

State of Minnesota

State Register



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

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

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- Withdrawn Rules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

Tim Pawlenty, Governor	(651) 296-3391	Department of Administration:	<i>State Register:</i>
Carol L. Molnau, Lt. Governor	(651) 296-3391	Sheila M. Reger, Commissioner	Robin Panlener, editor
Lori Swanson, Attorney General	(651) 297-4272	Materials Management Division:	John Mikes, assistant editor
Rebecca Otto, State Auditor	(651) 297-3670	Kent Allin, Director	Cathy Hoekstra, subscriptions
Mark Ritchie, Secretary of State	(651) 296-2079	Mary Mikes, Manager	Bonnie Karels, billing

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Minnesota Rules: Amendments and Additions

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

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

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

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

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

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Proposed Rules

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

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

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

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

Minnesota Board of Pharmacy

Proposed Permanent Rules Relating to Controlled Substances

NOTICE OF INTENTION TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendment to Rules Governing Scheduling of Controlled Substances *Minnesota Rules*, 6800.4210 et. seq.

Introduction. The Minnesota Board of Pharmacy 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 December 24, 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: Cody Wiberg, Executive Director, who may be contacted by mail at Minnesota Board of (Cite 34 SR 753)

Proposed Rules

Pharmacy, 2829 University Avenue SE #530, Minneapolis, MN 55414; by **telephone** at (651) 201-2825; by **fax** at (651) 201-2837; or by **e-mail** at cody.wiberg@state.mn.us. **TTY** users may call the Board at 1-800-627-3529

Subject of Rules and Statutory Authority. The proposed rules concern the scheduling of controlled substances. The statutory authority to adopt the rules is *Minnesota Statutes*, section 152.02 Subds. 7, 8 and 12, which authorize the Board to adopt rules to add, delete or reschedule controlled substances and to coordinate the state's regulation of controlled substances with federal law. In addition, *Minnesota Statutes* section 151.06 gives the Board general rule-making authority relating to the practice of pharmacy. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Thursday, December 24, 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 Board encourages comment. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. You must also make any comments about the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Board hold a hearing on the rules. Your request must be in writing and the agency contact person must receive it by 4:30 p.m. on Thursday, December 24, 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 Board will hold a public hearing unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the Board must give written notice of this to all persons who requested a hearing, explain the actions the Board took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the Board will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

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

Statement of Need and Reasonableness. The statement of need and reasonableness 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 Board may adopt the rules after the end of the comment period. The Board will then submit the rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the Board submits the rules to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the Board to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Dated: 17 November 2009

Cody Wiberg, Executive Director
Minnesota Board of Pharmacy

6800.4210 SCHEDULE I CONTROLLED SUBSTANCES.

Schedule I shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this part.

A. Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers (whether optical, positional, or geometric), esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, or salts is possible within the specific chemical designation:

(1) Acetylmethadol;

(2) Allylprodine;

(3) Alphacetylmethadol (~~except levo-alpha-acetylmethadol, also known as levomethadyl Acetate or LAAM~~) (~~except levo-alphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM~~);

[For text of subitems (4) to (29), see M.R.]

(30) Methyl substituted isomers of Fentanyl;

(a) 3-Methylfentanyl; ~~N-[3-Methyl-a-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide~~ ~~N-[3-Methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide~~

(b) Acetyl-alpha-methylfentanyl; ~~N-[1-(Methyl-2-phenyl)ethyl-4-piperidyl]-N-phenylacetamide~~ ~~N-[1-(1-methyl-2-phenylethyl)-4-piperidyl]-N-phenylacetamide~~

(c) Alpha-methylthiofentanyl; ~~N-[1-benzyl-4-piperidyl]-N-phenylpropanamide~~ ~~N-[1-methyl-2-(2-thienyl)ethyl-4-piperidyl]-N-phenylpropanamide~~

(d) Benzylfentanyl; ~~N-[1-benzyl-4-piperidyl]-N-phenylpropanamide~~

(e) Beta-hydroxyfentanyl; ~~N-[1-(2-hydroxy-2-phenyl)ethyl-4-piperidyl]-N-phenylpropanamide~~ ~~N-[1-(2-hydroxy-2-phenylethyl)-4-piperidyl]-N-phenylpropanamide~~

(f) Beta-hydroxy-3-Methylfentanyl; ~~N-[3-Methyl-1-(2-hydroxy-2-phenyl)ethyl-4-piperidyl]-N-phenylpropanamide~~ ~~Beta-hydroxy-3-methylfentanyl; N-[1-(2-hydroxy-2-phenylethyl)-3-methyl-4-piperidyl]-N-phenylpropanamide~~

(g) ~~3-Methylthiofentanyl; N-[3-Methyl-1-(2-(2-thienyl)ethyl)-4-piperidyl]-N-phenylpropanamide~~ ~~3-methylthiofentanyl; N-[3-methyl-1-(2-thienyl)ethyl-4-piperidyl]-N-phenylpropanamide~~

(h) Thienylfentanyl; ~~N-[1-(2-thienyl)Methyl-4-piperidyl]-N-phenylpropanamide~~

(i) Thiofentanyl; ~~N-[1-(2-(2-thienyl)ethyl)-4-piperidyl]-N-phenylpropanamide~~ ~~N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidyl]-propanamide~~

(j) para-fluorofentanyl; ~~N-[1-(2-phenylethyl)-4-piperidyl]-N-(4-fluorophenyl)-propanamide~~, its optical isomers, salts and salts of isomers;

[For text of subitems (31) to (36), see M.R.]

(37) PEPAP; ~~1-(2-Phenylethyl)-4-Phenyl-4-Acetyloxypiperidine~~; ~~1-(2-phenylethyl)-4-phenyl-4-acetoxypiperidine~~;

[For text of subitems (38) to (48), see M.R.]

B. Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

[For text of subitems (1) to (13), see M.R.]

(14) ~~Methylhydromorphone/Methyldihydromorphine~~;

[For text of subitems (15) to (23), see M.R.]

C. Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, or which contains any of its salts, isomers (whether optical, positional, or geometric), and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Statutory Name

Some examples of common names, trade names, or names of products which contain a controlled substance.

(1) 4-Bromo-2,5-Dimethoxyamphetamine

4-bromo-2,5-dimethoxy- α -methylphenethylamine; 4-bromo-2,5-DMA

(2) 2,5-Dimethoxyamphetamine

2,5-dimethoxy- α -methylphenethylamine; 2,5-DMA

(3) 4-Methoxyamphetamine

4-methoxy- α -Methylphenethylamine; paramethoxyamphetamine, PMA

(Cite 34 SR 755)

