.** ~~On~~ Upon discontinuing the installation of manufactured homes, an installer shall notify the commissioner in writing within ten days of the date of such discontinuance and return all unused installation seals ~~which that~~ have been issued to the installer. Installation seals may not be transferred by any installer. Upon return of the unused installation seals, a refund, minus an administrative fee of 20 percent of the total value of the seals, must be issued by the commissioner to the installer returning the seals.

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

1350.1400 APPLICATION FOR MANUFACTURED HOME ACCESSORY STRUCTURE APPROVAL.

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

Subp. 2. **Plans and specifications.** Submissions of required plans and specifications shall be in duplicate and shall include, but not be limited to, the following:

- A. a dimensioned floor plan(s);
- B. proposed use of rooms and method of light and ventilation;
- C. size, type, and location of windows and exterior doors;
- D. type and location of all appliances and fixtures;
- E. type, size, and location of plumbing, drain, water, gas, and electrical connections;
- F. type and location of all electrical outlets (receptacles and lights);
- G. number of outlets and appliances on each circuit and circuit rating; ~~and~~
- H. installation details and instructions; for accessory structures;
- I. mechanical layout for heating or cooling;
- J. heating and cooling load calculations;
- K. structural calculations;
- L. engineered truss drawings or rafter calculations; and
- M. approval letter from home manufacturer allowing addition of accessory structure for new manufactured homes subject to the limited warranty of merchantability and fitness.

1350.2100 INSPECTION REQUESTS.

Any person manufacturing manufactured homes or any person selling, offering for sale, or parking any manufactured home in any mobile home park in the state, or any dealer or installer of manufactured homes, ~~or any person holding title,~~ may request the commissioner to make an inspection of any manufactured home manufactured after July 1, 1972; ~~if said person holds title to the house to be inspected.~~

Proposed Rules

Additionally, any person ~~holding title to the manufactured home listed above~~ may request an inspection of the ground installation, support, and anchoring system of the manufactured home. Inspection requests ~~should~~ must be made on “Application for Inspection” forms, available from the commissioner. In connection with requested inspections, the commissioner may require the submission of plans, specifications, calculations, and test results.

1350.2300 OTHER INSPECTIONS.

Subpart 1. Facility inspections. In addition to making inspections on request, the commissioner shall make periodic inspections of the facilities of persons who are subject to the code and parts 1350.0100 to 1350.9200. The inspections shall include oversight inspections at the in-state manufactured home manufacturing facilities to review the manufacturer’s consumer complaint handling and notification and correction as required by parts 1350.3900 to 1350.5700. Oversight inspections shall be made annually. The frequency of oversight inspections may be increased when the need is indicated by the number of consumer complaints received by the commissioner.

Subp. 2. Installation inspections. Every manufactured home installed in Minnesota after January 1, 2009, must have the installation inspected by the commissioner, the local authority having jurisdiction, or an inspection agency authorized by the commissioner or the secretary.

1350.2400 NOTICE OF VIOLATIONS CORRECTION.

When an inspection reveals that a manufactured home or the home’s installation is in violation of the construction code to which the home was manufactured, or parts 1350.0100 to 1350.9200, the commissioner or local authority having jurisdiction shall serve upon the owner or the owner’s agent a notice specifying the violation required correction. An owner or agent so served shall not move the manufactured home from the premises until such time as the commissioner or local authority having jurisdiction determines that the manufactured home has been brought into compliance with the construction code to which the home was manufactured, and parts 1350.0100 to 1350.9200.

1350.2500 STABILIZING SYSTEMS FOR MANUFACTURED HOME INSTALLATION.

Stabilizing devices ~~when~~ installed at the site of occupancy shall comply with ~~parts 1350.2500 to 1350.3200~~ State Building Code, chapter 1350, and Code of Federal Regulations, title 24, part 3285.

1350.2600 INSTRUCTIONS AND DESIGNS.

Subpart 1. **Manufacturer’s installation instructions.** Each manufactured home shall have its stabilizing system installed according to the manufactured home manufacturer’s installation instructions. The manufacturer’s instructions shall include a typical support system designed by ~~a registered professional~~ an engineer or architect to support the anticipated loads that the manufacturer’s installation instructions specify for the design zone, including ~~climate~~ the climatic region, of installation. The instructions shall also meet the requirements of parts 1350.3900 to 1350.5700, ~~for manufactured homes manufactured prior to January 1, 2009. Manufactured homes manufactured on or after January 1, 2009, must comply with the manufacturer’s instructions or Code of Federal Regulations, title 24, part 3285.~~ These instructions shall be left with the manufactured home following completion of the installation.

Footings shall be sized to support the loads shown in these instructions.

Stabilizing devices not provided with the manufactured home shall meet or exceed the design and capacity requirements of the manufactured home manufacturer and parts 1350.2500 to 1350.3200 and shall be installed according to the manufactured home manufacturer’s installation instructions.

Foundation systems shall be in compliance with the State Building Code.

No portion of a manufactured home shall be removed during installation or when located on its home site unless it is designed to be removable and is removed according to the manufacturer’s instructions.

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

1350.2700 FOUNDATION AND SUPPORT SYSTEMS.

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

Subp. 4. **Footings.** The required load-bearing capacity of individual load-bearing supports and their footings shall be calculated at not less than a combined live and dead load of ~~85~~ 95 pounds per square foot. Footings shall be adequate in size to withstand the tributary live and dead loads of the manufactured home and any concentrated loads.

Footings shall be at least 16-inch by 16-inch by four-inch solid concrete blocks or other product approved for the use intended. As an alternate, two eight-inch by 16-inch by four-inch solid concrete blocks can be used as footings provided the joint between the blocks is parallel to the steel I-beam frame.

Proposed Rules

Footings or pier foundations, when required, shall be placed level on firm undisturbed soil or on controlled fill which is free of grass and organic materials, compacted to a minimum load-bearing capacity of 2,000 pounds per square foot (unless otherwise approved by a registered professional engineer). Where unusual soil conditions exist as determined by the authority having jurisdiction, footings shall be designed specifically for such conditions.

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

1350.2800 ANCHORING EQUIPMENT.

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

Subp. 2. **Resistance to weather deterioration.** Anchoring equipment exposed to weathering shall have a resistance to weather deterioration at least equivalent to that provided by a coating of paint or zinc on steel of not less than 0.625 ounces per square foot on each side of the surface coated as determined by ASTM Standard Methods of Test for Weight of Coating on Zinc-coated (galvanized) Iron or Steel Articles (ASTM A90-69). Note: Slit or cut edges of zinc-coated steel strapping do not need to be zinc coated.

[For text of subps 3 to 7, see M.R.]

1350.2900 GROUND ANCHORS.

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

Subp. 5. **Table of soil types.** NOTE: ~~The following data gives information relative to soil types with blow counts and torque values:~~ For determination of soil types for anchors and soil bearing capacities, refer to the table in *Code of Federal Regulations*, title 24, part 3285.202, which is included in this part.

Types of Soils	Blow Count (ASTM D1586)	Test Probe ¹ Torque Value ²
Sound hard rock	NA	NA
Very dense and/or cemented sands, course gravel and cobbles, preloaded silts, clays, and corals	40-up	more than 500 lbs. inch
Medium dense coarse sands, sandy gravels, very stiff silts and clays	24-39	350-549 lbs. inch
Loose to medium dense sands, firm to stiff clays and silts, alluvial fill	14-23 ³	200-349 lbs. inch

¹The test probe is a device for measuring the torque value of soils to assist in evaluating the holding capability of the soils in which the anchor is placed. The test probe has a helix on it. The overall length of the helical section is 10.75 inches; the major diameter is 1.25 inches; the minor diameter is 0.81 inches; the pitch is 1.75 inches. The shaft must be of suitable length for anchor depth.

