

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

**Monday 6 December 2010
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State Register

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

The *State Register* is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes*, Chapter 14, and *Minnesota Rules*, Chapter 1400. 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- Withdrawn Rules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

Printing Schedule and Submission Deadlines									
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# 25	Monday	20	December	Noon Tuesday	14	December	Noon Wednesday	8	December
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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 Department of Agriculture

Plant Protection Division

Proposed Permanent Rules Governing Minnesota Seed Potato Certification

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendments To and Repeal of Rules Governing Seed Potato Certification, *Minnesota Rules*, 1505.0610-1505.0680; 1510.2310 – 1510.2330; and 1510.2355, and Repeal of Obsolete Rules Governing Noxious Weeds and Disposal of Foreign Refuse, *Minnesota Rules*, , 1505.0730-1505.0750; and 1505.1300-1505.1450

Introduction. The Department of Agriculture intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. 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 January 5, 2011.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to: Carol Milligan, Minnesota Department of Agriculture, 625 Robert St. N., St. Paul, MN 55155-2538; **phone:** (651) 201-6606; **fax:** (651) 201-6118; **e-mail:** carol.milligan@state.mn.us. **TTD** users may call the Minnesota Relay at 1-800-627-3529.

Subject of Rules and Statutory Authority. The proposed rules are about generational descriptions and disease tolerances for interstate shipment of seed potatoes. The rulemaking also repeals obsolete rules for which the statutory authority has been repealed. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 14.05, subd.1; 18.79, subd. 4; 21.113 and 21.118. 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 January 5, 2011 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 received by the agency contact person by the due date. Comment is encouraged. 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. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on January 5, 2011. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object

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

Withdrawal of Requests. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to affect 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.

Modifications. The proposed rules may be modified 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 procedure under part 1400.2110 has been followed. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

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

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

Alternative Format. Upon request, this Statement can be made available in an alternative format, such as large print, Braille, or cassette tape. To make a request, contact Carol Milligan at Minnesota Department of Agriculture, 625 Robert St. N., St. Paul, MN 55155-2538, **phone:** (651) 201-6606, and **fax:** (651) 201-6118. **TDD** users may call the Department of Agriculture at 1-800-627-3529.

Dated: 17 November 2010

Jim Boerboom, Deputy Commissioner
Department of Agriculture

1510.2310 GENERAL GUIDANCE.

Subpart 1. **Scope.** The provisions of this part govern the production of potatoes for use as certified seed potatoes.

Subp. 2. **Seed potato certification.** In order to produce certified seed potatoes, a grower must comply with the following procedures:

A. Potatoes entered for certification shall be inspected while growing in the field and again after harvest at the time of shipment. Certification shall be based upon visual inspection by the commissioner of sample plants and tubers from each field and lot, or for varieties that do not express visible symptoms of a specific pathogen, seed potatoes must be subjected to laboratory tests to determine the level of the pathogen in a seed lot. This testing may occur during the growing season, storage season, or winter testing. Certificates shall be issued to show the varietal purity, freedom from disease, and physical defects of the potatoes at the time of inspection.

B. Participation in the certified seed potato program shall be voluntary. The applicant may withdraw at any time. Farming and sanitation practices are the responsibility of the applicant. Certification and inspection under parts 1510.2300 to 1510.2355 shall be conducted by the commissioner. Failure of the applicant to comply with the requirements of ~~these parts~~ 1510.2300 to 1510.2355 shall be cause for rejection of any field or lot. Potatoes from rejected fields or lots cannot be sold as certified seed potatoes.

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

Subp. 4. **Certified seed potato classes.** Seed potato certification classes are differentiated by their compliance level with disease tolerances and varietal purity. The origin of the seed also determines the class. The classes, according to their origin, in the generation system in descending order are: Prenuclear (PN), ~~Nuclear (N)~~, Generation 1 (G1), Generation 2 (G2), Generation 3 (G3), Generation 4 (G4), ~~and~~ Generation 5 (G5), and Generation 6 (G6). Equivalent to this in the clonal system in descending order are: Primary Foundation 1 (PF1), Primary Foundation 2 (PF2), Foundation 1 (F1), Foundation 2 (F2), and Certified (C).

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Subp. 5. **Certified seed potato grades.** Grades of certified seed potatoes are established according to the physical defects of the tubers. There are three grades used for shipping Minnesota certified seed potatoes.

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

C. The white tag certified seed potato grade is the third grade. The tolerances for physical defects of the tubers are determined by agreement between purchaser and seller of the certified seed potatoes. It may only be used for intrastate and interstate shipments of certified seed potatoes.

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

1510.2320 SEED POTATOES ELIGIBLE FOR MINNESOTA CERTIFICATION PLANTING.

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

Subp. 2. **Minnesota grown seed potatoes.** The following classes of seed potatoes grown in Minnesota are eligible for planting: Prenuclear, ~~Nuclear~~, Generation 1, Generation 2, Generation 3, Generation 4, Generation 5, Primary Foundation 1, Primary Foundation 2, Foundation 1, Foundation 2, and experimental status seed potatoes. The commissioner shall authorize the planting of Certified class or Generation 5 class seed potatoes if there is no source of higher classes than Certified class or Generation 5 class seed potatoes available to the grower, the lot has been winter tested, and the seed does not pose a serious disease threat.