Proposed Rules

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| (4) 5-Methoxy-3, 4-Methylenedioxyamphetamine | MMDA |
| (5) 4-Methyl-2,5-Dimethoxyamphetamine | 4-methyl-2,5-dimethoxy- α -methylphenethylamine; "DOM"; and "STP" |
| (6) 3,4-Methylenedioxy Amphetamine | MDA |
| (7) 3,4-Methylenedioxy-meth-amphetamine | MDMA |
| (8) 3,4-Methylenedioxy-N-ethylamphetamine | N-ethyl-alpha-methyl-3,4(Methylenedioxy) phenethylamine; N-ethyl MDA; MDE; MDEA |
| (9) N-hydroxy-3, 4-Methylenedioxy-amphetamine | N-hydroxy-alpha-methyl-3, 4(Methylenedioxy) phenethylamine; N-hydroxy MDA |
| (10) 3,4,5-Trimethoxy Amphetamine | TMA |
| (11) Alpha-Ethyltryptamine | Etryptamine; monase; α -Ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl)indole; α -ET; and AET |
| (12) Bufotenine | 3-(b-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine |
| (13) Diethyltryptamine | N,N-Diethyltryptamine; DET |
| (14) Dimethyltryptamine | DMT |
| (15) Ibogaine | 7-Ethyl-6,6b,7,8,9,10,12, 13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1', 2':1,2] azepino [5,4-b] indole; Tabernanthe iboga |
| (16) Lysergic acid diethylamide | LSD |
| (17) Marijuana | |
| (18) Mescaline | |
| (19) Parahexyl | 3-Hexyl-1-hydroxy-7,8,9, 10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl |
| (20) Peyote Meaning all parts of the plant presently classified botanically as <i>Lophophora williamsii</i> Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or extracts | |
| (21) N-ethyl-3-piperidyl Benzilate | JB-318 |
| (22) N-methyl-3-piperidyl Benzilate | JB-336 |
| (23) Psilocybin | |
| (24) Psilocyn | |
| (25) Tetrahydrocannabinols <u>Meaning</u>
<u>Tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of cannabis, sp. such plant and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activities activity to those substances contained in the plant, such as the following: 1 cis or trans tetrahydrocannabinol, and their optical isomers, excluding dronabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the U.S. Food and Drug Administration.</u> | THC |

6 cis or trans tetrahydrocannabinol, and their optical isomers; 3,4 cis or trans tetrahydrocannabinol, and its optical isomers (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)

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(26) Ethylamine analog of phencyclidine	N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)ethylamine, N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, PCE
(27) Pyrrolidine analog of phencyclidine	1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP
(28) Thiophene analog of phencyclidine	1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of phencyclidine, TPCP, TCP
(29) 2-thienyl Pyrrolidine analog of Phencyclidine	1-[1-(2-thienyl)cyclohexyl]-pyrrolidine, TCPy
(30) 4-bromo-2,5-dimethoxyphenethylamine	2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB; 2C-B (nexus)
(31) 2,5-dimethoxy-4-ethylamphetamine	DOET
(32) 2,5-dimethoxy-4-(n)-propylthiophenethylamine	2C-T-7
(33) Alpha-methyltryptamine	AMT
(34) <u>5-methoxy-N,N-diisopropyltryptamine</u>	<u>5-MeO-DIPT</u>

[For text of items D and E, see M.R.]

F. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

Statutory Name

Some examples of common names, trade names, or names of products which contain a controlled substance.

(1) Aminorex	Aminoxaphen; 2-Amino-5-phenyl-2-oxazoline; 4,5-Dihydro-5-phenyl-2-oxazolamine
(2) Cathinone	2-Amino-1-phenyl-1-propanone; alpha-Aminopropiophenone; 2-Aminopropiophenone; Norephedrone
(3) Fenethylamine	
(4) Methcathinone	2-(Methylamino)-Propiophenone; alpha-(Methylamino)-propiophenone; 2-(Methylamino)-1-Phenylpropan-1-one; alpha-N-Methylaminopropiophenone; monomethylpropion; ephedrone; N-Methylcathinone; Methylcathinone
(5) (±) cis-4-Methylaminorex (2-Amino-4-methyl-5-phenyl-2-oxazoline)	<u>(±) cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine</u>
(6) N-ethylamphetamine	
(7) N,N-dimethylamphetamine	N,N-alpha-trimethyl-benzene-ethanamine; N,N-alpha-trimethylphenethylamine
(8) <u>N-benzylpiperazine</u>	<u>BZP, 1-benzylpiperazine</u>

6800.4220 SCHEDULE II CONTROLLED SUBSTANCES.

The following items are listed in Schedule II:

A. Schedule II shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this part.

B. Substances, vegetable origin, or chemical synthesis. Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene, naloxone, and naltrexone, and their respective salts, but including the following:

Statutory Name

Some examples of common names, trade names, or names of products which contain a controlled substance.

- (a) Raw opium
- (b) Opium extracts
- (c) Opium fluid ~~extracts~~
- (d) Powdered opium

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(e) Granulated opium	
(f) Tincture of opium	Laudanum
(g) Codeine	Methylmorphine
(h) Dihydroetorphine	
(i) Ethylmorphine	Dionin
(j) Etorphine hydrochloride	
(k) Hydrocodone	Dihydrocodeinone
(l) Hydromorphone	Dihydromorphinone, Dilaudid
(m) Metopon	
(n) Morphine	Chlor-Anodyne
(o) Oxycodone	Dihydrohydroxycodone, Percodan, Nucodan, <u>OxyContin</u>
(p) Oxymorphone	Dihydrohydroxymorphinone, Numorphan
(q) Thebaine	
(r) <u>Oripavine</u>	

(2) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in subitem (1), except that these substances shall not include the isoquinoline alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) Coca leaves and any salt, cocaine compound, derivative, or preparation of coca leaves (including cocaine and ecgonine and their salts, isomers, derivatives, and salts of isomers and derivatives), and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine.

(5) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid, or powder form which contains the phenanthrene alkaloids of the opium poppy).

C. Opiates. Unless specifically excepted or unless listed in another schedule any of the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation, dextropropoxyphene excepted:

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(1) Alfentanil	Alfenta
(2) Alphaprodine	Nisentil
(3) Anileridine	Leritine
(4) Bezitramide	
(5) Bulk Dextropropoxyphene (nondosage forms)	
(6) Carfentanil	
(7) Dihydrocodeine	Paracodin
(8) Dihydromorphinone	Dilaudid
(9) Diphenoxylate	
(10) Fentanyl	Sublimaze, Innovar
(11) Isomethadone	
(12) Levo-alpha-acetylmethadol	LAAM
(13) Levomethorphan	
(14) Levorphanol	Levo-Dromoran
(15) Metazocine	
(16) Methadone	Dolophine, Amidone, Adanon
(17) Methadone-Intermediate 4-cyano-2-dimethylamino-4, 4-diphenylbutane	
(18) Moramide-Intermediate 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic acid	
(19) Pethidine (meperidine)	Meperidine, Demerol
(20) Pethidine-Intermediate-A,	Isonipeccaine, Mepadin, Mepergan

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- specifically excepted or listed in other schedules
- (4) Chlorhexadol
 - (5) Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomers, for which an application is approved under section 505 of the federal Food, Drug, and Cosmetic Act.
 - (6) Ketamine, its salts, isomers, salts of isomers
 - (7) Lysergic acid
 - (8) Lysergic acid amide
 - (9) Methyprylon Noludar
 - (10) Sulfondiethylmethane
 - (11) Sulfonethylmethane
 - (12) Sulfonmethane
 - (13) Tiletamine and zolazepam and any salt thereof Telazol
 - (14) Embutramide
 - D. Nalorphine Nalline
- [For text of items E to H, see M.R.]

6800.4240 SCHEDULE IV CONTROLLED SUBSTANCES.

The following items are listed in Schedule IV:
[For text of items A and B, see M.R.]

C. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(1) Alprazolam	Xanax
(2) Barbitol	Barbitone
(3) Bromazepam	
(4) Camazepam	
(5) Chloral betaine	Beta-Chlor
(6) Chloral hydrate	Noctec, Somnos
(7) Chlordiazepoxide	Librium, Libritabs
(8) Clobazam	
(9) Clonazepam	Clonopin
(10) Clorazepate	Tranxene
(11) Clotiazepam	
(12) Cloxazolam	
(13) Delorazepam	
(14) Diazepam	Valium
(15) Dichloralphenazone	
(16) Estazolam	
(17) Ethchlorvynol	Placidyl
(18) Ethinamate	Valmid
(19) Ethyl Loflazepate	
(20) Fludiazepam	
(21) Flurazepam	Dalmane
(22) Halazepam	Paxipam
(23) Haloxazolam	
(24) Ketazolam	
(25) Loprazolam	

Proposed Rules

(26) Lorazepam	Ativan
(27) Lormetazepam	
(28) Mebutamate	
(29) Medazepam	
(30) Meprobamate, except when in combination with the following drugs in the following or lower concentrations: conjugated estrogens 0.4 mg tridihexethyl chloride 25 mg pentaerythritol tetranitrate 20 mg	Equanil, Miltown, Equagesic, Equalysen
(31) Methohexital	Brevital
(32) Methylphenobarbital	Mebaral, Mephobarbital
(33) Midazolam	
(34) Nimetazepam	
(35) Nitrazepam	
(36) Nordiazepam	
(37) Oxazepam	Serax
(38) Oxazolam	
(39) Paraldehyde	Paral
(40) Petrichloral	Periclor
(41) Phenobarbital	Luminal, Phenobarbitone, Eskabarb
(42) Pinazepam	
(43) Prazepam	Centrax
(44) Quazepam	
(45) Temazepam	Restoril
(46) Tetrazepam	
(47) Triazolam	Halcion
(48) Zaleplon	
(49) Zolpidem	
(50) Zopiclone	

[For text of items D to F, see M.R.]

6800.4250 SCHEDULE V CONTROLLED SUBSTANCES.

The following items are listed in Schedule V:

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

D. Depressants. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substance having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers: ~~Pregabalin~~.

- (1) Pregabalin
- (2) Lacosamide ((R)-2-acetoamido-N-benzyl-3-methoxy-propionamide)

Expedited Emergency Rules

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

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

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

Department of Natural Resources (DNR) Adopted Expedited Emergency Game and Fish Rules: Deer, Elk, Wildlife Management Areas, and Late Goose Season

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rules is *Minnesota Statutes*, sections 86A.06, 97A.045, 97A.137, 97A.401, 97A.433, 97B.111, 97B.311, 97B.515, 97B.731.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that this action was first taken in 2006 at the request of the United States Department of Agriculture as part of a larger interagency plan to regain bovine tuberculosis accredited free status for Minnesota livestock producers. As of 2009, the Minnesota has not regained bovine tuberculosis-free accreditation by the U.S. Department of Agriculture. In addition to concurrent regulatory changes in state livestock disease management, regaining bovine tuberculosis-free accreditation from the U.S. Department of Agriculture will require a continuation of this prohibition on deer feeding. Minor changes also included in this rule became necessary to accommodate a soldier returning from Iraq who successfully drew a tag for an early elk season but would not be state side until a later elk season. This change adds a valid tag during a later season while removing it from an earlier season. It does not affect the total number of elk tags issued for the 2009 season. In addition, a bonus permit will be available to disabled deer hunters at Carlos Avery. Shot restrictions on a small, newly-acquired portion of the Gores Pool WMA are the result of a recent land acquisition. The Late Goose Season is based on annual determinations of season timing and selection of the options as allowed under federal frameworks for migratory bird hunting.

Dated: November 4, 2009

Mark Holsten, Commissioner
Department of Natural Resources

6230.0200 SPECIAL PROVISIONS FOR WILDLIFE MANAGEMENT AREAS.

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

[For text of subp 4, see 33 SR 299]

[For text of subp 5, see M.R.]

[For text of subp 6, see 33 SR 299]

[For text of subps 7 and 8, see M.R.]

Subp. 9. **Areas closed to firearms deer hunting.** The Lake Blanche Wildlife Management Area in Otter Tail County and the portion of the Gordon F. Yeager Wildlife Management Area in Olmsted County within the city limits of Rochester, a portion of the Timber Lake Wildlife Management Area (as posted) in Jackson County, and a portion of the Gores Pool Wildlife Management Area (as posted) in Dakota County are closed to firearms deer hunting. Small game taken by firearms on a portion of the Gores Pool Wildlife Management Area in Dakota County that is posted with firearms restrictions may only be taken with shotguns using BBB or smaller diameter shot.

[For text of subp 10, see M.R.]

[For text of subp 11, see 33 SR 299]

[For text of subp 12, see 34 SR 117]

[For text of subp 13, see 33 SR 299 and 34 SR 117]

6232.4300 2009 SEASON DATES AND QUOTAS FOR TAKING ELK.

[For text of subps 1 and 2, see 34 SR 86]

Expedited Emergency Rules

Subp. 3. **Quotas.** The number of available licenses for the 2009 elk hunting season is 15 in the Primary Grygla Elk Zone, ten in the Kittson County-Lancaster Elk Zone, and five in the Kittson County-Water Tower Elk Zone, distributed as follows:

A. season A: two licenses each in the Primary Grygla and Kittson County-Lancaster Elk Zones and one license in the Kittson County-Water Tower Elk Zone valid for either-sex elk and three licenses in the Primary Grygla Elk Zone valid for legal antlerless elk only;

B. season B: five licenses in the Primary Grygla Elk Zone, ~~four~~ three licenses in the Kittson County-Lancaster Elk Zone, and two licenses in the Kittson County-Water Tower Elk Zone valid for either-sex elk; and

C. season C: five licenses in the Primary Grygla Elk Zone, ~~four~~ five licenses in the Kittson County-Lancaster Elk Zone, and two licenses in the Kittson County-Water Tower Elk Zone valid for either-sex elk.

[For text of subps 4 and 5, see 34 SR 86]

6232.4850 FEEDING OF DEER AND ELK PROHIBITED.

Subpart 1. **Definition.** "Feed" means grains, fruits, vegetables, nuts, hay, or other food that is capable of attracting or enticing deer or elk. Liquid scents, salt, and minerals are not feed.

Subp. 2. **Prohibition.** Except as provided in subparts 3 and 4, a person may not place or distribute feed in an area frequented by deer or elk or knowingly allow another person to place or distribute feed on property under the person's ownership or lease in the area of the state lying within the following boundary:

Beginning at State Trunk Highway (STH) 89 and the Canadian border to longitudinal reference 95 degrees, 09 minutes, 11 seconds; thence due south; thence along Canadian border to the shore of Lake of the Woods; thence along the shore of Lake of the Woods to County Road (CR) 17; thence along CR 17 to STH 11; thence along STH 11 to STH 72; thence along STH 72 to the north shore of Upper Red Lake; thence along the north shore of Upper Red Lake to the boundary of the Red Lake Indian Reservation; thence along the boundary of the Red Lake Indian Reservation to STH 89; thence along STH 89 to STH 1; thence south along STH 1 to the Clearwater County line; thence along the Clearwater County line to the Pennington County line; thence due west to the intersection of CR 27 and CR 3; thence along CR 3 to CR 24; thence along CR 24 to STH 1; thence along STH 1 to STH 32; thence along STH 32 to STH 11; thence along STH 11 to CR 115; thence along CR 115 to STH 89; thence along STH 89 to the point of beginning.

Subp. 3. **Wildlife feeding.** Wildlife feeding is allowed if:

A. the feed is placed in such a manner as to exclude access to deer and elk; or

B. the feed is placed at least six feet above the ground.

Subp. 4. **Exceptions.** The prohibition in subpart 2 does not include feed that is:

A. present solely as a result of normal agricultural, forest management, or wildlife food planting practices; or

B. for agricultural or livestock purposes if:

(1) placed for domestic livestock that are present and actively consuming the feed on a daily basis;

(2) covered to deter deer or elk from gaining access to the feed; or

(3) stored consistent with normal agricultural practices.