²A measure synonymous with moment of a force when distributed around the shaft of the test probe.

³Below these values, a professional engineer should be consulted.

Proposed Rules

Table to Part 3285.202

Soil classification		Soil description	Allowable soil bearing pressure (psf) ¹	Blow count ASTM D 1586-99	Torque probe ³ value ⁴ (inch-pounds)
Classification number	ASTM D 2847-00 or D 2488-00 (incorporated by reference, see Part 3285.4)				
1		Rock or hard pan	4000+		
2	GW, GP, SW, SP, GM, SM	Sandy gravel and gravel; very dense and/or cemented sands; coarse gravel/cobbles; preloaded silts, clays and coral	2000	40+	More than 500
3	GC, SC, ML, CL	Sand; silty sand; clayey sand; silty gravel; medium dense coarse sands; sandy gravel; and very stiff silt, sand clays	1500	24-39	351-550
4A	CG, MH ²	Loose to medium dense sands; firm to stiff clays and silts; alluvial fills	1000	18-23	276-350
4B	CH, MH ²	Loose sands; firm clays; alluvial fills	1000	12-17	175-275
5	OL, OH, PT	Uncompacted fill; peat; organic clays	Refer to Part 3285.202(e)	0-11	Less than 175

Notes:

¹ The values provided in this table have not been adjusted for overburden pressure, embedment depth, water table height, or settlement problems.

² For soils classified as CH or MH, without either torque or probe values or blow count test results, selected anchors must be rated for a 4B soil.

³ The torque test probe is a device for measuring the torque value of soils to assist in evaluating the holding capacity of the soil in which the ground anchor is placed. The shaft must be of suitable length for the full depth of the ground anchor.

⁴ The torque value is a measure of the load resistance provided by the soil when subject to the turning or twisting force of the probe.

Subp. 6. **Use of concrete slabs or continuous footings.** If concrete slabs or continuous footings are used to transfer the anchoring loads to the ground, the following shall be required: Concrete slabs, piers, or continuous footings that transfer anchor loads to the ground must be constructed and installed according to the anchor manufacturer's instructions or with engineered designs. The anchor loads pertaining to the slabs, piers, or footings shall comply with subpart 2.

A. Steel rods cast in concrete shall be capable of resisting loads as specified in subpart 2.

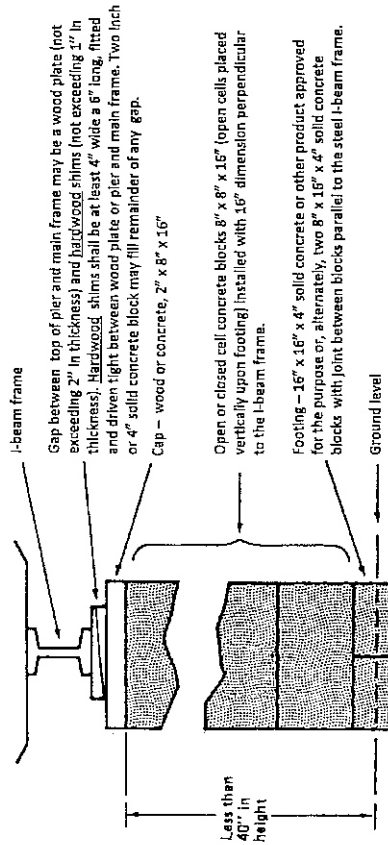
B. Dead-man concrete anchors may be used in place of listed anchors if they meet the requirements of subpart 2.

C. Concrete slabs may be used in place of ground anchors provided the slab is so constructed that it provides holding strength equal to the requirements of subpart 2.

[For text of subp 7, see M.R.]

1350.3300 PIER SPECIFICATIONS.

Subpart 1. Piers less than 40 inches tall.

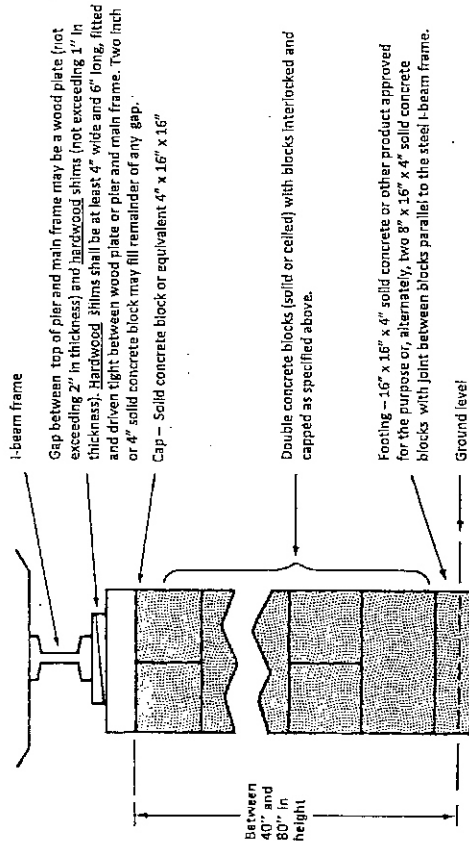


Footing placed on firm undisturbed soil or on controlled fill free of grass and organic materials compacted to a minimum load-bearing capacity of 2000 PSF.

For piers less than 40 inches in height (except corner piers over 3 blocks high), piers shall be securely attached to the frame of the mobile home or shall extend at least 6 inches from the centerline of the frame member.

Proposed Rules

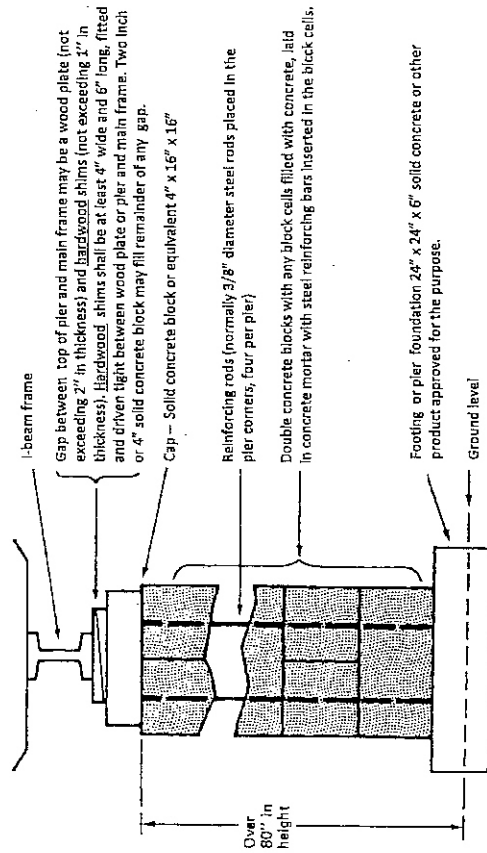
Subp. 2. Piers 40 to 80 inches tall.



Footing placed on firm undisturbed soil or on controlled fill free of grass and organic materials compacted to a minimum load-bearing capacity of 2000 PSF.

For piers 40 inches to 80 inches in height and all corner piers over 3 blocks high, piers shall be securely attached to the frame of the mobile home or shall extend at least 6 inches from the centerline of the frame member.

Subp. 3. Piers over 80 inches tall.



Footing placed on firm undisturbed soil or an controlled fill free of grass and organic materials compacted to a minimum load-bearing capacity of 2000 PSF.

