

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- Withdrawn Rules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
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# Minnesota Rules: Amendments and Additions

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

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

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

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 Proposed emergency rules, and withdrawn proposed rules, are also published in the *State Register*.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

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

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# Proposed Rules

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

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

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

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

## Minnesota Board of Chiropractic Examiners NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING Proposed Amendment to Rules Governing License Reinstatement Procedures, *Minnesota Rules, 2500.1900, 2500.2040, 2500.2110, and 2500.2130*

**Introduction.** The Board of Chiropractic Examiners 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 February 5, 2010.

**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: Micki King at Minnesota Board of Chiropractic Examiners, 2829 University Ave SE, Suite 300, Minneapolis Minnesota 55414; **phone:** (651) 201-2849, and **e-mail:** [Micki.king@state.mn.us](mailto:Micki.king@state.mn.us). **TTY** users may call the Board of Chiropractic Examiners at TTY phone 1-800-627-3529.

**Subject of Rules and Statutory Authority.** The proposed rules are about standardizing license reinstatement procedures for ease of understanding, compliance, and implementation. Currently, there are different requirements or procedures depending on the reason for being unlicensed, i.e. practicing in another jurisdiction, late renewal, retired, or disciplinary action. The statutory authority to adopt the rules is *Minnesota Statutes*, section 148.08 and 14.23. A copy of the proposed rules is published in the *State Register* issue dated June 1, 2009 page 1948 and on the Board's web site. A free copy of the rules is available upon request from the agency contact person listed above and by downloading from the Board's web site at [www.mn-chiroboard.state.mn.us](http://www.mn-chiroboard.state.mn.us).

**Comments.** You have until 4:30 p.m. on Friday, February 5, 2010, 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 Friday, February 5, 2010. 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

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## Proposed Rules

that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

**Alternative Format.** Upon request, 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 agency, and the adopted rules may not be substantially different than these proposed rules, unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Board encourages you to participate in the rulemaking process.

**Statement of Need and Reasonableness.** The statement of need and reasonableness 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 at the cost of reproduction by contacting the agency contact person or by downloading a copy free from the Board's web site.

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

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

Dated: 15 December 2009

Larry A. Spicer, DC, Executive Director  
Board of Chiropractic Examiners

# Adopted Rules

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

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

## Department of Labor and Industry (DLI) Adopted Permanent Rules Relating to the Construction Code

The rules proposed and published at *State Register*, Volume 33, Number 46, pages 1877-1891, May 18, 2009 (33 SR 1877), are adopted with the following modifications:

### 1350.2900 GROUND ANCHORS.

Subp. 5. **Table of soil types.** For determination of soil types for anchors and soil bearing capacities, refer to the table in *Code of Federal Regulations*, title 24, part 3285.202, which is included in this part.

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



4B	CH, MH <sup>2</sup>	Loose sands; firm clays; alluvial fills	1000	12-17	175-275
5	OL, OH, PT	Uncompacted fill; peat; organic clays	Refer to Part 3285.202(e)	0-11	Less than 175

**Notes:**

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

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

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

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

**1350.6400 FORM AND REMITTANCE OF FEES.**

All remittances shall be in the form of checks or money orders payable to “Minnesota Commissioner of Management and Budget Department of Labor and Industry”; and addressed to: Department of Labor and Industry, 443 Lafayette Road North, Saint Paul, Minnesota 55155.

**1350.6700 REGISTRATION REQUIREMENT AND INSTALLER LICENSING RECIPROCITY.**

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

**1350.6705 DEFINITIONS.**

Subp. 4. **Instructor.** “Instructor” means a person approved by the commissioner under part 1350.6710, subpart 2, to act as a trainer, teacher, or presenter of approved manufactured home installer continuing education courses.

**1350.6710 LICENSED MANUFACTURED HOME INSTALLER EDUCATION.**

Subp. 2. **Approval for instructors.**

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

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

~~C. B.~~ Instructors shall:

~~(1) adequately address the continuing education technical area or areas to be covered for the assigned classroom hours of continuing education credit, as approved by the commissioner, identified in subpart 1 thoroughly address the continuing education subjects approved by the commissioner pursuant to subpart 3, within the credit hours allotted by the commissioner;~~

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

Subp. 3. **Course approval.**

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

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

(3) Following the commissioner’s review of the application and course materials, the commissioner shall provide the instructor, within 40 days of receipt, with a final written determination regarding course approval and the number of approved continuing education classroom hours assigned to the course.

# Adopted Rules

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

## 1350.6800 OTHER FEES.

For all other work performed by the Department of Labor and Industry including, but not limited to, the review of plans, specifications, independent agency reports, quality control evaluations, and on-site inspections, a fee as specified in ~~part 1302.0600, subpart 1, item B~~ Minnesota Statutes, section 326B.153, subdivision 1, paragraph (c), shall be charged.

## 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; 2009-2010 Special Deer Hunt

**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 rule is *Minnesota Statutes*, sections 97A.045, 97A.401, 97A.535, 97B.301, and 97B.311.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that a small number of deer taken in recent years in the bovine tuberculosis zone have tested positive for the disease. 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 reduction in the affected deer populations. The special season authorized under these rules is being held as part of the DNR's ongoing effort to reduce deer numbers in this area.