Subp. 5. **Cleanup.** In addition to any other penalties imposed, a person charged with a violation of this part must immediately remove any feed placed. Failure to comply with this subpart may result in additional legal action.

6240.1900 LATE SEASONS FOR TAKING CANADA GEESE.

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

Subp. 3. **Seasons.** Canada geese may be taken statewide ~~during the late seasons from December 19 to December 28, 2009, in the Southeast Goose Zone and from December 12 to December 21, 2009, in the remainder of the state,~~ except in the West Central Goose Zone, which is closed to late season hunting of Canada geese.

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

REPEALER. The expedited emergency amendments to *Minnesota Rules*, parts 6230.0200, subpart 9, published in the *State Register*, volume 33, page 299, August 11, 2008, and 6240.1900, subpart 3, published in the *State Register*, volume 34, page 354, September 14,

Expedited Emergency Rules

2009, are repealed. *Minnesota Rules*, part 6232.4800, published in the *State Register*, volume 32, page 2091, May 27, 2008, is repealed.

EFFECTIVE PERIOD. The expedited emergency amendments to *Minnesota Rules*, part 6232.4300, subpart 3, are effective retroactively from September 25, 2009. The expedited emergency amendments to *Minnesota Rules*, parts 6232.4300, subpart 3, and 6240.1900, subpart 3, expire January 31, 2010.

Department of Natural Resources (DNR) Adopted Expedited Emergency Game and Fish Rules: Wild Turkey Hunt (Spring Turkey Season)

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rules is *Minnesota Statutes*, sections 97A.435, 97B.711, and 97B.723.

Annual turkey population and harvest data needed for selecting hunters, setting quotas and areas are not available until August. Comments taken during public meetings suggest that changing the application deadline and the streamlining the application process will result in more hunter participation. This change is part of an upcoming permanent rule package that could not be completed before the 2010 application deadline.

Dated: October 26, 2009

Mark Holsten, Commissioner
Department of Natural Resources

6236.0300 TURKEY HUNT DRAWING.

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

Subp. 2. **Participation in application drawings.** Applicants may complete an application for either the spring or fall turkey hunt or both. A person may not apply more than once for a hunt, whether as an individual or as a member of a group. Qualifying individuals may apply for the resident landowner-tenant turkey drawing. All of the information in items A to G must be supplied on the application forms.

[For text of items A to F, see M.R.]

G. Application deadlines are as follows:

- (1) spring season: the ~~first Friday in December~~ the second Friday in January; and
- (2) fall season: the last Friday in July.

H. Youth age 17 and younger may purchase a turkey hunting license to hunt any single time period A to H. A turkey hunting license under this item is separate from the normal lottery process and is effective for hunting only in wild turkey permit areas where 25 or more licenses are issued during an established time period. The youth hunter must select a permit area.

[For text of subps 3 to 6, see M.R.]

6236.0810 WILD TURKEY PERMIT AREA DESCRIPTIONS.

Wild turkey permit areas are comprised of registration blocks with the same numbers, as established in part 6232.4700, except as follows:

- A. wild turkey permit area 425 consists of registration blocks ~~425 and 435~~ 281 and 282;
- B. wild turkey permit area 451 consists of registration blocks 451, ~~452, and 453~~ 234, 237, and 294; ~~and~~
- C. wild turkey permit area 454 consists of registration blocks ~~454 and 455~~ 238 and 295; ~~and~~
- D. wild turkey permit areas 230 to 233, 250 to 255, and 269 to 299 shall be identified in application materials and on electronically issued licenses by the three-digit number that appears in parentheses following the permit area numbers in part 6236.1060, subpart 1.

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6236.1060 TURKEY HUNT QUOTAS.

Subpart 1. **Open wild turkey permit areas and permit quotas by time period.** The following wild turkey permit areas are open for the 2010 spring wild turkey season with the quotas on numbers of permits per time period established below:

2010 Spring Wild Turkey Permit Area Quotas

Wild turkey permit area number	Time Period							
	A April 14-18	B April 19-23	C April 24-28	D April 29- May 3	E May 4-8	F May 9-13	G May 14-20	H May 21-27
152	5	5	5	5	5	5	25	25
156	15	15	15	15	15	15	30	30
157	75	75	75	75	75	75	100	100
159	20	20	20	20	20	20	60	60
183	5	5	5	5	5	5	25	25
213	100	100	100	100	100	100	200	200
214	100	100	100	100	100	100	200	200
215	130	130	130	130	130	130	200	200
218	120	120	120	120	120	120	200	200
219	65	65	65	65	65	65	100	100
221	75	75	75	75	75	75	125	125
222	55	55	55	55	55	55	150	150
223	100	100	100	100	100	100	200	200
225	165	165	165	165	165	165	225	225
227	150	150	150	150	150	150	250	250
229	45	45	45	45	45	45	100	100
230 (463)	35	35	35	35	35	35	70	70
232 (464)	45	45	45	45	45	45	100	100
233 (465)	45	45	45	45	45	45	100	100
235	20	20	20	20	20	20	60	60
236	160	160	160	160	160	160	300	300
239	135	135	135	135	135	135	250	250
240	110	110	110	110	110	110	250	250
241	30	30	30	30	30	30	90	90
242	5	5	5	5	5	5	25	25
243	20	20	20	20	20	20	60	60
244	50	50	50	50	50	50	100	100
246	25	25	25	25	25	25	75	75
247	5	5	5	5	5	5	35	35
248	55	55	55	55	55	55	125	125
249	60	60	60	60	60	60	100	100
250 (456)	5	5	5	5	5	5	25	25
252 (458)	10	10	10	10	10	10	40	40
253 (459)	25	25	25	25	25	25	75	75
254 (466)	85	85	85	85	85	85	200	200
255 (467)	65	65	65	65	65	65	150	150
262	15	15	15	15	15	15	45	45
266	15	15	15	15	15	15	45	45
269 (420)	15	15	15	15	15	15	45	45
270 (421)	7	7	7	7	7	7	35	35
271 (422)	30	30	30	30	30	30	100	100
272 (423)	5	5	5	5	5	5	25	25

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273 (412)	60	60	60	60	60	60	100	100
274 (431)	15	15	15	15	15	15	45	45
275 (424)	10	10	10	10	10	10	40	40
276 (416)	20	20	20	20	20	20	60	60
277 (417)	55	55	55	55	55	55	150	150
278 (433)	20	20	20	20	20	20	60	60
279 (446)	10	10	10	10	10	10	40	40
280 (447)	10	10	10	10	10	10	40	40
283 (426)	5	5	5	5	5	5	25	25
284 (427)	15	15	15	15	15	15	45	45
285 (428)	40	40	40	40	40	40	150	150
286 (448)	15	15	15	15	15	15	45	45
288 (449)	15	15	15	15	15	15	45	45
289 (450)	15	15	15	15	15	15	45	45
290 (440)	75	75	75	75	75	75	150	150
291 (442)	165	165	165	165	165	165	300	300
292 (461)	130	130	130	130	130	130	250	250
293 (462)	125	125	125	125	125	125	300	300
296 (457)	15	15	15	15	15	15	45	45
299 (443)	85	85	85	85	85	85	200	200
338	100	100	100	100	100	100	250	250
339	95	95	95	95	95	95	250	250
341	235	235	235	235	235	235	400	400
342	225	225	225	225	225	225	400	400
343	200	200	200	200	200	200	400	400
344	125	125	125	125	125	125	250	250
345	150	150	150	150	150	150	300	300
346	300	300	300	300	300	300	400	400
347	150	150	150	150	150	150	300	300
348	175	175	175	175	175	175	300	300
349	400	400	400	400	400	400	600	600
425	65	65	65	65	65	65	100	100
451	20	20	20	20	20	20	60	60
454	5	5	5	5	5	5	25	25
601	175	175	175	175	175	175	250	250

EFFECTIVE PERIOD. The expedited emergency amendments to *Minnesota Rules*, part 6236.0810, are effective January 2, 2010. The expedited emergency amendments to *Minnesota Rules*, parts 6236.0300 and 6236.0810, expire July 1, 2010. *Minnesota Rules*, part 6236.1060, expires July 1, 2010.