For piers exceeding 80 inches in height, piers shall be securely attached to the frame of the mobile home or shall extend at least 6 inches from the centerline of the frame member.

Proposed Rules

[For text of subp 4, see M.R.]

1350.3400 UTILITY CONNECTIONS.

Subpart 1. **Water connections.** Water piping to manufactured homes shall comply with the Minnesota Plumbing Code, chapter 4715. Upon the completion of a section or the entire water distribution system, it shall be tested in accordance with *Code of Federal Regulations*, title 24, part 3285.603(e)1 and 2, and proved airtight with the use of air or water not less than the minimum working pressure under which it is to be used. The water heater must be disconnected when the piping system is air tested. Pipes shall be protected from freezing. Heat tape, when installed, shall be listed and installed in conformance with its listing and the manufacturer's instructions. When the manufactured home is installed on a support system subject to ground movement due to freezing and thawing, approved flexible connectors or semirigid copper tubing shall be used to prevent pipe breakage.

Subp. 2. **Sewer connections.** Waste piping from the on-site sewer connection to the manufactured home's drain outlet shall comply with the Minnesota Plumbing Code, chapter 4715. After completion of the drainage system at the site of occupancy, the entire drain/waste/vent system shall be tested by introducing air into the system equal to the pressure on a one-inch water column, or in accordance with *Code of Federal Regulations*, title 24, section 3280.612(b), whichever is acceptable to the local authority having jurisdiction. When a manufactured home is installed on a support system subject to ground movement due to freezing and thawing, offsets or approved flexible connectors, ~~or both~~, shall be used to prevent pipe breakage. Both offsets and approved flexible connectors may be used.

[For text of subps 3 to 5, see M.R.]

Subp. 5a. **Electrical on-site testing.** After completion of all electrical wiring and connections, crossovers, electrical lights, and ceiling fans, the electrical system shall be tested on site by the electrical contractor of record. Tests shall include a continuity test to ensure proper bonding of metallic parts, polarity checks to determine if connections have been properly made, and an operational test on equipment. Continuity, polarity, and operational tests do not apply to water heaters, electric furnaces, dishwashers, clothes washers and dryers, and portable appliances. Smoke alarms and carbon monoxide detectors shall be functionally tested in accordance with the manufacturers' instructions.

1350.3800 CONSTRUCTION ALTERATIONS.

Subpart 1. **Effect on seal or label.** Any alteration of the construction, plumbing, heating, cooling, ~~or~~ fuel-burning system, electrical equipment ~~or installations~~, installation, or fire safety in a manufactured home which that bears a seal or label, prior to receiving review and approval, and prior to obtaining permits, which include necessary inspections, shall void the approval, and the seal or label shall be returned to the commissioner.

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

Subp. 3. **Application.** Any person proposing an alteration to a manufactured home bearing a seal or label shall make application for review and approval of the alteration to the commissioner or to the local authority having jurisdiction on the form issued by the commissioner.

Subp. 4. **Inspection.** Upon completion of the alteration, the applicant shall request the commissioner or the local authority having jurisdiction to make an inspection pursuant to part 1350.2100 to determine code compliance of the approved alteration.

Subp. 5. **Replacement construction seal.** If approvals and inspections for alterations were not obtained, and the home's construction seal or label is removed by the commissioner, or the commissioner ordered removal by the local authority having jurisdiction, then the applicant may apply for a replacement construction seal upon inspection and approval of the alteration. Replacement construction seals shall require submission of an application in accordance with part 1350.0500, subpart 2.

Subp. 6. [See repealer.]

1350.3850 DISPUTE RESOLUTION PROGRAM.

The department received approval from HUD of its compliance with *Code of Federal Regulations*, title 24, part 3288.210, on February 6, 2008, regarding its dispute resolution program. A request for resolution of a dispute among manufacturers, retailers, and installers may be initiated by any of these parties, in writing, on a form provided by the commissioner. Homeowners may initiate a request for dispute resolution and act as observers, but cannot be recognized as a party to the dispute. A request for dispute resolution will be handled pursuant to this chapter and *Minnesota Statutes*, sections 327.31 and 327B.01 to 327B.12.

Proposed Rules

1350.6700 ANNUAL REGISTRATION REQUIREMENT AND INSTALLER LICENSING RECIPROCITY.

Subpart 1. **Registration.** An installer shall provide register with the department to obtain seals by providing a copy (proof) of a manufactured home installer's annual license issued by the Department of Commerce commissioner or a reciprocal state or United States jurisdiction prior to obtaining required installation certificates and seals under parts part 1350.0600, subpart 2, and 1350.6500, subpart 2. Regulations shall be renewed every three years.

Subp. 2. **Reciprocity.** An installer who holds and maintains an unexpired license or certificate issued by any state other than Minnesota or by a United States jurisdiction in which the licensing or certification and renewal requirements meet or exceed Minnesota's licensing and renewal requirements as determined by the commissioner is exempt from the requirement to obtain licensure in Minnesota as a manufactured home installer if the installer:

- A. provides proof of valid license or certification to the commissioner;
- B. provides proof of public liability insurance coverage in the amount of \$300,000 per occurrence and \$10,000 property damage coverage;
- C. posts a bond of at least \$2,500; and
- D. registers in accordance with subpart 1.

1350.6705 DEFINITIONS.

Subpart 1. **Applicability.** The definitions in this part apply to part 1350.6710.

Subp. 2. **Appropriate and related knowledge.** "Appropriate and related knowledge" means facts, information, or principles that are clearly relevant to the installer in performing responsibilities under a license issued by the commissioner. These facts, information, or principles must convey substantive and procedural knowledge as it relates to postlicensing issues and it must be relevant to the technical aspects of a particular area of continuing education.

Subp. 3. **Classroom hour.** "Classroom hour" means 50 minutes of continuing education training for every hour of training required.

Subp. 4. **Instructor.** "Instructor" means a person approved by the commissioner to act as a trainer, teacher, or presenter of approved manufactured home installer continuing education courses.

1350.6710 LICENSED MANUFACTURED HOME INSTALLER EDUCATION.

Subpart 1. **Installer continuing education requirements.** An installer licensed in Minnesota is required to complete a minimum of 12 classroom hours of continuing education training during every three-year license renewal period, with a minimum of four classroom hours consisting of training in the following areas:

- A. an overview of the act and the general regulatory structure of the HUD manufactured housing program;
- B. an overview of the manufactured home installation standards and regulations established in *Code of Federal Regulations*, title 24, parts 3285 and 3286, and applicable Minnesota laws and rules, with specific instruction covering:
 - (1) preinstallation considerations;
 - (2) site preparation;
 - (3) foundations;
 - (4) anchorage against wind;
 - (5) optional features, including comfort cooling systems;
 - (6) ductwork and plumbing and fuel supply systems;
 - (7) electrical systems; and
 - (8) exterior and interior close-up work;
- C. an overview of the construction and safety standards and regulations found in *Code of Federal Regulations*, title 24, parts 3280 and 3282;
- D. licensing requirements applicable to installers;
- E. installer responsibilities for correction of improper installation, including installer obligations under applicable state and HUD manufactured housing dispute resolution programs;
- F. inspection requirements and procedures;
- G. problem reporting mechanisms;
- H. operational checks and adjustments; and
- I. penalties for any person's failure to comply with *Code of Federal Regulations*, title 24, parts 3285, 3286, and 3288, and applicable Minnesota laws and rules.

Proposed Rules

The remaining eight classroom hours of continuing education training must relate to any aspect of manufactured home installation or construction. All continuing education courses must be approved in advance by the commissioner pursuant to subpart 3.