Dated: November 24, 2009

Mark Holsten, Commissioner  
Department of Natural Resources

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# Expedited Emergency Rules

## 6232.0400 REGISTRATION OF DEER.

Subpart 1. [Repealed, 20 SR 2287]

[For text of subp 2, see 34 SR 267]

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

Subp. 5. **Deer taken in the special bovine tuberculosis area.** Deer taken in the special bovine tuberculosis area (deer area 101) must be registered prior to transport outside the area, except that deer may be registered in Wannaska or at the Department of Natural Resources Office at Thief Lake or Red Lake.

## 6232.0800 ARCHERY SPECIAL HUNT AREAS AND PROCEDURES.

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

Subp. 1a. **2009-2010 archery special hunt area.** Deer area 101, as described in part 6232.4700, subpart 1a, is open December 26, 2009, to January 10, 2010, for taking antlerless deer and legal bucks. All hunters possessing a valid 2009 Minnesota deer archery license may participate and deer may be tagged using that license or any permit type. Hunters hunting in deer area 101 during this special hunt may take and tag an unlimited number of deer. Deer taken during this special hunt must be registered at one of the following registration stations: Olson Skime Store in Skime, the Riverfront Store in Wannaska, or the Department of Natural Resources Office at Thief Lake or Red Lake.

[For text of subps 2 and 3, see 34 SR 267]

## 6232.1600 SPECIAL HUNT PROCEDURES.

[For text of subps 1 to 5, see M.R.]

Subp. 5a. **2009-2010 firearms special hunt area.** Deer area 101, as described in part 6232.4700, subpart 1a, is open December 26, 2009, to January 10, 2010, for taking antlerless deer and legal bucks. All hunters possessing a valid 2009 Minnesota regular deer firearm or muzzleloader license may participate and deer may be taken using a firearm or muzzleloader license or any permit type. Hunters hunting in deer area 101 during this special hunt may take and tag an unlimited number of deer with any legal firearm or muzzleloader. Deer taken during this special hunt must be registered at one of the following registration stations: Olson Skime Store in Skime, the Riverfront Store in Wannaska, or the Department of Natural Resources Office at Thief Lake or Red Lake.

[For text of subps 6 and 7, see 34 SR 267]

**REPEALER.** The expedited emergency amendment to *Minnesota Rules*, part 6232.0400, subpart 5, published in the *State Register*, volume 34, page 267, August 31, 2009, is repealed.

**EFFECTIVE PERIOD.** The expedited emergency amendments to *Minnesota Rules*, parts 6232.0400, 6232.0800, and 6232.1600 expire February 28, 2010. After the emergency amendments expire, the permanent rules as they read prior to these amendments again take effect, except as they may be amended by permanent rule.

## Official Notices

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

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

## See these *Important* Notices

The Official Notices section gives you a “heads up” on important state meetings and announcements. The *State Register* reaches a huge audience of interested “eyes” every week. Remember to publish your notices here - it only costs \$13.60 per 1/10 of a page used in the *State Register* - it’s the least expensive legal advertising in the state.

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## Department of Administration (Admin) Governor’s Council on Developmental Disabilities Notice of Cosponsorship Funds for Leadership Training Conferences

The Governor’s Council on Developmental Disabilities (GCDD) is pleased to announce the availability of a total of \$20,000 in cosponsorship funds for training conferences held in Minnesota and supporting the participation of Minnesota residents. Conferences should focus on providing best practices information and leadership skills training. The primary audience for these conferences must be people with developmental disabilities and their families.

Conferences must be held no later than September 1, 2010. **Eligible applicants are** Minnesota associations/organizations that provide services to individuals with developmental disabilities and their families, advocates, providers, or professionals; Minnesota chapters of national organizations; or national organizations that are holding a conference in Minnesota. **Application deadline is Friday, January 15, 2010 at 3:00 p.m.** Please note: The GCDD reserves the right to award less than the maximum of \$2,000 to an applicant, refuse to cosponsor a conference, or withdraw the availability of funds with or without notice.

For additional information or to request an application form, please contact:

Mary Jo Nichols  
Governor’s Council on Developmental Disabilities  
370 Centennial Office Building  
658 Cedar Street  
St. Paul, Minnesota 55155  
**Phone:** (651) 282-2899 **Toll free:** (877) 348-0505  
**Minnesota Relay Service:** (800) 627-3529 **OR** 711  
**E-mail:** [admin.dd@state.mn.us](mailto:admin.dd@state.mn.us)

The application is also available at: [www.mnddc.org](http://www.mnddc.org) OR [www.mncdd.org](http://www.mncdd.org). Go to “The Council” and then “RFPs and Grants.”

## **Governor's Residence Council Notice of Meetings**

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

January 13, 2009 (Conference Room 116C)  
March 10, 2009  
May 12, 2009  
July 14, 2009  
September 8, 2009  
(Tuesday) November 9, 2009 (Conference Room 116C)

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

## **Minnesota Department of Agriculture Division of Dairy and Food Inspection Minnesota Department of Health Division of Environmental Health REQUEST FOR COMMENTS on Possible Amendments to *Minnesota Rules* Chapter 4626, Minnesota Food Code**

**Subject of Rules.** The Minnesota Departments of Agriculture and Health request comments on possible amendments to *Minnesota Rules*, Chapter 4626, Minnesota Food Code (Code). The Departments are considering rule amendments that would bring the Code up to date and in substantial conformance with the 2009 Food and Drug Administration (FDA) Model Food Code. Possible food safety and sanitation subject matter to be considered during this rulemaking may include, but is not limited to, the following areas:

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

**Persons Affected.** The amendments to the rules would likely affect:

• local units of government	• children and youth camps
• restaurant owners and managers	• special event and mass gathering sponsors
• food service and retail food workers and food handlers	• hospitals
• grocery stores	• assisted living facilities

# Official Notices

• bakeries	• board and care homes
• convenience stores	• food protection manager certification trainers
• caterers and catering companies	• day care centers and homes
• food processing and packaging manufacturers	• community-based facilities that prepare or serve food
• meat processors	• motels, hotels and bed and breakfast establishments
• vending machine owners and operators	• lodging and boarding houses
• schools	• food scientists
• other entities that prepare or sell food to the public	

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

**Public Comment.** Interested persons or groups may submit comments or information on these possible rule amendments in writing until further notice is published in the *State Register* that the Departments intend to adopt or to withdraw the rules. The Departments will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments.