Exempt Rules

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

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

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

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

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

Department of Public Safety Adopted Exempt Permanent Rules Governing Driver Education

7411.0100 DEFINITIONS.

[For text of subps 1 to 12, see M.R.]

Subp. 12a. **Duty status record-keeping offense.** "Duty status record-keeping offense" means a violation of a Federal Motor Carrier Safety Administration regulation codified in *Code of Federal Regulations*, title 49, section 395.8, as amended.

[For text of subps 13 to 19, see M.R.]

Subp. 19a. **License.** "License" means either:

A. the document issued by the commissioner ~~to operate~~ authorizing the operation of a commercial driver training school under this chapter and *Minnesota Statutes*, sections 171.33 to 171.41; or

B. the document issued by the commissioner under *Minnesota Statutes*, section 171.35, authorizing a person to be act as an instructor in a commercial driver training school.

Subp. 20. [See repealer.]

[For text of subps 20a to 22d, see M.R.]

Subp. 22e. **Range driving.** "Range driving" means that portion of the laboratory instruction where an instructor is positioned outside a motor vehicle but remains in electronic or oral communication with the student driver, and in visual contact with the motor vehicle.

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

Subp. 24. **Traffic violation.** "Traffic violation" means a violation of a traffic law or ordinance involving the movement or operation of a motor vehicle that is not:

A. a parking or motor vehicle equipment offense, a ~~log book~~ duty status record-keeping offense, or an offense involving the nonpayment of a fine or child support;

B. a violation under *Minnesota Statutes*, section 169.09 (accident stop or reporting), or a comparable law of another state; or

C. a violation under *Minnesota Statutes*, section 65B.48 (motor vehicle insurance), or a comparable law of another state.

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

7411.0515 CURRICULUM FOR DRIVER EDUCATION PROGRAMS.

Subpart 1. **Scope.** This part applies to all driver education programs.

Subp. 2. **Classroom curriculum for class D motor vehicles.** The classroom curriculum presented and delivered to each student
(Cite 34 SR 767)

Exempt Rules

enrolled in a program for class D motor vehicle operation must include:

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

D. opportunity for the student to identify and analyze a variety of driving decisions about roadway characteristics and highway users and roadway characteristics, including, but not limited to, safe interaction with:

(1) bicycles, other nonmotorized vehicles, and pedestrians; and

(2) commercial motor vehicles, with instruction to include information about truck stopping distances; proper following distances; and identification of, and avoidance of driving in, truck blind spots;

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

K. at least 30 minutes of instruction on the duties of the driver when encountering a school bus; the content and requirements of Minnesota Statutes, section 169.444; and the penalties for violating that section;

[For text of items L to O, see M.R.]

Subp. 3. **Laboratory curriculum for class D motor vehicles.** The laboratory curriculum presented and delivered to each student enrolled in a program for class D motor vehicles must include:

[For text of items A to F, see M.R.]

G. practical application of the classroom instruction on safe interaction with commercial motor vehicles described in subpart 2, item D;

H. strategies for perceiving and responding to adverse and special conditions and emergencies; and

I. a written evaluation, self-evaluation, and plan for future improvement.

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

Subp. 5. **Motorcycle classroom curriculum.** The classroom curriculum presented for a driver education program for a motorcycle endorsement must meet the requirements in either item A or B.

A. The classroom curriculum must be the Motorcycle Safety Foundation Basic Rider Course and also address the provisions in *Minnesota Statutes*, section 169.974. The ~~Motorcycle Safety Foundation MSF Basic Rider Course Curriculum Manual, 2001, RiderCourse RiderCoach Guide, published by the Motorcycle Safety Foundation (2008),~~ is incorporated by reference and is not subject to frequent change. The manual is available through the interlibrary loan system or a copy may be obtained from the Motorcycle Safety Foundation, 2 Jenner Street, Suite 150, Irvine, California, 92618-3806.

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

[For text of subps 6 and 7, see M.R.]

7411.0655 COMMERCIAL PROGRAM INSTRUCTOR LICENSE.

Subpart 1. **Instructor license application; duplicate license.** Application for a new license or for renewal of a license to be an instructor in a commercial ~~program~~ driver training school must be made on a format prescribed by the commissioner.

A. The application for an instructor's license must be signed by the applicant and the authorized official of the ~~program~~ commercial driver training school where the instructor is employed or is to be employed.

B. The license is valid only while the instructor is in the employment of the commercial ~~driving~~ driver training school.

C. When the employment of an instructor with the commercial ~~driving~~ driver training school is terminated, the license of the instructor becomes invalid and must be surrendered to the commissioner within ten days.

D. The authorized official of the commercial ~~driving~~ driver training school shall notify the commissioner in writing within five days of termination of a licensed instructor.

E. The commissioner shall issue a duplicate license for employment at another licensed commercial ~~driving~~ driver training school if the applicant continues to be qualified as an instructor.

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

G. An instructor may be licensed at the same time by separate commercial ~~driving~~ driver training schools if the applicant continues to be qualified as an instructor and holds separate licenses for each program.

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

[For text of subps 2 to 4, see M.R.]

REPEALER. *Minnesota Rules*, parts 7411.0100, subpart 20; and 7411.3300, are repealed.

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.

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See these *Important Notices*

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Governor’s Early Childhood Advisory Council Notice of Public Hearing on the Council’s Strategic Plan and Activities Prior to the Submission of an Application for Funding

NOTICE IS HEREBY GIVEN that the Governor’s Early Childhood Advisory Council will be conducting public hearings on the following two dates.

December 2, 2009
6:30 p.m. to 8:30 p.m.

ITV Feed
Department of
Natural Resources
2115 Birchmont Beach Road NE
Bemidji

ITV Feed
Rochester Community
and Technical College
851 30th Avenue SE
Rochester

In Person - Live
Minnesota Department of Education
Conference Center A - Room 12
1500 Highway 36 West
Roseville

December 8, 2009
1:00 p.m. to 3:00 p.m.
Conference Center B, CC-17
Minnesota Department of Education
1500 Highway 36 West
Roseville, MN 55113

The purpose of the Public Hearing is to inform the public and hear public testimony regarding the strategic plan and activities of the Governor’s Early Childhood Advisory Council prior to the submission of an application for funding from the federal Administration for Children and Families. The funds are part of the *American Reinvestment and Recovery Head Start Funds for State Advisory Councils on Early Childhood Care and Education* under P.L. 111-5. The strategic plan is the general guide for work of the Council and serves as the basis for requests for this and future funding.