Subp. 2. Approval for instructors.

A. HUD-certified trainers must also be approved by the commissioner to be considered an approved instructor for manufactured home installer continuing education.

B. Each continuing education course shall have an instructor who is qualified by education, training, or experience to ensure competent instruction. Failure to have a qualified instructor teach an approved course offering will result in withdrawal of the course approval. Qualified instructors shall have at least one of the following qualifications:

- (1) a four-year degree in any subject area, plus two years of experience in the subject area being taught;
- (2) five years of experience in the subject area being taught; or
- (3) certification by HUD as a trainer for manufactured home installation. The applicant shall submit to the commissioner an application for approval as an instructor on a form provided by the commissioner and submit appropriate evidence to verify that the required qualifications have been met. Following the commissioner's review of the application and evidence of qualifications, the commissioner shall provide the applicant with a final determination regarding approval as an instructor. A HUD-certified trainer must also be approved by the commissioner in order to be considered an instructor for manufactured home installer continuing education.

C. Instructors shall:

- (1) adequately address the continuing education technical area or areas to be covered for the assigned classroom hours of continuing education credit, as approved by the commissioner, identified in subpart 1;
- (2) maintain attendance records including times, locations, names of attendees at each session, and content of all courses offered. These records shall be made available to the commissioner upon request;
- (3) provide certificates of completion to course attendees, within ten days following completion of the course that indicates the attendee's name, course title and number, course content (including any technical areas), and assigned classroom hours of continuing education credit earned, which have been signed and dated by the instructor;
- (4) maintain course records related to the content of the course, which shall include any tests administered as a part of the course. These records shall be made available to the commissioner upon request; and
- (5) notify the commissioner, in writing, within ten days of any change to the information on an application for course approval or on the materials submitted with the application, that are on file with the commissioner.

D. Prohibited practices for instructors, in connection with an approved course, include:

- (1) recommending or promoting the services, products, or practices of a particular business;
- (2) requiring students to participate in other programs or services offered by the instructor;
- (3) misrepresenting any information submitted to the commissioner;
- (4) failing to cover all points, issues, and concepts contained in the course outline or materials approved by the commissioner during the approved instruction; and
- (5) issuing inaccurate course certificates of completion.

Subp. 3. Course approval.

A. Courses for manufactured home installer continuing education must be approved in advance by the commissioner, pursuant to this subpart, and will be approved on the basis of the applicant's compliance with this subpart. The commissioner shall provide the final approval regarding the course offering. The commissioner reserves the right to audit course offerings with or without notice to the instructor. The burden of demonstrating that courses impart appropriate and related knowledge falls on the person seeking the approval or credit. The commissioner shall deny future course offerings if they are found not to comply with this part.

B. To obtain course approval, the following procedure must be followed.

(1) An approved instructor must complete an application for course approval on a form provided by the commissioner and submit all pertinent course materials. The instructor shall also provide on the application the number of classroom hours of continuing education credit requested. Application for course approval must be submitted at least 30 days prior to the course offering. The instructor shall specify whether a test will be required for the course and, if required, provide the minimum passing score to obtain course credit.

(2) The commissioner shall review the application and pertinent course material for appropriate technical content and program length. Courses must be a minimum of one classroom hour in length. Course content must adequately cover the technical area being taught for the classroom hours of continuing education credit being requested.

(3) Following the commissioner's review of the application and course materials, the commissioner shall provide the instructor with a final determination regarding course approval and the number of approved continuing education classroom hours assigned to the course.

C. Course examinations are not required for approved manufactured home continuing education courses, unless they are required by

the instructor.

D. Approved courses shall be resubmitted by the instructor to the commissioner for review of course content every three years from the date of the original approval.

Subp. 4. **Fees.** Fees for an approved course of study and related materials must be clearly identified to students. In the event that an instructor cancels a course for any reason, all fees must be returned within 15 days of the date of cancellation. If a student is unable to attend a course or cancels the registration for a course, the instructor's policies regarding refunds shall apply.

Subp. 5. **Facilities and supplementary materials.** Each continuing education course must be held in a classroom or other facility that is adequate to accommodate the instructors and the number of students enrolled. The instructor may limit the number of students enrolled in a course. An adequate supply of supplementary materials to be used or distributed in connection with an approved course must be available at the time and place of the course offering to ensure that each student receives all of the necessary materials. Outlines and any other materials that are reproduced must be legible.

Subp. 6. **Advertising courses.** Advertising for courses must be truthful and not deceptive or misleading. No advertisement, pamphlet, circular, or other similar material pertaining to an approved offering can be circulated or distributed in this state, unless the following statement is prominently displayed: "This course has been approved by the Minnesota Department of Labor and Industry for (approved number of classroom hours) classroom hours for Manufactured Home Licensed Installer continuing education." Advertising for approved courses must be clearly distinguishable from the advertisement for other nonapproved courses. A continuing education course may not be advertised before it has been approved, unless the course is described in the advertising as "approval pending" and the application for approval has been timely submitted to the commissioner and a denial has not been received. The number of classroom hours for which the course has been approved and any testing required for credit must be prominently displayed on the advertisement for the course.

Subp. 7. **Withdrawal of approval.** Failure to comply with the requirements of subparts 2 to 6 may result in the commissioner's withdrawal of the approval for the continuing education credit and hours for the three-year renewal period, qualifications as an approved instructor, or approval for a course offering. Nothing in this part limits the authority of the commissioner from withdrawing an approval pursuant to this part for actions not specifically described in this part.

1350.6800 OTHER FEES.

For all other work performed by the Department of Labor and Industry including, but not limited to, the review of plans, specifications, and independent agency reports, and quality control ~~evaluation~~ evaluations, and on-site inspections, a fee as specified ~~under~~ in part 1302.0600, subpart 1, item B, shall be charged.

1350.7200 LICENSE APPLICATION.

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

Subp. 2. **Required information.** The kinds of information listed in items A and B satisfy the related requirements in *Minnesota Statutes*, section 327B.04, subdivisions 3 and 4.

A. An application for a dealer's license must contain the information in subitems (1) to (9):

[For text of subitems (1) to (4), see M.R.]

(5) The signature of the ~~applicant's~~ applicant as the owner, general partner, or corporate president verified under oath.

[For text of subitems (6) to (9), see M.R.]

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

[For text of subps 3 and 4, see M.R.]

REPEALER. Minnesota Rules, parts 1350.3800, subpart 6; and 1350.6500, are repealed.

INSTRUCTION TO REVISOR. References to Minnesota Rules, part 1350.6500, are changed to Minnesota Statutes, section 327.33.

EFFECTIVE DATE. These amendments are effective five days after publication, except for part 1350.6710, which is effective April 1, 2009.

Appointments

Minnesota Statutes, Section 15.06, Subd. 5. requires notice of the designation of a commissioner or acting commissioner, or the assumption of office by a temporary commissioner, shall be filed with the president of the senate and the speaker of the house with a copy delivered to the secretary of state and published in the next available edition of the *State Register*.

Department of Administration

Notice of Appointment of Commissioner Sheila M. Reger

NOTICE IS HEREBY GIVEN, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Tim Pawlenty appointed Sheila M. Reger to the office of Commissioner of the Minnesota Department of Administration effective May 11, 2009. She succeeds Dana Badgerow who was appointed Commissioner on October 25, 2004.

This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled. The laws and rules governing the Department of Administration are:

- *Minnesota Statutes*, Chapters 14 and 16B
- *Minnesota Rules* 1200-1399

Commissioner Reger resides at 14012 Flagstone Trail, Apple Valley, Minnesota 55124, Dakota County, Congressional District Two.