The Departments plan to appoint an advisory committee to comment on the possible rules. The advisory committee will consist of representatives of the likely affected parties and two members of the general public. The committee will meet approximately four times during the next four to six months to discuss proposed revisions to the Code. In addition, three stakeholder meetings will be held in Greater Minnesota at locations to be determined.

The proposed rule amendments may require some local units of government to adopt or amend ordinance(s) or other regulation(s) under Minnesota Statutes, section 14.128. The Departments are requesting that affected local governments provide the Departments with information about their relevant ordinance(s).

**Rules Drafts.** The Departments have not prepared a draft of the possible rule amendments and does not anticipate that a draft of the rule amendments will be available before the publication of the proposed rules.

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

Linda D. Prail  
 Minnesota Department of Health  
 Freeman Building  
 625 Robert Street North  
 P. O. Box 64975  
 St. Paul, Minnesota 55164-0975  
**E-mail:** [linda.prail@state.mn.us](mailto:linda.prail@state.mn.us)  
**Phone:** (651) 201-5792 (Office)  
**Fax:** (651) 201-4514  
**TTY** users may call the Minnesota Department of Health at (651) 201-5797.

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

**NOTE:** Comments received in response to this notice will not be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written

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

Dated: 23 November 2009  
Gene Hugoson, Commissioner  
Minnesota Department of Agriculture

Dated: 30 November 2009  
Sanne Magnan, Commissioner  
Minnesota Department of Health

### **Minnesota Campaign Finance and Public Disclosure Board REQUEST FOR COMMENTS on Possible Adoption of New and Amended Rules Governing Requirements and Procedures under *Minnesota Statutes* Chapter 10A, *Minnesota Rules*, Chapters 4501, 4503, and 4525**

**Subject of Rules.** The Campaign Finance and Public Disclosure Board (the Board) requests comments on its possible adoption of new rules and amendments to existing rules governing the operations of the Board as it implements the provisions of *Minnesota Statutes* Chapter 10A. In specific the Board is considering new rules and amended rules that will:

- Clarify the type of communications that may convert an independent expenditure into an approved expenditure.
- Clarify the requirements for the registration and operation of a political committee or political fund in Minnesota that is already registered at the federal level.
- Delineate the procedures used during a Board investigation or audit.
- Define the procedures used available to an individual or association after completion of a Board investigation.
- Clarify the confidentiality requirements for testimony and other records provided in Board investigations.
- Modify the filing deadlines and requirements for documents that are submitted by facsimile or electronically.
- Regulate the commingling of funds by an entity registered with the Board with other funds.
- Clarify the requirements for organizations of reports filed with the Board. The Board anticipates that only reports related to campaign finance (Chapter 4503) will be affected by the rule making process.
- Specify that itemized contributions that lack complete disclosure are treated as anonymous contributions.
- Clarify the application of the special source contributions limits.
- Provide a procedure for use when an unregistered association makes a contribution without the required disclosure.
- Clarify that the Board has no authority to accept a Public Subsidy Agreement or Affidavit of Contributions filed after the deadline.
- Provide procedures for use when a contribution is received electronically, including the determination of date of receipt and method to report transaction fees related to electronic transfer of funds.
- Provide a method to determine the value of online services provided as an in kind contribution, including approved expenditures.
- Clarify the requirements to qualify for the ten percent increase in the campaign expenditure limit for a candidate running for office for the first time.
- Provide criteria to assist principal campaign committees in determining the date at which an obligation is incurred when goods or services are purchased in one calendar year for delivery in the next calendar year.
- Further clarify and supplement the general provisions of *Minnesota Statutes* Chapter 10A as the Board deems appropriate based on input received and Board review during this rulemaking procedure.

**Persons Affected.** The possible amendments to existing rules and adoption of new rules are likely to affect individuals or associations that are regulated by or are required to register with the Board or become the subject of a Board investigation; principal campaign committees, political committees, political funds, political party units, and candidates and treasurers associated with these entities; federally registered associations wishing to engage in activities that affect state level elections in Minnesota; individuals or associations wishing to make independent expenditures in Minnesota; and lobbyists and other individuals required to file reports or statements on lobbying activities with the Board.

# Official Notices

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**Statutory Authority.** *Minnesota Statutes*, section 10A.02, subd. 13, authorizes the Board to adopt rules to carry out the purposes of *Minnesota Statutes*, Chapter 10A. In addition, *Minnesota Statutes*, section 10A.025, subdivision 1a, directs the Board to adopt rules to regulate electronic filing and to ensure that the electronic filing process is secure.

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing or orally until further notice is published in the *State Register* that the Board intends to adopt or to withdraw the rules. The Board does not contemplate appointing an advisory committee to comment on the possible rules.