Official Notices

Copies of the strategic plan and a summary of the application will be by available online by November 24, 2009, on the MDE Website:

http://education.state.mn.us/MDE/Learning_Support/Early_Learning_Services/Adv_Groups/Early_Child_Adv_Council/index.html

All interested parties are encouraged to attend one of the public hearings. Verbal and written testimony will be accepted during the hearings. Participants interested in making comment must sign in at the location. Comments must be no more than 5 minutes in length. Upon closure of public hearings, the comments made will be taken into consideration prior to submission of the application for funding.

For special accommodations, contact Sophie Oliver at sophie.oliver@state.mn.us.

Dated: November 12, 2009

Debbie Hewitt, Early Childhood Education Specialist
Minnesota Department of Education

Minnesota Pollution Control Agency (MPCA) Regional Division

Notice of Availability of Draft Comfort Lake – Forest Lake Watershed District “Six” Lakes Total Maximum Daily Load (TMDL) Report and Request for Comment Public comment period begins: November 23, 2009 Public comment period ends: December 23, 2009

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft report for the Comfort Lake – Forest Lake Watershed District “Six” Lakes Total Maximum Daily Load Report. The aquatic life use and aquatic recreation use of six lakes within the Comfort Lake – Forest Lake Watershed District are impaired because they do not meet state water quality standards for excess nutrients (phosphorus).

These six lakes are a chain of lakes located in Northern Washington County and Southern Chisago County. The lakes flow from east to west and connect to the West Branch of the Sunrise River, which ultimately flows to the St. Croix River. Reductions in these lakes would result in nutrient reduction to Lake St. Croix which was listed as impaired in 2008.

The six lakes included in this draft TMDL include: Comfort Lake (13-0053), Bone Lake (82-0054), Shields Lake (82-0162), Moody Lake (13-0023), School Lake (13-0057), and Little Comfort Lake (13-0054). Currently, Little Comfort Lake is not listed on the 2008 303(d) Impaired Waters list; but data collected during the TMDL study indicates that the lake does not meet water quality standards. Therefore, this TMDL study was completed with the idea that it will be included on the 2010 303(d) Impaired Waters List. The rest of the lakes included in this study were put on the 303(d) Impaired Waters list in 2002, 2004, 2006, and 2008.

The data collected illustrates a declining trend in water quality due to excessive watershed loading and lake sediment-phosphorus sources. The TMDL linkage analysis indicates that each lake needs to make reductions in order to achieve water quality standards. The reductions for these lakes vary from 5 percent to 86 percent. A major source of phosphorus is the lake above it, and human influenced; which includes: Urban Stormwater runoff, Agriculture, Groundwater, Internal Loading, and from the atmosphere. Other minor sources include wildlife and pets.

This project had local support from the Comfort Lake Forest Lake Watershed District, and several other local, state, and federal agencies and organizations in completing this TMDL. These local efforts will proceed with determining further implementation strategies and obtaining public input. The draft TMDL report outlines possible strategies for implementation.

The strategy to bring about the necessary reductions is outlined in the implementation section of the report. The next step will be the development of an implementation plan to identify specific measures to remove the fecal coliform impairment and to address the fine sediments causing the biological impairments.

Preliminary Determination on the Draft TMDL Report: The MPCA Commissioner has made a preliminary determination to submit this draft TMDL report to the U.S. Environmental Protection Agency (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/index.html>

Written Comments: You may submit written comments on the draft TMDL report or on the MPCA Commissioner's preliminary determination. Written comments must include the following:

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

Written comments on the draft TMDL report must be sent to the MPCA contact person listed below and received by 4:30 p.m. on December 23, 2009. The MPCA will prepare responses to comments received, make any necessary revisions of the draft TMDL report and submit it to the EPA for approval.

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

Christopher Klucas
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155
Phone: (651) 757-2498
Minnesota Toll Free: 1-800-657-3864
Fax: (651) 297-8676
E-mail: christopher.klucas@pca.state.mn.us
TTY users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

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

A petition requesting a public 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 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 an 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 to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

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

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and

Official Notices

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

MPCA Decision: You may also submit a petition to the Commissioner requesting that the MPCA Citizen's 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. According to *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 comment, requests, and petitions submitted on or before the last day of the 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.

Dated: November 2009

Minnesota Department of Transportation (Mn/DOT) Policy, Safety, and Strategic Initiatives Division, Office of Policy, Analysis, Research and Innovation Notice of Public Comment Period on Mn/DOT's ADA Transition Plan

Mn/DOT's ADA Transition plan is available for public comment. The comment period will be open for 30 days and will end at 4:30 on December 23. To download and comment on the ADA transition plan, visit <http://www.dot.state.mn.us/ada/>.

State Grants & Loans

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

Grants for Clients

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

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

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Department of Employment and Economic Development (DEED) Minnesota Job Skills Partnership Training Grant Deadline

The MN Job Skills Partnership (MJSP) Board solicits grant proposals for incumbent worker and new worker training programs. MJSP intends to accept proposals for the following programs: Job Skills Partnership Grant Program, Pathways Program, Healthcare and Human Services Training Program, Pre-Development, and MJSP Short Form. Specific program information can be found on the MJSP website at: **Minnesota Job Skills Partnership Training Grant Deadline** <http://www.deed.state.mn.us/mjsp>. The full Request for Proposal, including instructions and selection criteria, can be found on the MJSP website under the **February 22, 2010** meeting notice at: <http://deed.state.mn.us/mjsp/mjspboard.htm#calendar>.

The deadline for the submission of proposals is 4:30 p.m. on Monday, January 11, 2010, with the exception of Short Form applications, which must be submitted by 4:30 p.m. on Monday, February 1, 2010.

Questions can be directed to the Job Skills Partnership at (651) 259-7514.

Minnesota Department of Human Services (DHS)

Adult Mental Health Division

Notice of Request for Proposals to Provide Culturally-Specific and Trauma-Informed Adult Mental Health Services within Target Cultural and Ethnic Minority Communities in Minnesota

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to provide culturally-specific and trauma-informed adult mental health services within target cultural and ethnic minority communities in Minnesota. The purpose of these grants includes support for individuals from the communities being served in attaining licensure as mental health professionals and expansion of Minnesota's capacity to provide ethnically and culturally-specific, trauma-informed adult mental health services. Therefore, it is required that agencies dedicate a minimum of 20% of proposed and/or awarded funding for hiring, training and

State Grants & Loans

supervision of an individual or individuals who are members of the cultural groups that are the focus of proposed services and who are pursuing qualified mental health 'professional' designation.

Work is proposed to start March 1, 2010. For more information, or to obtain a copy of the Request for Proposal, contact:

Maggie Jarry, MS
Adult Mental Health Division
Department of Human Services
P.O. Box 64981
St. Paul, MN 55164-0981
Phone: (651) 431 -2518
Fax: (651) 431-7566
E-mail: *maggie.jarry@state.mn.us*

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

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, January 22, 2010. Late proposals will not be considered.** Faxed or e-mailed proposals will **not** be considered.

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

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

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

Minnesota Department of Human Services (DHS) Commission of Deaf, DeafBlind and Hard of Hearing Minnesotans Notice of Request for Proposals to Provide Webinars

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to provide webinars on captioning, online advocacy instruction in English and American Sign Language and video production in American Sign Language.