She can be reached at the Minnesota Department of Administration, 50 Sherburne Ave., 200 Administration Bldg., St. Paul, MN 55155. Telephone (651) 296-1424. Web page: <http://www.admin.state.mn.us>

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 Jed and Tracy Hesebeck, Delafield Township, Jackson County

NOTICE IS HEREBY GIVEN that a public hearing will be held on June 1, 2009, at 9:00 A.M., Department of Agriculture Building, ADFA/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 located 3 miles west of Windom, MN on Highway 60 to 470th Avenue, 2¾ miles south on 470th Avenue, located on the east side of the road; S1/2 NW1/4 Section 23, Delafield Township, Jackson County, Minnesota on behalf of Jed and Tracy Hesebeck, (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$192,000.00.

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: May 6, 2009

Peter Scheffert, RFA Director
Minnesota Department of Agriculture

Official Notices

Office of the Attorney General

Consumer Services Division

Meeting Notice for May 27, 2009 Regarding Revisions to “Landlord and Tenants: Rights and Responsibilities”

Pursuant to *Minnesota Statute 504B.275*, the Attorney General’s Office will hold a public meeting regarding proposed revisions to its publication entitled “*Landlord and Tenants: Rights and Responsibilities*.” The meeting will be held Wednesday, May 27, 2009, from 11:00 a.m.-12:00 p.m. at the second floor of the Bremer Tower, 445 Minnesota Street, St. Paul, MN 55101.

Comments are also welcome by mail, phone, or fax. Please contact Amanda Johansen at (651) 297-5926 to request the revised brochure text or to send comments. She will also take comments by **fax** at (651) 282-2155 or by mail at 1400 Bremer Tower, 445 Minnesota Street, St. Paul, MN 55101.

Department of Commerce

Office of Energy Security

Office of Energy Assistance Programs

Notice of Public Hearing and Comment Period for the FFY2010 Energy Assistance Program, Minnesota Department of Commerce

THE PUBLIC IS INVITED TO COMMENT on the proposed Minnesota State Plan for the Energy Assistance Program for federal fiscal year 2010 at a public hearing or through written comment. The hearing will be held June 24, 2009, from 3:00 p.m. to 5:00 p.m. in Room 300 North, State Office Building, 100 Rev. Martin Luther King, Jr., Blvd., St. Paul. Written comment must be received at the address below by 5:00 p.m. on June 24, 2009.

The FFY2010 LIHEAP State Plan describes how federal Low Income Home Energy Assistance Program (LIHEAP) funds will be used to help low-income households reduce their energy burdens. Comments received at the public hearing and in writing during the comment period will be considered in the development of the state plan. The proposed state plan is available May 22, 2009, for viewing or downloading at www.energy.mn.gov, the main site for the Minnesota Office of Energy Security. In the right column, click on “Draft FFY2010 LIHEAP State Plan.”

Written comments may be sent to:

John M. Harvanko, Director
Office of Energy Assistance Programs
Minnesota Department of Commerce
85 - 7th Place East, Suite 500
St. Paul, MN 55101-2198
Phone: (651) 284-3275
Fax: (651) 297-7891
E-mail: john.harvanko@state.mn.us

Minnesota Comprehensive Health Association Notice of Meeting of the Finance Committee May 27, 2009

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Finance Committee will be held at 1:00 p.m. on Wednesday, May 27, 2009. The meeting will take place at the MCHA executive office located at 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

For additional information, please call Lynn Gruber at (952) 593-9609.

Minnesota Housing Finance Agency Notice of Public Hearing on Amended 2010 Housing Tax Credit Allocation Plan

The Housing and Economic Recovery Act of 2008 became law July 30, 2008 (HERA) and the American Recovery and Reinvestment Act of 2009 (ARRA) became law February 17, 2009 (collectively the Acts). Certain provisions of the Acts make it necessary for Minnesota Housing to make changes to the 2010 Low Income Housing Tax Credit Program (HTC) with respect to the amendments to HTC 2010 Round 2. The Minnesota Housing Finance Agency (Minnesota Housing) will hold a public hearing pursuant to Section 42 of the Internal Revenue Code of 1986, as amended.

The purpose of the hearing **IS NOT** for review of proposed programming and administrative processes relating to Tax Credit Assistance Program (TCAP) or Section 1602 Program (Tax Credit Exchange) funds made available by ARRA.

The public hearing will be held at the time and place listed below:

Thursday June 4th, 2009
1:00 p.m. – 3:00 p.m. – State Street Conference Room, 1st Floor
Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN

The Omnibus Budget Reconciliation Act of 1989 (OBRA) requires that Housing Tax Credit Allocating Agencies develop a plan for allocating tax credits within their jurisdiction, setting forth criteria to determine priorities for selection of developments to receive tax credits. The OBRA also requires Tax Credit Agencies to hold a public hearing to receive public comment on the Allocation Plan.

The above public hearing is for the Amended 2010 Allocation Plan developed by Minnesota Housing, in cooperation with local government representatives, for use within the Tax Credit Allocation jurisdiction of Minnesota Housing. All persons interested will be given an opportunity to express their views. In order to more effectively plan for the conduct of the hearings, persons desiring to speak at the hearing must so request in writing at least 24 hours before the hearing. Oral remarks by any person will be limited to 10 minutes.

Written comments may also be submitted for consideration at the hearing. These written comments must be submitted to the HTC Program Manager at the below cited address no later than 5:00 p.m., June 3rd, 2009. Note that this public hearing is not a workshop or training session, but is intended to solicit the comments of the public. Copies of summaries of the proposed changes to the Housing Tax Credit Procedural Manual and Qualified Allocation Plan are available at the address listed below, by written or phone request or by checking the Minnesota Housing web site.

Minnesota Housing Finance Agency
Housing Tax Credit Program Manager
400 Sibley Street, Suite 300
St. Paul, MN 55101-1998
Phone: (651) 296-4451
Website: www.mnhousing.gov

Official Notices

Plumbing Board

c/o Department of Labor and Industry

Final Interpretation on Sizing of Building Drains and Branches

Inquiry: PB0040
Subject: Sizing of Building Drains and Branches
Code Reference: Minnesota Plumbing Code, Chapter 4715
Submitted by: Jeremiah Christenson, Obermiller Nelson Engineering, Inc.
2201 12th St. N., Suite E, Fargo, ND 58102
Approved by: Code Interpretation Committee
by Jim Gander, Committee Chair
Date Received: April 13, 2009
Issue Date: May 11, 2009

Questions: What is the definition of a building drain and where does this line start to occur in the building?

Answer: Minnesota Rules, part 4715.0100, subpart 24, defines the building drain as the lowest piping of the drainage system. A building that has several wings is likely to have at least one sanitary branch serving each of the wings. In this circumstance, it is difficult to determine which wing or which sanitary branch is actually the building drain and not just a horizontal building drain branch. Our conclusion is that, when all of the building drain branches have been connected to a single pipe, then the building drain, which conveys all discharge to the building sewer, begins at the lowest branch connection.

Related Code Provision: *Minnesota Rules*, part 4715.2310, subpart 2, sets out minimum sizing guidelines for drainage piping. The single asterisk on the second column points the designer to the note that references horizontal branches of the building drain. This reference means that the column on “horizontal fixture branches” includes horizontal branches of a building drain that do not receive discharge solely from stacks. For example, any horizontal branch of a 4" building drain that does not receive discharge solely from stacks cannot receive more than 160 fixture units.