**Rules Drafts.** The Board does not anticipate that a draft of the new and amended rules will be available before the publication of the proposed rules.

**Agency Contact Person.** Written or oral comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Gary Goldsmith, Campaign Finance and Public Disclosure Board, Suite 190, Centennial Office Building, 658 Cedar Street, St. Paul, MN, 55155. By **phone**: (651) 296-1721 or **toll free** 1-800-657-3889, or **e-mail**: [gary.goldsmith@state.mn.us](mailto:gary.goldsmith@state.mn.us). **TTY** users may call the Board at 1-800-627-3529.

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

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

Dated: December 10, 2009

Gary Goldsmith, Executive Director  
Campaign Finance and Public Disclosure Board

## Department of Labor and Industry Labor Standards Unit

### Notice of Correction to Highway Heavy Prevailing Wage Rates for Labor Code 201, Articulated Hauler, in Region 1, 3, 4, 6, 7, 8, 9

Corrections have been made to the Highway Heavy Prevailing Wage Rates certified 12/09/2009, for **Labor Code 201**, Articulated Hauler, in Region 1, 3, 4, 6, 7, 8, 9.

- Labor Code 106**, Blaster, in Region 2, 3, 8.
- Group 2** (302 through 308) in all Regions.
- Group 3** (309 through 322) in all Regions.
- Group 4** (323 through 368) in all Regions.
- Group 5** (369 through 385) in Region 1, 2, 3, 5, 6, 7, 8, 9, 10.
- Group 6** (387 through 397) in all Regions.

Copies with the corrected certified wage rate for this Region may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 284-5091, or accessing our web site at [www.dli.mn.gov](http://www.dli.mn.gov). Charges for the cost of copying and mailing are \$.25 per page for the first 100 pages, \$.65 per page after that. Make check or money order payable to the State of Minnesota.

Steve Sviggum, Commissioner  
Department of Labor and Industry



**Metropolitan Council****Public Hearing on Golden Valley-St. Louis Park Regional Sanitary Sewer Improvements Draft Facility Plan**

**Golden Valley City Hall Council Chambers  
7800 Golden Valley Rd.  
Golden Valley, Minnesota  
Wednesday, January 27, 2010  
5:00 p.m.**

The Metropolitan Council will hold a public hearing to accept comments on its **Golden Valley-St. Louis Park Regional Sanitary Sewer Improvements Draft Facility Plan**. The Draft Facility Plan for this project, prepared by the Metropolitan Council Environmental Services Division (MCES), outlines alternatives studied and the resulting recommendations for improving the regional sanitary sewer system serving southern Golden Valley and northern St. Louis Park. The recommendations include:

- Constructing a new lift (pumping) station at a location to be determined in the southwest quadrant of the intersection of Highway 100 and Interstate 394.
- Constructing a new force main interceptor sewer from the new pumping station generally north to Wayzata Blvd., west on Wayzata Blvd., turning north and crossing under I-394, continuing north on Turners Crossroads S. to Glenwood Ave., west on Glenwood to Turners Crossroads N., north on Turners Crossroads N., then crossing under Highway 55 just west of Highway 100, and connecting with MCES's existing Plymouth Force Main on the north side of Highway 55.
- An alternate route to be evaluated in the proposed project's design phase would follow Golden Hills Dr. and Xenia Ave. S. to Glenwood Ave.

The recommended improvements would provide additional sewer capacity to serve growth and redevelopment in Golden Valley and St. Louis Park. Construction of the facilities would be scheduled for 2012-2013.

Copies of the Draft Facility Plan for the Proposed Golden Valley-St. Louis Park Regional Sanitary Sewer Improvements are available for review at:

- Golden Valley City Hall (Public Works), 7800 Golden Valley Rd., Golden Valley
- St. Louis Park City Hall (Public Works), 5005 Minnetonka Blvd., St. Louis Park
- Golden Valley Library, 830 Winnetka Ave. N., Golden Valley
- St. Louis Park Library, 3240 Library Lane, St. Louis Park
- Metropolitan Council Data Center, 390 Robert St. N., St. Paul

All interested persons are encouraged to attend the hearing and provide comments. You also may submit comments, which must be received by the Metropolitan Council no later than February 8, 2010:

- Send written comments to: Tim O'Donnell at Metropolitan Council Environmental Services, 390 Robert St. N., St. Paul, MN 55101-1805
- Fax comments to: Tim O'Donnell at (651) 602-1477
- Record comments on: Metropolitan Council Public Comment Line at (651) 602-1500
- E-mail comments to: [data.center@metc.state.mn.us](mailto:data.center@metc.state.mn.us)
- Send TTY comments to (651) 291-0904

Upon request, the Council will provide reasonable accommodations to persons with disabilities at the public hearing. Please submit such requests to Tim O'Donnell via mail or fax (see above) or by phone at (651) 602-1269 before January 19, 2010.

# Official Notices

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## Metropolitan Council

### Public Hearing on Regional Sanitary Sewer Improvements Draft Facility Plan for Facilities Located in Mahtomedi, Crystal, Mounds View and Savage

Metropolitan Council – Council Chambers  
390 Robert St. N.  
St. Paul, Minnesota  
Tuesday, January 26, 2010  
6:00 p.m.