Work is proposed to start December 14, 2009. For more information, or to obtain a copy of the Request for Proposal, contact:

Mary Margaret Hartnett
Department of Human Services
Commission of Deaf, DeafBlind and Hard of Hearing Minnesotans
444 Lafayette Road North
St. Paul, MN 55155 3814
Phone: (651) 431-5965
Fax: (651) 431-7588
E-mail: *mary.hartnett@state.mn.us*

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

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

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

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

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

State Contracts

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

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

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

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

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

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

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

State Contracts for Your Clients

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

Also, a summarized list of all "active" contracts and grants is available for subscribers only. Subscribers also receive LINKS to the *State Register*, as well as Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. Subscribers open their State Register and click on BOOKMARKS in the left hand corner. Here's what you receive via e-mail:

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Minnesota State Colleges and Universities (MnSCU)

Dakota County Technical College

Request for Proposals for Purchase of Used Truck/Tractor

NOTICE IS HEREBY GIVEN that Dakota County Technical College will receive proposals for the purchase of a Used Truck/Tractor.

Specifications can be obtained by calling: (651) 423-8236.

Sealed proposals must be received by Pat Adams at Dakota County Technical College, 1300 145th St. E, Rosemount, MN 55068 by 2:00pm December 7, 2009.

Dakota County Technical College reserves the right to reject any or all proposals or portions thereof, or to waive any irregularities or informalities in proposals received.

Minnesota State Colleges and Universities (MnSCU)

Chancellor's Office

Request for Proposal for Online Registration and Payment System

NOTICE IS HEREBY GIVEN that proposals are being solicited to select an entity to provide a vendor-hosted, Web-based search, registration, and payment system for non-credit continuing education programs at 32 colleges and universities. Additional features to assist institutions in managing their continuing education and customized training programs are desired.

State Contracts

Depending on vendor responses, Minnesota State Colleges and Universities may determine that a common system, used at all institutions under a single license with the Office of the Chancellor, is in its best interest. Alternatively, this Request for Proposals may result in an umbrella license that individual institutions may decide to participate in at their option.

For additional information or to request a copy of the Request for Proposal, contact:

Nancy Bunnett
Minnesota State Colleges and Universities
Office of the Chancellor
Wells Fargo Place
30 - 7th Street East, Suite 350
St. Paul, MN 55101-7804
Telephone: (651) 296-8928
Fax: (651) 297-1814
E-mail: nancy.bunnett@so.mnscu.edu

Proposals are due at the Office of the Chancellor by 5:00 p.m. CT on Monday, December 28, 2009.

This notice and the Request for Proposal do not obligate the State of Minnesota, Minnesota State Colleges and Universities, the awarded institutions or the Office of the Chancellor to award a contract; and each college, university and/or the Office of the Chancellor reserves its right to withdraw from the RFP if it is considered to be in its best interest.

The Minnesota State Colleges and Universities system is an equal opportunity employer and educator.

Minnesota State Colleges and Universities (MnSCU) Hibbing Community College IT Department Request for Bids for Various Cisco Switches and Modules

NOTICE IS HEREBY GIVEN that Hibbing Community College, a Technical and Community College is requesting bids for the following equipment:

- 19x Cisco Certified Refurbished WS-3560G-48PS-S LAN Switches
- 22x Cisco Certified Refurbished WS-3560G-24PS-S LAN Switches
- 70x Cisco Certified Refurbished GLC-SX-MM SFP GBIC Modules (or OEM-Equivalent Model)
- 42x Cisco Certified Refurbished GLC-T SFP GBIC Modules (or OEM-Equivalent Model)
- 1x Cisco Certified Refurbished GLC-LH-SM SFP GBIC Module (or OEM-Equivalent Model)

VENDOR SHALL CERTIFY that it is a Cisco Authorized Channel as of the date of submission of their offer, and that it has the certification/specialization level required by Cisco to support both the product sale and product pricing, in accordance with the applicable Cisco certification/specialization requirements. The vendor confirms to have sourced all Cisco products submitted in this offer from Cisco or through Cisco Authorized Channels only, in accordance with all applicable laws and Cisco's current applicable policies at the time of purchase. Vendor shall provide Buyer with a copy of the End User License Agreement and shall warrant that all Cisco software is licensed originally to Buyer as the original licensee authorized to use the Cisco Software.

You are submitting a bid for:

HCC – Network Edge Upgrade Project
Hibbing Community College
Hibbing, MN, 55746

Please submit sealed bids to:

William Manney, CFO
Hibbing Community College

1515 East 25th Street
Hibbing, MN 55746

Bids must be received by 4:30pm CST on December 7th, 2009.

Late Proposals will NOT be considered. Faxed or Emailed bids will NOT be considered.

Equipment Questions:

Don Brearley @ 218-262-7309
E-mail: donbrearley@hibbing.edu

Bid Submission Questions:

William Manney @ 218-262-6734
E-mail: williammanney@hibbing.edu

Minnesota Department of Corrections Notice of Request for Proposals to Provide Residential Services to Juvenile Females Committed to the Custody of the Commissioner

The Minnesota Department of Corrections is seeking proposals for a residential treatment program for adolescent females committed to the commissioner, and adolescent girls who are awaiting a revocation of parole hearing and/or have had their parole revoked for a period of time (as required by Minnesota Laws 1999, Chapter 216, Article 4, Section 15). Work is proposed to start on/after January 1, 2010.

Full details are available in the Request for Proposals (RFP), which can be obtained from:

Kyiunga Olson, Juvenile Services Coordinator
Minnesota Correctional Facility-Red Wing
1079 Hwy 292, Red Wing, MN 55066
Phone: (651) 267-3667
E-mail: kyiunga.olson@state.mn.us

Proposals submitted in response to the RFP in this advertisement must be received at the address above no later than 4:30 p.m. Central Standard Time, December 15, 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.

Department of Health (MDH) Notice of Availability of Contract for Provider Peer Grouping

The Minnesota Department of Health requests proposals from highly qualified respondents to perform an analysis of health care providers on dimensions of cost and quality, using multi-payer claims data and quality data reported from physician clinics and hospitals. Specifically, the Minnesota Department of Health seeks proposals to implement a peer grouping system based on a combined measure of risk-adjusted cost and quality, in total and for up to six identified specific health conditions. Comparisons must be made for physicians and hospitals. The contractor must work in a highly collaborative fashion with MDH and will be responsible for identifying key decision points, potential challenges and possible solutions for decision making by MDH staff. The contractor must use commercially available episode grouper and risk adjustment tools and be transparent about how these tools work. The contractor will be responsible for testing various iterations of the peer grouping methodology and reporting back to MDH staff about data findings. The analysis must result in a combined score of cost and quality for physicians and hospitals as well as a comparison of these composite scores. The contractor will

State Contracts

also distribute results of the peer grouping analysis to physicians and hospitals and provide technical assistance to providers to help them understand their peer grouping results.

Work is proposed to start after February 1, 2010.

A Request for Proposals will be available by e-mail from this office. **A written request (by e-mail) is required to receive the Request for Proposal.**

The Request for Proposal can be obtained from:

Katie Burns
 Health Economics Program
 85 E. 7th Place, Suite 220
 Saint Paul, MN 55101
Phone: (651) 201-3562
Fax: (651) 201-5179
E-mail: *Katie.burns@state.mn.us*

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00 pm, Central Time, December 23, 2009. **Late proposals will NOT be considered.** Fax or e-mailed proposals will **NOT** be considered.

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

Department of Natural Resources (DNR) Notice of Availability of Contract for Project Management Training

The Minnesota Department of Natural Resources is requesting proposals for the purpose of implementing project management training throughout the department. Staff at the DNR routinely manage projects – from those involving only their own work units to multi-divisional or multi-agency projects. The majority of these employees have not received formal training in project management. Providing such training for employees will result in improved project leadership and project results department-wide.