Commentary: The submitter pointed to an illustration on page 113 of the code book and argued that it was part of the Minnesota Plumbing Code. The illustrations in the code book are merely for illustrative purposes and are not part of the Minnesota Plumbing Code because the illustrations were never formally adopted as rules. The complete current Plumbing Code can be found at the following **website:** <https://www.revisor.leg.state.mn.us/rules/?id=4715>

Minnesota Department of Labor and Industry (DLI) plumbing unit staff issued an informative guideline regarding the sizing of drainage pipes in approximately 2001. This guideline has been used by field inspectors and plan reviewers consistently without any other complaints or requests for interpretation since issuance. This guideline is published on DLI's website, where it is listed under 4715.0100, subpart 24, at: <http://www.dli.mn.gov/CCLD/PlumbingSuppl.asp>

The committee decided to uphold the DLI staff's long-standing interpretation, as set forth in the DLI guideline.

All parties were heard and had fair opportunity to present facts, thoughts, opinions, and challenges to the alternative opinions at the April 29, 2009, meeting of the Code Interpretation Committee. As required by Minnesota Statutes, section 326B.127, subd. 5, the Plumbing Board will consider this Final Interpretation for adoption as part of the Minnesota Plumbing Code.

Date: May 11, 2009

Jim Gander, Committee Chair
Code Interpretation Committee
443 Lafayette Road North
Saint Paul, MN 55155-4344
E-mail: dli.cclboards@state.mn.us

Department of Natural Resources
Designation of Infested Waters
Order No. INF-09-001

Pursuant to the provisions of *Minnesota Statutes*, section 84D.03, subdivision 1 the following described waters in the state meet the criteria established for designating infested waters. Changes to previous designations of infested waters are shown by underlining the new text and strikethrough of deleted text.

A lake in more than one county is listed under the county corresponding to its protected waters inventory number, but the designation applies to the entire lake. Lake Superior and designated portions of rivers that flow through more than one county are listed under the heading Multiple Counties. Ponds and wetlands that are not on the protected waters inventory are listed with “none” in the number column. Rivers and streams on the protected waters inventory are listed without a number in the number column.

Waters infested with Eurasian water milfoil.

The following water bodies are infested with Eurasian water milfoil (*Myriophyllum spicatum*) or its hybrids.

Name	DNR Protected Waters Inventory Number
Carver County	
Kelzer’s Pond	10-0047
Chisago County	
South Center	13-0027
Le Sueur County	
Ray’s Lake	40-0056
Scott County	
Unnamed wetland (located in Section 27, Township 115N Range 22W)	70-0153
Washington County	
Lake DeMontreville	82-0101
Olson Lake	82-0103
Wright County	
Caroline	86-0281
Twin East Lake <u>Sylvia</u>	86-0279
<u>West Lake</u> Sylvia	86-0289

Waters infested with faucet snail.

The following water bodies are infested with faucet snail (*Bithynia tentaculata*).

Name	DNR Protected Waters Inventory Number
Cass County	
Lake Winnibigoshish	11-0147

Waters infested with flowering rush.

The following water bodies are infested with flowering rush (*Butomus umbellatus*).

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Name	DNR Protected Waters Inventory Number
Aitkin County Big Sandy Lake	1-0062
Becker County Buck Lake Mill Lake	3-0377 3-0473
Itasca County Holman Lake	31-0227
LeSuer County Tetonka Lake Upper Sakatah	40-0031 40-0002
Rice County Cannon River, from Wells Lake to the confluence with the Straight River	
Multiple Counties Cannon River, downstream of Lower Sakatah Lake to the confluence with the Straight River	

Waters infested with spiny water flea.

The following water bodies are infested with spiny water flea (*Bythotrephes cederstroemi*).

Name	DNR Protected Waters Inventory Number
St. Louis County Lac La Croix Loon Lake	69-0224 69-0470

Waters infested with zebra mussels.

The following water bodies are infested with zebra mussel (*Dreissena* spp.).

Name	DNR Protected Waters Inventory Number
Scott County Lower Prior Lake Upper Prior Lake	70-0026 70-0072

NOW THEREFORE, IT IS HEREBY ORDERED that the waters described above are designated as infested waters. These new designations are in addition to all the infested waters previously designated in Commissioner's Order INF-07-001 dated October 4, 2007, Commissioner's Order INF-08-001 dated April 21, 2008, and Commissioner's Order INF-08-002 dated July 7, 2008.

Dated: 7 May 2009

Mark Holsten, Commissioner
Department of Natural Resources

Minnesota Pollution Control Agency**Municipal Division****SECOND REQUEST FOR COMMENTS: Planned Amendment to Rules Governing Air Quality and Water Quality Permit Fees, *Minnesota Rules* Chapter. 7002**

Subject of Rules. With this Request the Minnesota Pollution Control Agency (Agency) is, for the second time, requesting comments on its planned amendment to rules governing the fees that apply to all air and water permits. The additional funding will be used to support increased demands on the Agency's regulatory programs. The Minnesota Legislature authorized the Agency to amend its fee rules to provide ongoing revenue to support its air and water permit programs.

A Request for Comments was originally published in the June 16, 2008, *State Register* and the Agency considered the comments received as a result of that Request.

The Agency is seeking comment from all parties who have information to share or an interest in the fees that apply to the application and issuance of air and water permits, found at *Minnesota Rules*, Chapter 7002.

Persons Affected. The planned amendments to the rules will affect the owners and operators of all facilities that are required to hold an air emission permit or a water quality permit and also to all the citizens of Minnesota who will be affected by the fees charged to the owners and operators of these facilities, many of which are publicly owned and operated.

Statutory Authority. *Minnesota Statutes* §116.07, subdivision 4 authorizes the Agency to adopt rules and *Minnesota Statutes* §116.07, subdivision 4d authorizes the Agency to collect permit fees. In addition to this fundamental statutory authority, the Minnesota Legislature in *Minnesota Laws* (2007), chapter 57, section 3, subdivision 2, directed the Agency to:

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

The Agency began a stakeholder process, developed a more complete budget assessment on which to base its proposal, and began to draft a method for fee assessment based upon stakeholder input and its own financial assessment, but the agency did not file a Notice of Intent to Adopt Rules within 18 months of the effective date of the law authorizing the rulemaking. Thus, in accordance with the requirements of *Minnesota Statute* §14.125, renewed legislative authority was sought and received from the legislature in *Session Law 2009, Chapter 57, Article 1, Section 3, subdivisions 2 and 3*, which states:

“the commissioner shall continue the rulemaking process to better align water permit fee revenue for fiscal years 2010, 2011, 2012 and 2013 with the cost of issuing permits, including environmental review.” and “the commissioner shall continue the rulemaking process to better align air quality fee revenue for fiscal years 2010, 2011, 2012 and 2013 with the cost of issuing permits, including environmental review.”

Public Comment. Interested persons or groups may submit comments or information on these planned rule amendments to the Agency contact person at the address below until 4:30 p.m. on Friday, June 19, 2009.

With this Request the Agency is providing a second opportunity for comment prior to holding hearings on the proposed rules. Comments received in response to the first Request have been considered and need not be re-submitted.

Rules Drafts. The Agency expects to publish the proposed rules and a Notice of Hearing in the *State Register* for public comment on June 22, 2009. They will also be posted on the Agency's Web site at <http://www.pca.state.mn.us/permits/airwaterfees.html> at the same time they are published. If you are interested in being notified when proposed air and water fee rules are published for comment, please contact Jim Brist at the number or address below.