The Metropolitan Council will hold a public hearing to accept comments on its **Regional Sanitary Sewer Improvements Draft Facility Plan**. The Draft Facility Plan, prepared by the Metropolitan Council's Environmental Services Division (MCES), outlines alternatives studied and the resulting recommendations for improving the regional lift (pumping) stations in the cities of Mahtomedi, Crystal, Mounds View, and Savage. The recommendations include:

- **Mahtomedi:**
  - Upgrading lift station L-7, located at the northwest corner of the intersection of Lincolntown Ave. and Robert St.
  - Installing a dual force main interceptor sewer beginning at lift station L-7 and going generally south along Lincolntown Ave. and west along Long Lake Rd., then connecting to an existing regional sewer along Century Ave. south of Long Lake Rd.
  - Repairing a regional sewer located at the intersection of Birchwood Rd. and Wildwood Beach Rd.
- **Crystal:** Upgrading lift station L-30, located to the south of the intersection of Quail Ave. N. and 53<sup>rd</sup> Ave. N.
- **Mounds View:** Upgrading lift station L-35, located to the north of County Road H W., approximately 800 feet east of Edgewood Dr.
- **Savage:** Upgrading lift station L-66, located at the northeast corner of the intersection of 125<sup>th</sup> St. and Dakota Ave.

The recommended improvements would provide additional sewer capacity to serve growth and/or increase the level of service of the facilities. Construction of the facilities would be scheduled for 2010-2012.

Copies of the Draft Facility Plan are available for review at:

- Mahtomedi City Hall, 600 Stillwater Rd., Mahtomedi
- Washington County Library – Wildwood Branch, 763 Stillwater Rd., Mahtomedi
- Crystal City Hall, 4141 Douglas Dr., Crystal
- Rockford Road Library, 6401 42nd Ave. N., Crystal
- Mounds View City Hall, 2401 Highway 10, Mounds View
- Mounds View Library, 2576 County Road 10, Mounds View
- Savage City Hall, 6000 McColl Dr., Savage
- Savage Library, 13090 Alabama Ave. S., Savage
- Metropolitan Council Data Center, 390 Robert St. N., St. Paul

All interested persons are encouraged to attend the hearing and provide comments. You also may submit comments, which must be received by the Metropolitan Council no later than February 5, 2010:

- Send written comments to: Tim O'Donnell at Metropolitan Council Environmental Services, 390 Robert St. N., St. Paul, MN 55101-1805
- Fax comments to: Tim O'Donnell at 651-602-1477
- Record comments on: Metropolitan Council Public Comment Line at (651) 602-1500
- E-mail comments to: [data.center@metc.state.mn.us](mailto:data.center@metc.state.mn.us)
- Send TTY comments to (651) 291-0904

Upon request, the Council will provide reasonable accommodations to persons with disabilities at the public hearing. Please submit such requests to Tim O'Donnell via mail or fax (see above) or by phone at (651) 602-1269 before January 19, 2010.

**Department of Transportation (Mn/DOT)  
State Aid for Local Transportation Division  
Notice of Appointment and Meeting of a State Aid Variance Committee**

**NOTICE IS HEREBY GIVEN** that the Commissioner of Transportation has appointed a State Aid Variance Advisory Committee who will meet on Thursday, December 17, 2009 at 9:00 a.m. at the Mn/DOT Arden Hills Training Center, located at 1900 West County Road I, in Shoreview, Minnesota, 55126. This notice is given pursuant to Minnesota Statute 14.46. The purpose of this open meeting is to investigate and determine recommendations for variance requests from minimum State Aid roadway standards and administrative procedures as governed by *Minnesota Rules* for State Aid Operations 8820 adopted pursuant to *Minnesota Statutes* Chapters 161 and 162.

The agenda will include the following:

- 1. Petition of City of Chanhassen** for a variance from *Minnesota Rules* 8820.9995 **Minimum Bicycle Path Standards** as they apply to the Lyman Boulevard Improvement project, so as to allow a 9' 10" vertical clearance in lieu of the required 10 foot vertical clearance as required by law.
- 2. Petition of City of Rochester** for a variance from *Minnesota Rules* 8820.9995 **Minimum Bicycle Path Standards** as they apply to the Douglas-Cascade Trail so as to allow a 10 foot minimum structure horizontal clear width in lieu of a 12 foot minimum structure horizontal clear width as required by law.
- 3. Petition of City of Arden Hills** for a variance from *Minnesota Rules* 8820.9995 **Minimum Bicycle Path Standards** as they apply to the Old Snelling Avenue Trail – CP Rail Underpass project, so as to allow for a zero-foot wide shoulder/clear zone on each side of the trail in lieu of the required 2 foot shoulder/clear zone on each side as required by law.
- 4. Petition of City of Ramsey** for a variance from *Minnesota Rules* 8820.2800 **Construction Requirements** as they apply to the reconstruction 167<sup>th</sup> Avenue so as to allow the approval of final plans after the opening of bids in lieu of before the opening of bids as required by law. Opening of bids was on June 19, 2009 and final plan approval was obtained on June 29, 2009.
- 5. Petition of City of Bloomington** for a variance from *Minnesota Rules* 8820.9946 **Minimum Design Standards, Urban; Reconditioning** as they apply to the driving lane and center turn lane widths for W 90<sup>th</sup> Street between France Avenue and Xerxes Avenue.
- 6. Petition of Cities of New Brighton and St. Anthony** for a variance from *Minnesota Rules* 8820.9936 **Design Standards, Urban; New or Reconstruction Projects** as they apply to the reconstruction of Silver Lane from station 57+18.05 to station 58+43.61 so as to allow a 20 mph horizontal curve in lieu of the required minimum 30 mph horizontal curve as required by law.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, 395 John Ireland Boulevard, St. Paul, MN 55155. If a written objection is received within 7 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 7 December 2009