This proposal will bring project management (“PM”) training to up to 500 DNR staff. Training will focus on the *process* of project management, not on a specific project management *software tool*. Three different classes are desired:

1. Executive overview course (high-level content, terminology). Likely to involve up to 150 staff.
2. Foundational project management skills course (for the broadest audience, ideally we will offer an online option and a live classroom option; both could be blended.). Likely to involve 150 – 300 staff.
3. Intermediate level course (for those with some project management experience already; we would like to offer an online and a live classroom option here as well. A blended approach will be considered). Likely to involve 30 – 70 staff.

Suggested detail of course content:

	Learn terminology	Develop project charter	Build project schedule, budget	Assemble project team	Role of project sponsor	ID effective project leaders	Maintain progress	Evaluate success of projects	ID common pitfalls	Demonstrate support for PM skills	Practice project planning	Benefits of standard DNR PM approach	Discuss PM tools available
Executive Overview	X			X	X	X		X		X		X	
Beginning level	X	X	X	X			X	X	X				X
Intermediate level	X	X	X	X			X	X	X		X		X

Work is proposed to start in January, 2010.

Vendors may bid on one, two, or all of the courses described above. A Request for Proposals will be available by mail from this office through December 10, 2009. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After December 10, 2009, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Dr. Erika Tierney Garms
Department of Natural Resources
500 Lafayette Rd., Box 49
St. Paul, MN 55155
Fax: (651) 296-6494
E-mail: *Erika.tierneygarms@state.mn.us*

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **2:30 pm CST, December 16, 2009. Late proposals will NOT be considered.** Faxed or emailed proposals will **NOT** be considered.

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

Department of Natural Resources (DNR) Request for Proposals for Mercury Emissions Control in Taconite Plants

Statement of Objectives.

The State of Minnesota, Department of Natural Resources, Division of Lands and Minerals, in cooperation with the newly formed Minnesota Taconite Mercury Control Advisory Committee (MTMCAC), a consortium of representatives from industry, state agencies, and universities is seeking proposals in the following areas of mercury control:

1. Laboratory, pilot-scale, and/or plant testing involving:
 - a. Direct capture of Hg from process gas using carbon compounds,
 - b. Addition of compounds to process gas to promote oxidation and capture of Hg,
 - c. Addition of compounds to wet scrubbers to improve Hg capture, and
 - d. Other novel technologies of potential use in taconite plants.
2. Perform experiments needed to evaluate technologies used in other industries that may be applicable to the taconite industry.

Successful respondents to this solicitation will be awarded a State of Minnesota Master Contract to conduct research in one, or more, of the above-mentioned program areas for a two-year period. Specific projects selected will be handled through work-order contracts pursuant to the Master. One or more work-order contracts may be awarded to each Master Contractor. It is expected that up to \$2,000,000.00 will be available for this research.

Prospective responders who wish to receive an RFP or have any questions regarding this solicitation may contact:

Mike Berndt
DNR-Lands and Minerals
Box 45 500 Lafayette Road
St Paul, MN 55155
Phone: (651) 259-5378
E-mail: *mike.berndt@dnr.state.mn.us*

Other personnel are **NOT** authorized to discuss this request for proposal with responders before the proposal submission deadline. Contact regarding this RFP with any personnel NOT listed could result in disqualification. All proposals must be received no later than 2:30 pm, December 31, 2009.

State Contracts

Department of Transportation (Mn/DOT)

Engineering Services Division

Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (“Consultant Pre-Qualification Program”)

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

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

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

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

Send completed application material to:

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

Department of Transportation (Mn/DOT)

Engineering Services Division

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

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

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

**Minnesota Department of Transportation (Mn/DOT)
Office of Investment Management
Request for Proposals (RFP) for Right of Way Mapping Process Improvement,
Phase 3**

Mn/DOT needs assistance with assembling, processing and completing Right of Way Maps for publication. A large number of maps have become outdated due to increased real estate acquisitions and land transfers over the past several years. Tasks will involve a variety of activities, including document research, data collection and assembly of pertinent land management information necessary to develop, check and finalize Right of Way Maps. The result will be a high quality product that supports the right of way transactions conducted by Mn/DOT's internal and external customers. In addition, Mn/DOT is seeking recommendations that identify realistic areas of improvement to its map development processes, map standards and map management practices to assist with building greater efficiency and effectiveness into its mapping program if they are known or discovered.

The full RFP can be viewed on the Consultant Services Web Page at: <http://www.dot.state.mn.us/consult/files/notices/notices.html>.

If you have any questions regarding this advertisement, or are having problems viewing the RFP on the Consultant Services Web Page, you may contact:

Ashley Duran, Contract Administrator
E-mail: ashley.duran@state.mn.us
Telephone: (651) 366-4627

Note: RESPONSES WILL BE DUE ON **WEDNESDAY, JANUARY 6, 2010 AT 2:00 PM CENTRAL STANDARD TIME**

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.

More Business for Your Clients

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

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

Counties Transit Improvement Board Notice of Request for Proposals for Web Vendor Services

NOTICE IS HEREBY GIVEN that the Counties Transit Improvement Board (the "Board") is soliciting proposals for web vendor services to update, maintain and host MnRides.org for the period from January 1, 2010, through December 31, 2011. The project goals are to cost-effectively update and maintain the MnRides.org web site; quickly post administrative materials; continue to expand and develop the website in a manner that is consistent with the Board's Strategic Communications Plan; utilize creative techniques to retain visitors to the website and encourage them to visit pages beyond the home page; and organize the website in a manner that makes finding information as easy as possible.

Proposals must be received no later than 12:00 p.m. (noon), Central Daylight Time (CDT), December 3, 2009. The Board reserves the right to reject late responses. Complete details regarding submission requirements are included within the Request for Proposals.

Anticipated project schedule is:

<i>Request for Proposals Issued</i>	November 16, 2009
<i>Pre-Proposal Conference</i>	If needed
<i>Deadline for Written Questions</i>	November 19, 2009
<i>Written Response, Addenda Sent</i>	November 23, 2009
<i>Proposals Due</i>	December 3, 2009
<i>Evaluation Interviews (if any)</i>	Week of December 7, 2009
<i>Selection of Lobbyist and</i>	December 16, 2009
<i>Authorization of contract by the Board</i>	

All firms interested in receiving an RFP are invited to visit MnRides.com or submit an e-mail or written request to:

Kate Bartelt
Counties Transit Improvement Board
477 Selby Avenue
St. Paul, MN 55102
Phone: (651) 222-7227
Fax: (651)223-5229
E-mail: mrichardson@rranow.com

Non-State Bids, Contracts & Grants

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.

Minnesota's Bookstore

660 Olive Street (Williams Hill Business Development), St. Paul, MN 55155
(1 block east of I-35E Bridge, 1 block north of University Ave.)

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- **Minnesota Education Director**, \$24.95
- **Way of the Whitetail**, \$19.95
- **Land of Amber Waters: The History of Brewing in Minnesota**, \$39.95
- **All-Outdoors Atlas - Northeastern Minnesota**, \$29.95
 - Southern Minnesota**, \$29.95
 - Central and Northwest Minnesota**, \$29.95
- **St. Paul's Architecture**, \$34.95



Several convenient ways to order:

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

PREPAYMENT REQUIRED. Prices and availability subject to change.

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

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Credit card number: _____

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

Product Subtotal _____

Shipping _____

Subtotal _____

Sales tax _____

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

TOTAL _____

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