Agency Contact Person. Written comments, questions and requests for more information on these planned rule amendments should be directed to:

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Jim Brist
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55055-4194
Phone: (651) 757-2245, or
TTY: (651) 282-5332
E-mail: *Jim.brist@pca.state.mn.us*

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

NOTE: The Administrative Procedures Act requires the Agency to include in the formal rulemaking record only those comments received after rules are published for public comment. If you submitted comments during the first Request for Comments or in response to this Request and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

May 12, 2009

Paul Eger, Commissioner
Minnesota Pollution Control Agency

Minnesota Pollution Control Agency Regional Environmental Division Notice of Availability of Draft Mustinka River Turbidity TMDL Report and Request for Comment

Public Notice Period Begins: May 18, 2009
Public Notice Period Ends: June 17, 2009

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Report for the Mustinka River Turbidity Total Maximum Daily Load (TMDL). The draft TMDL Report for the Mustinka River is available for review at <http://www.pca.state.mn.us/water/tmdl.html#drafttmdl>. Following the comments, the MPCA will revise the draft TMDL Report and submit it to the U. S. Environmental Protection Agency (EPA) for approval. Comments must be sent to the MPCA contact person listed below by 4:30 p.m. on the date the public comment period ends.

Required by the federal Clean Water Act, a TMDL is a scientific study that calculates the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. It is a process that identifies all the sources of the pollutant causing an impairment and allocates necessary reductions among them. This multi-year effort results in a pollution reduction plan and engages stakeholders and the general public. An approved TMDL is followed by implementation activities for achieving the necessary reductions.

Two reaches of the Mustinka River in Traverse County are impaired because they do not meet the turbidity water quality standard. Turbidity is a measure of the water's clarity and is caused by the amount of particles in the water, such as sediment. Higher turbidities reduce the penetration of sunlight in the water and can harm aquatic life.

The impairments are located along a 4.7-mile segment or "reach" running from the Grant/Traverse County line to Five Mile Creek and a reach starting at an unnamed creek running to Lake Traverse (8.3 miles) as impaired for exceeding the turbidity standard for aquatic life, which is currently set at 25 Nephelometric Turbidity Units (NTUs). All of the turbidity readings taken during the open water season were 25 NTUs or higher. The primary cause of turbidity in the Mustinka is suspended sediment. The primary contributing sources of the turbidity impairment appear to be upland soil erosion and stream-bank erosion. The impairment can also be directly correlated with higher flows, with sediment reductions near 90 percent needed to achieve the turbidity water quality standard during wet conditions and high flows.

Agency Contact Person. Written or oral comments, petitions, questions, or requests to receive a draft of the TMDL Reports, and requests for more information should be directed to:

Jack Frederick
Minnesota Pollution Control Agency
714 Lake Avenue Suite 220
Detroit Lakes, MN 565021
Phone: (218) 846-8110 (direct)
Minnesota Toll Free: 1-800-657-3864
Fax: (218) 846-0719
E-mail: john.frederick@pca.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 a preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report and fact sheet are available for review at the MPCA office at the address listed below, and at the MPCA **web site:** <http://www.pca.state.mn.us/water/tmdl.html#drafttmdl>. Suggested changes will be considered before the final 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 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 Informational Meeting: You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational 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 reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.

Petition for Contested Case Hearing: You also may submit a petition for a contested case hearing. 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;

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and

3. An estimate of time required for you to present the matter at a contested case hearing.

MPCA Decision: You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board consider the TMDL Report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL Report and, if so, under what terms will be presented to the Board for decision if: (1) the Commissioner grants the petition requesting the matter be presented to the Board; (2) one or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL Report; or (3) a timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

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 Board, will make the final decision on the draft TMDL Report.

May 2009

State Contracts

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

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

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

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

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

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

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

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**Minnesota State Colleges and Universities (MnSCU)
Anoka Technical College
Opportunity for Proposals on HYBRID BOOKSTORE****GENERAL STATEMENT/SCOPE:**

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

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

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

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

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

**Minnesota State Colleges and Universities (MnSCU)
Anoka Technical College
Opportunity for Proposals on Online Workorder System****GENERAL STATEMENT/SCOPE:**

The college is seeking proposals from vendors to assist in developing an online work order system. The requirements would be to provide a user friendly web-based/online workorder service request and tracking solution for customers and recipients.

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

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

ONLINE WORKORDER SYSTEM PROPOSAL – DELIVER IMMEDIATELY.

Mail or deliver (**faxes will not be accepted**) sealed proposal by **WEDNESDAY, MAY 27, 2009, NO LATER THAN 2 PM CST** to:

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

PROPOSAL CLOSE DATE IS WEDNESDAY, MAY 27, 2009 – 2 PM CST

State Contracts

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

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

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

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

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

Minnesota State Colleges and Universities (MnSCU) Dakota County Technical College Sealed Bids Sought for New Soccer Field Bleachers

Sealed Bids for: NEW SOCCER FIELD BLEACHERS
Dakota County Technical College
Rosemount, Minnesota

will be received by: Paul DeMuth
Director of Operations
Dakota County Technical College
Rosemount, Minnesota

Until **2:00 PM, local time, Tuesday, May 26, 2009**, at which time the bids will be opened and publicly read aloud in Room 2-142 at Dakota County Technical College.

Project Scope: The Project consists of furnishing and installing 7 new ganged sections of non-elevated aluminum exterior bleachers for the soccer field at DCTC.

The site is available for the Contractor's review at their convenience. The Contractors are encouraged to visit the site. No pre-bid meeting is scheduled.

Bidding Documents, as prepared by the Project Architect/Engineer, TKDA, are on file at the offices of the:

- 1) above named Project Architect/Engineer
- 2) following Builders' Exchanges: Minneapolis and St. Paul
- 3) McGraw Hall Construction Plan Room
- 4) MEDA Minority Contractors Plan Room
- 5) National Association of Minority Contractors of Upper Midwest

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

TKDA
Suite 1500
444 Cedar Street

St. Paul, MN 55101
Telephone: (651) 292-4400

A non-refundable deposit of \$15.00 is required for each set. If you wish to have the plans mailed, add an additional non-refundable fee of \$10.00 for shipping and handling.

Each bid 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) North Hennepin Community College Request for Bids for the Campus Center Sound & Presentation System Upgrade

NOTICE IS HEREBY GIVEN that North Hennepin Community College is seeking bids for the upgrade and install of the sound & presentation system located on the 1st floor of our Campus Center in the cafeteria.

Proposal specifications will be available beginning Monday, May 11, 2009. Please contact Joseph Collins by phone (763) 488-0204 or e-mail: joseph.collins@nhcc.edu.

There will be a non-mandatory pre-bid meeting at North Hennepin Community College, Campus Center Lower Level by the calendar wall on Monday, May 18, 2009 at 1:00 pm. Proposal specifications will also be made available at that time.

Sealed proposals must be received by Joseph Collins at 7411 - 85th Ave. No., Learning Resource Center Rm. 125, Brooklyn Park, MN 55445 by 1:00 PM on Friday, May 29, 2009.

There will be a bid opening at North Hennepin Community College, Educational Services Rm. 36 on Friday, May 29, 2009 at 1:15 pm.

North Hennepin Community College reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received.

Minnesota Management & Budget (MMB) Notice of Request for Proposals for Real Estate Brokers and Manufactured Homeowners Depository and Lockbox Services

The Office of Minnesota Management and Budget (MMB) is seeking proposals from financial institutions to establish a banking relationship for the purpose of expediting, processing and collection of various items for the MMB Real Estate Brokers Lockbox Account and the Manufactured Homeowners Lockbox Account.