Julie A. Skallman, State Aid Engineer  
State Aid for Local Transportation  
Minnesota Department of Transportation

# 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 Additional Business

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

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

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

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

## Department of Commerce

### Office of Energy Security

### Notice of American Reinvestment and Recovery Act (ARRA) Grant Availability

The Minnesota Department of Commerce Office of Energy Security (OES) requests proposals for Energy Programs in Commercial and Industrial Buildings as part of the **American Reinvestment and Recovery Act of 2009 (ARRA)**. The purpose of these competitive grants is to provide funding for cost effective projects that maximize energy savings, displace fossil fuel energy inputs and reduce the total energy demand of commercial and industrial buildings by developing, implementing and installing energy programs in commercial, industrial and nonprofit facilities.

The RFP will be available for download on the Department's website ([www.energy.mn.gov](http://www.energy.mn.gov)) through February 12, 2010. Potential responders may also request a hard copy of the RFP by mail from this office. Requests for hard copies must be received by the Office of Energy Security no later than 12:00 p.m. Central Standard Time (CST), on February 12, 2010.

The Request for Proposal can be obtained from:

- Preferred Method:** [www.energy.mn.gov](http://www.energy.mn.gov)
- U.S. Postal Service:** Natalie Buys  
Minnesota Department of Commerce  
Office of Energy Security  
85 Seventh Place E, Suite 500  
Saint Paul, MN 55101

Proposals submitted in response to this RFP must be received no later than 4:00 p.m. CST, February 12, 2010. **Late proposals will not be considered.** Instructions for submitting proposals are detailed in the RFP.

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)

#### Children's Mental Health Division

### Notice of Request for Proposals to Develop Clinical Capacity to Provide Evidence-Based Mental Health Treatment to Children and Adolescents in Residential Treatment Settings

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals to develop clinical capacity within children's mental health residential treatment provider agencies to effectively utilize existing and emerging research to inform all treatment, and improve outcomes for children and families. For purposes of this RFP residential treatment provider means providers who are Children's Residential Treatment certified to provide mental health treatment under **Rule 2960** ("Umbrella Rule" - Licensure and Certification of Certain Programs for Children), and agencies which offer specialized foster care combined with the provision of mental health services.

Work is proposed to start February 22, 2010. For more information, or to obtain a copy of the Request for Proposal, contact:

Patricia Nygaard  
Department of Human Services  
Children's Mental Health Division  
P.O. Box 64985  
444 Lafayette Road North  
St. Paul, MN 55155-0985  
**Phone:** (651) 431-2332  
**Fax:** (651) 431-7559  
**E-mail:** *Pat.nygaard@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, Monday, January 25, 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](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](http://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:

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

Subscriptions cost \$180 a year (an \$80 savings). It's all E-MAILED to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Cathy Hoekstra, our subscriptions manager, at (651) 297-8777, or **Fax:** (651) 297-8260, or **E-mail:** [cathy.hoekstra@state.mn.us](mailto:cathy.hoekstra@state.mn.us)

## Department of Administration (Admin)

### Real Estate & Construction Services

### Notice of Request for Qualifications (RFQ) for Construction Manager at Risk for Minnesota Sex Offender Program (MSOP) Expansion Phase II, Moose Lake, MN

**NOTICE IS HEREBY GIVEN** that the Department of Administration, Real Estate and Construction Services ("State") has issued a request for qualifications to evaluate and select a Construction Manager at Risk for the Minnesota Sex Offender Program (MSOP) secure treatment facility in Moose Lake, Minnesota in accordance with *Minnesota Statute 16C.34*.

The scope of this project is to expand living, treatment, and support spaces to serve patients committed to the Minnesota Sex Offender Program (MSOP) secure treatment facility in Moose Lake, Minnesota. The project is the second of two phases of expansion at MSOP - Moose Lake, and will physically connect to Phase 1 work that is currently being completed. The work also involves a significant expansion of the perimeter security fence system that will encompass the entire campus at project completion to form a unified secure perimeter, remodeling of existing space within secure portions of the original MSOP building (early 1990's) for expanded patient support spaces, and an expansion and remodeling of the existing Administration area of the original MSOP building located outside the secure perimeter.

The tasks and scope of services required for the project are defined and included in the Request for Qualifications (RFQ) located at [www.admin.state.mn.us/recs](http://www.admin.state.mn.us/recs) (Click on "Construction Services" and "Solicitations and Announcements"). To be considered for selection and a Contract, responses must be submitted by the date and time indicated in the RFQ. Copies of the RFQ may also be requested from:

Contracts Coordinator  
Real Estate and Construction Services  
309 Administration Building,

50 Sherburne Avenue  
St. Paul, MN 55155-1625

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

## Minnesota State Colleges and Universities (MnSCU) Anoka Technical College Opportunity for Proposal on Leasing of Welding Equipment

### GENERAL STATEMENT/SCOPE:

Request for Proposal is for leasing costs of various quantities of equipment consisting of: inverters, wire feeders, power leads, electrode holders with leads, ground clamps with leads and dual flow meters, for the Anoka Technical College Welding Program.

- Proposal must include delivery, installation and on-site training.
- Provide estimate on freight.
- Delivery/install: No later than January 24<sup>th</sup>, 2010.

NOTE: Comparable will not be accepted. Equivalent brands/models will be reviewed for possible consideration; however, proposal is for parts/equipment as stated in specs.

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

Proposals must be sealed with a notation on the outside of the envelope stating: "LEASING OF WELDING EQUIPMENT PROPOSAL – DELIVER IMMEDIATELY".

Mail or deliver (faxes will NOT be accepted) sealed proposal by Monday, January 4, 2010, NO LATER THAN 10 AM to:  
Anoka Technical College  
Purchasing Office, Attn. Pam Mogensen  
1355 West Highway 10  
Anoka, Minnesota 55303  
Phone: (763) 576-4785

**PROPOSAL CLOSE DATE IS JANUARY 4, 2010 – 10 A.M.**

## Minnesota State Colleges and Universities (MnSCU) Dakota County Technical College Sealed Bids Sought for Refurbished Cisco Equipment

**NOTICE IS HEREBY GIVEN** that Dakota County Technical College will receive sealed bids for Refurbished Cisco Equipment. Bid specifications will be available Dec 21, 2009 by calling Pat Adams at (651) 423-8236 or e-mailing at [Patricia.Adams@dctc.edu](mailto:Patricia.Adams@dctc.edu).

Sealed bids must be received by 2:00 pm, January 4, 2010 at Dakota County Technical College, 1300 145<sup>th</sup> St East, Rosemount, Mn 55068. Attn: Pat Adams.

# State Contracts

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

## **Minnesota State Colleges and Universities (MnSCU) Minneapolis Community and Technical College Notice of Availability of Request for Proposal (RFP) for Owner's Representative for Minneapolis Community and Technical College Helland Student Center Addition and Renovation**

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Minneapolis Community and Technical College, is soliciting proposals from interested, qualified consultants for Owner's Representative services for the above referenced project.

A full Request for Proposals is available on the Minnesota State Colleges and Universities Facilities website:  
*<http://www.facilities.mnscu.edu> click on "Announcements."*

An informational meeting is tentatively scheduled for **10:00 AM**, January 5, 2010 in Helland Building, Room #1200, Minneapolis Community and Technical College, 1501 Hennepin Avenue, Minneapolis, MN 55403. All firms interested in this meeting should contact Valerie Frolov at (612) 659-6808 or *[Valerie.frolov@minneapolis.edu](mailto:Valerie.frolov@minneapolis.edu)* to sign up to attend the meeting.

Proposals must be delivered to Roger Broz, Minneapolis Community and Technical College, T-Building, Room #T0600, 1501 Hennepin Avenue, Minneapolis, MN 55403 not later than **2:00 P.M., Friday, January 15, 2010**. Late responses will not be considered.

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

## **Minnesota State Colleges and Universities (MnSCU) Riverland Community College Request for Sealed Bids for Various Simulation Equipment**

Riverland Community College, Austin, MN is accepting sealed bids for various simulation equipment until 2:00 p.m. on Monday, January 4, 2010, at which time bids will be opened and read. The equipment is needed for direct learning provided to students of Health Science programs at three community colleges in the Minnesota College and Universities System. They will provide a simulated patient experience for students with no danger or safety concerns to a live patient.

### **Equipment includes**

- one (1) baby manikin and peripheral kit with a compressor, professionally installed;
- one (1) adult manikin and peripheral kit with a compressor, professionally installed;
- two (2) adult manikins for clinical training in women's health, obstetrics, postpartum, wound assessment and care, general patient assessment and care;
- two (2) manikins designed for scenario-based training of the care and management of a wide variety of in-hospital patients;
- two (2) infant manikins designed for scenario-based training of the care and management of a wide variety of infant in-hospital patients;
- four (4) vital signs simulators;
- one (1) sounds trainer;
- one (1) model of a human torso with detachable right arm.



Interested parties must contact Amy Wangen at (507) 433-0575, or Page Petersen at (507) 433-0650 to obtain specifications for bid.

Bids submitted by parties without having obtained specifications will not be considered. Bids must be submitted to:

Page Petersen  
West Building Business Office  
Riverland Community College  
1900 - 8<sup>th</sup> Avenue NW  
Austin, MN 55912

And endorsed: **Simulation Equipment**

Riverland Community College reserves the right to reject any or all bids or portion thereof, to waive technicalities in bids, and to delay final award for a period of 15 days.

### **Minnesota State Colleges & Universities (MnSCU) Riverland Community College Request for Sealed Bids for a Triple Channel Infusion Pump**

Riverland Community College, Austin, MN is accepting sealed bids for one (1) triple channel infusion pump until 2:00 p.m. on Monday, January 4, 2010, at which time bids will be opened and read. This equipment is needed for direct learning provided to students of Health Science programs at a community colleges in the Minnesota College and Universities System. Simulation provides a patient experience for students with no danger or safety concerns to a live patient.

Interested parties must contact Amy Wangen at (507) 433-0575 or Page Petersen at (507) 433-0650 to obtain specifications for bid. Bids submitted by parties without having obtained specifications will not be considered.

Bids must be submitted to:

Page Petersen  
West Building Business Office  
Riverland Community College  
1900 - 8<sup>th</sup> Avenue NW  
Austin, MN 55912

And endorsed: **Infusion Pump**

Riverland Community College reserves the right to reject any or all bids or portion thereof, to waive technicalities in bids, and to delay final award for a period of 15 days.