To receive a complete Request for Proposal and background information, please call or write:

Susan E. Gurrola
MMB – Treasury Division
658 Cedar Street – 4th Floor
St. Paul, MN 55155
Phone: (651) 201-8046
E-mail: sue.gurrola@state.mn.us

State Contracts

NOTE: Details concerning submission requirements, including due dates are included in the Request for Proposal. No other personnel are authorized to discuss the project with responder before the submittal of the proposal.

Responses are due by 1:00 p.m. on Friday, May 29, 2009.

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

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

Work is proposed to start in June 2009.

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

The Request for Proposal can be obtained from:

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

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

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.

Office of the Revisor of Statutes Notice of Request for Indexing Services

NOTICE IS HEREBY GIVEN that the Office of the Revisor of Statutes is seeking indexing services for the *Minnesota Statutes* publication during a period beginning July 1, 2009 and ending no later than June 30, 2010.

Statutory indexing experience, computer keyboarding facility, and familiarity with standalone indexing programs such as CINDEK are prerequisites to performing the services. Where current contractors have at least equal qualifications, they will be given preference in order to maintain program consistency and stability. Contractors are expected to provide their own computer equipment and stand-alone indexing software, which must be compatible with the Revisor's indexing system.

The revisor's office reserves the right to award all, a part, or none of the above-described contract. Responses must be received by the Office of the Revisor of Statutes by Friday, May 22, 2009.

Direct inquiries and responses to:

Maryann Corbett
Office of the Revisor of Statutes
700 State Office Building
100 Rev. Dr. Martin Luther King Jr. Boulevard

St. Paul, MN 55155
Phone: (651) 296-2868
TDD use State Relay Services: 1-800-627-3529

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

This document is available in alternative formats for persons with disabilities by calling Juanita Voigt at (651) 366-4774 for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

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

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT’s Consultant Services web site, indicated below, to see which highway related professional/technical services are available for application. Applications are accepted on a continual basis. All expenses are incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and applications forms are available on Mn/DOT’s Consultant Services web site at: <http://www.dot.state.mn.us/consult>.

Send completed application material to:

Juanita Voigt
Consultant Services
Office of Technical Support
Minnesota Department of Transportation
395 John Ireland Blvd. Mail Stop 680

Department of Transportation (Mn/DOT) Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities and Taxpayers’ Transportation Accountability Act Notices

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

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

State Contracts

Minnesota Department of Transportation (Mn/DOT)

Metro Division

Request for Proposals for Review of Real Estate Appraisals for Central Corridor Light Rail Transit

The Minnesota Department of Transportation (Mn/DOT) is soliciting proposals to Mn/DOT requests proposals for review of real estate appraisals for proposed right of way acquisition along the Central Corridor Light Rail Transit (CCLRT). The CCLRT will connect downtown Minneapolis and downtown St. Paul along University and Washington Avenues, through the State Capitol complex, the Midway area and the University of Minnesota.

Work is proposed to start after August 1, 2009.

The Request for Proposal may be requested by e-mail from the Contract Administrator at: mark.hagen@dot.state.mn.us or obtained from the Mn/DOT Consultant Services website at: <http://www.dot.state.mn.us/consult/files/notices/notices.html> under "Notices Open to All Consultants".

Proposals submitted in response to this Request for Proposals must be received no later than 2:00 P.M. Central Daylight Time on June 19, 2009. **Late proposals will NOT be considered.** No time extensions will be granted.

Note that any questions regarding this RFP must be received by the Contract Administrator no later than June 5, 2009. See the RFP for more information.

This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the Department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice will be borne by the responder.

Non-State Bids, Contracts & Grants

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

Metropolitan Council Contracting Opportunities

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

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

Minnesota Valley Transit Authority (MVTA) Sealed Bids Solicited for the Procurement and Installation of Wraps for 10 Buses

NOTICE IS HEREBY GIVEN that sealed bids will be received, opened and read aloud by designated representatives of the Minnesota Valley Transit Authority (MVTA) at the Burnsville Transit Station, 100 E. Highway 13, Burnsville, MN 55337 for the procurement and installation of wraps for 10 buses on Friday, June 12, 2009 at 11:00 a.m. local time. Bidders may obtain a copy of the Bid Documents on line at: www.mvta.com/procurement. The bid is expected to be awarded at the MVTA's June 24, 2009 Board meeting.

The MVTA reserves the right to reject any and all bids and to waive minor irregularities and information therein and further reserves the right to award the contract in the best interest of the Owner.

All bids must be addressed to: Robin Selvig, Minnesota Valley Transit Authority, Bid for Manufacture and Installation of Bus Wrap, 100 E. Highway 13, Burnsville, MN 55337. All proposals must be clearly marked with the name and address of the proposer and follow the rules as set out in the procurement documents.

SouthWest Transit Request for Proposals (RFP) for the Chanhassen Parking Ramp Project

NOTICE IS HEREBY GIVEN that SouthWest Transit ("SOUTHWEST") is soliciting proposals for the following services: Architectural and Engineering Services for the Chanhassen Parking Ramp Project. Proposals are due May 26, 2009 by 4:00 p.m. local time. Complete details of specific services requested in this RFP for the Chanhassen parking ramp project including complete instructions and requirements for the RFP submittal are available on the SOUTHWEST website at: www.swtransit.org or by contacting the RFP Administrator identified below. All submittals are to be sent or delivered to the RFP Administrator. All questions regarding this RFP are to be directed only to the RFP Administrator. The RFP Administrator for this Request for Proposals is:

Name: Len Simich
SouthWest Transit Station
13500 Technology Drive
Eden Prairie, MN 55344

Non-State Bids, Contracts & Grants

Phone: (952) 974-3101
Fax: (952) 974-7997
E-mail: lsimich@swtransit.org
TTY: 1-800-552-1104

SOUTHWEST will hold a mandatory pre-proposal conference at:

SouthWest Transit Station
13500 Technology Drive
Eden Prairie, MN 55344
May 18, 2009
1:30 p.m. Central Time

Project Time Frame:

Project Milestones	Tentative Completion Date
Proposals Due	05/26/2009
Construction Project Bid Issue Date	11/01/2009
Construction Project Start Date	01/02/2010
Construction Project Completion Date	12/31/2010

Dates for the project milestones in this section are tentative only and are subject to modification by SouthWest. The services procured under this Contract relate to architectural and engineering services required to construct a parking deck at SOUTHWEST'S Park and Ride Lot in Chanhassen, Minnesota just east of the Chanhassen Dinner Theater located at 501 W. 78th Street, Chanhassen, MN 55317.

University of Minnesota (U of M) Subscribe to Bid Information Service (BIS)

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

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

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- **The Dakota War of 1862 - Minnesota's Other Civil War,** by Kenneth Carley, \$14.95
- **Minnesota Treasures - Stories Behind the State's Historical Places,** by Richard Moe, \$39.95
- **No More Gallant a Deed - A Civil War Memoir of the First Minnesota Volunteers,** by James A. Wright, edited by Steven J. Keillor, \$34.95
- **Minnesota's Indian Mounds and Burial Sites:** A Synthesis of Prehistoric and Early Historic Archaeological Data, by Constance M. Arzigian and Katherine P. Stevenson, \$44.95
- **Mike Lynch's Minnesota Starwatch - The Essential Guide to Our Night Sky,** \$24.95
- **Minnesota's State Capitol - The Arts and Politics of a Public Building,** \$16.95
- **A Birders's Guide to Minnesota,** by Kim R. Eckert, \$20.00
- **Celebrate Saint Paul - 150 Years of History,** \$49.95

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