### **Minnesota State Colleges and Universities (MnSCU) Saint Paul College Request for Qualification for Art Design**

Saint Paul College will be accepting Qualifications for evaluation to select an artist to design and commission an original piece of artwork to be located at the main entrance to Saint Paul College using a piece of granite owned by the college. Qualifications will be received until 2:00 p.m., January 12, 2009. The Request for Qualification for Art Design and Commission documents can be found at:

*[www.saintpaul.edu/RFQforArt](http://www.saintpaul.edu/RFQforArt)*

# State Contracts

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Proposals must be delivered to:

Location: *Saint Paul College*  
Name: Jan Mahoney  
Title: V.P. for Finance and Facilities  
Address: 235 Marshall Avenue  
St. Paul, MN 55102

No later than 2:00 p.m., January 12, 2009. Late Responses will not be considered.

## Minnesota State Colleges and Universities (MnSCU) Winona State University Request for Proposals for PC Laptop, Convertible/tablets and Desk Top Hardware, Software and Maintenance for E-Warrior: Digital Life and Learning Program

**NOTICE IS HEREBY GIVEN** that Winona State University is seeking proposals for PC laptop, convertible/tablets and desk top hardware, software and maintenance for their E-Warrior: Digital Life and Learning Program.

Proposal specifications will be available December 21, 2009 by contacting the Purchasing Department at PO Box 5838, 205 Somsen Hall, Winona, MN 55987, e-mail: [sschmitt@winona.edu](mailto:sschmitt@winona.edu) or by calling (507) 457-5067.

There will be a pre-award vendor's conference on Monday, January 4, 2010 at 1:30 PM.

Sealed proposals must be received by Sandra Schmitt at PO Box 5838, or at 175 W. Mark St., Somsen 205G, Business Office, Winona State University, Winona, MN 55987 by 3:00 PM Monday, January 25, 2010.

Winona State University reserves the right to reject any or all proposals and to waive any Irregularities or informalities in proposals received.

## Department of Education Notice of Availability of Contract for Quality Assurance of Minnesota's Large Scale Testing and Accountability Programs

The Minnesota Department of Education is requesting proposals for the purpose of quality assurance checks associated with data elements of Minnesota's state testing and accountability programs.

Work is proposed to start after **October 1, 2010**.

A Request for Proposals will be available by mail or email from this office through **March 1, 2010**. **A written request to Dirk Mattson (by direct mail, fax or email) is required to receive the Request for Proposal.** After **March 1, 2010**, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

**Name:** Dirk Mattson  
**Phone:** (651) 582-1611  
**Fax:** (651) 582-8874  
**E-mail address:** [dirk.mattson@state.mn.us](mailto:dirk.mattson@state.mn.us)

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## State Contracts

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than March 31, 2010, at 3 pm (CST). **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/RFP. All expenses incurred in responding to this notice are solely the responsibility of the responder.

### Minnesota Housing Finance Agency (MHFA) Notice of Contract for Lease-up Compliance Oversight for Properties Funded by ARRA

**NOTICE OF AVAILABILITY OF CONTRACT** for lease-up compliance oversight for properties funded by in whole or in part by the American Recovery and Reinvestment Act of 2009, Public Law 111-5 ("ARRA").

The Minnesota Housing Finance Agency is requesting proposals for the purpose of providing lease-up compliance oversight for properties funded with the ARRA Tax Credit Assistance Program (TCAP) and/or Section 1602 Tax Credit Exchange (Section 1602) funds. Work is proposed to start after January 29, 2010.

Details are included in the complete Request for Proposal which is available by e-mailing Eric Mattson, MHFA Support Services, at: *Eric.Mattson@state.mn.us*. Deadline for submitting a proposal is 12:00 p.m. Central Standard Time on January 8, 2010.

**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 Natural Resources (DNR) Solicitation of Contracts with Real Estate Appraisers to be Considered for Appraisal Assignments from the DNR: CERTIFICATION # 20715

The Minnesota Department of Natural Resources is seeking to contract with a number of qualified real estate appraisers licensed by the State of Minnesota and certified at any of the following levels: (a) Level 3: Certified Residential Real Estate Appraiser, or (b) Level 4: Certified General Real Property Appraiser. Appraisers entering into such contract shall be entitled to be considered for appraisal assignments from the DNR during the contract period of January 1, 2010 through December 31, 2014.

Work is proposed to start after January, 2010.

A Request for Proposals will be available by mail from this office through January 5, 2010. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After January 5, 2010, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

**Name:** Cindy Nathan  
**Phone:** (218) 855-5126  
**TTY:** (651) 296-5484 (For persons with speech or hearing disabilities)  
**Fax:** (218) 833-8668  
**E-mail:** *cindy.nathan@state.mn.us*

Proposals submitted in response to the Request for Proposals will be accepted on a continual basis. Fax or e-mailed proposals will **not** be considered.

# State Contracts

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

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

This document is available in alternative formats for persons with disabilities by calling 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](http://www.dot.state.mn.us/consult)

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

## Non-State 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.

## Bring More Business to 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](mailto: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."

## 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](http://bidinfo.umn.edu) or call the BIS Coordinator at (612) 625-5534.

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

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

**PREPAYMENT REQUIRED. Prices and availability subject to change.**

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

Stock No.	Title	Quantity	Unit Price	Total

Send my order to:

Company \_\_\_\_\_

Name \_\_\_\_\_

Street Address (Not deliverable to P.O. boxes) \_\_\_\_\_

City ( ) State Zip \_\_\_\_\_

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

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

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

**Shipping Charges**

<i>If Product</i>	<i>Please</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# \_\_\_\_\_