Subp. 3. **Non-Minnesota grown seed potatoes.** Seed potatoes grown outside of the state approved for certification planting by the certifying agency in another state or a Canadian province may be planted if requirements for certification meet Minnesota requirements for certified seed potatoes of classes higher than Certified class or Generation 5 class, as indicated on an import affidavit.

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

1510.2330 REQUIREMENTS FOR PRODUCTION OF DIFFERENT CLASSES OF CERTIFIED SEED POTATOES.

Subpart 1. **Prenuclear class certified seed potatoes (PN).**

A. A lot grown as and intended to be Prenuclear must be grown from plants tested and shown to be free from the following pathogens:

(1) *Clavibacter michiganensis* ssp. *sepedonicus* (ring rot);

(2) ~~*Erwinia carotovora*~~ *Pectobacterium atrosepticum* ssp. *Atrosepticum*, *carotovora* (blackleg);

[For text of subitems (3) to (9), see M.R.]

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

C. One percent of each lot or ten plants or tubers from each lot, whichever is greater, must be tested during the growing season to verify that the crop is free from potato virus X, potato virus Y, potato leaf roll virus, *C. michiganensis*, and ~~*E. carotovora*~~ *P. atrosepticum*.

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

Subp. 2. **~~Nuclear~~ Generation 1 class certified seed potatoes (~~N~~) (G1).** ~~Nuclear~~ Generation 1 class seed potatoes must meet the following requirements:

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

E. The allowable tolerances for disease and varietal mixture for seed potatoes classified as ~~Nuclear~~ Generation 1 are in Table 1 in subpart 11 under column N.

Subp. 3. **~~Generation 1~~ 2 class certified seed potatoes (~~G1~~) (G2).** ~~Generation 1~~ 2 class seed potatoes must originate from ~~Nuclear~~ Generation 1 class seed potatoes. Each field may be tested during the growing season for potato virus X at grower's request. For a lot to be tagged "virus tested (VT)," no more than three percent of the plants tested may be infected with potato virus X. The allowable tolerances for disease and varietal mixture are in Table 1 in subpart 11 under column ~~G1~~ G2.

Subp. 4. **~~Generation 2~~ 3 class certified seed potatoes (~~G2~~) (G3).** ~~Generation 2~~ 3 class seed potatoes must originate from ~~Generation 1~~ 2 class seed potatoes. The allowable tolerances for disease and varietal mixture are in Table 1 in subpart 11 under column ~~G2~~ G3.

Subp. 5. **~~Generation 3~~ 4 class certified seed potatoes (~~G3~~) (G4).** ~~Generation 3~~ 4 class seed potatoes must originate from ~~Generation 2~~ 3 class seed potatoes. The allowable tolerances for disease and varietal mixture are in Table 1 in subpart 11 under column ~~G3~~ G4.

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Subp. 6. **Generation 4.5 class certified seed potatoes (G4) (G5).** Generation 4.5 class seed potatoes must originate from Generation 3.4 class seed potatoes. The allowable tolerances for disease and varietal mixture are in Table 1 in subpart 11 under column G4 G5.

Subp. 7. **Generation 5.6 class certified seed potatoes (G5) (G6).** Generation 5.6 class seed potatoes must originate from Generation 4.5 class seed potatoes. The allowable tolerances for disease and varietal mixture are in Table 1 in subpart 11 under column G5 G6.

[For text of subs 8 to 10, see M.R.]

Subp. 11. **Table 1.**

TABLE 1
TOLERANCES FOR DISEASES AND VARIETAL MIXTURE FOR GENERATION CLASSES

CLASSES	PN	N	G1	G2	G3	G4	G5
Severe Mosaic	0	0.1	0.2	0.2	0.3	0.3	0.4
Leaf roll	0	0.1	0.2	0.2	0.3	0.3	0.4
Total	0	0.1	0.2	0.2	0.3	0.3	0.4
Total other viruses (S and X excluded)	0	0.1	0.2	0.2	0.3	0.3	0.4
Mycoplasm	0	0.1	0.2	0.2	0.3	0.3	0.4
Total	0	0.1	0.2	0.2	0.3	0.3	0.4
Mild Mosaic (S)	0						
Mild Mosaic (X)	0	VT:1	VT:3	VT:3	VT:3	VT:3	VT:3
Blackleg	0	0	0.2	0.5	1.0	exc.	exc.
Varietal Mixture	0	0	0	0	0.1	0.1	0.2
Ring Rot and Spindle Tuber	0	0	0	0	0	0	0
Winter Test:							
Virus, Ch. Dam.		0.5	0.5	0.5	0.5	0.5	
BRR, PSTV		0	0	0	0	0	
Summer Test:							
PVX, VT*	0	1.0	3.0	3.0	3.0	3.0	3.0
Virus, BRR, PSTV	0						

TABLE 1
TOLERANCES FOR DISEASES AND VARIETAL MIXTURE FOR GENERATION CLASSES

CLASSES	PN	G1	G2	G3	G4	G5	G6	C
Tolerances:								
Severe Mosaic	0	0.5	0.5	0.5	0.5	0.5	0.5	1
Leaf Roll	0	0.5	0.5	0.5	0.5	0.5	0.5	1
Total	0	0.5	0.5	0.5	0.5	0.5	0.5	1
Other viruses (S and X excluded)	0	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Mycoplasm	0	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Total	0	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Mild Mosaic (S)	0							
Mild Mosaic (X)	0	VT:1	VT:3	VT:3	VT:3	VT:3	VT:3	VT:3
Blackleg	0	0	0.2	0.5	1	exc.	exc.	exc.
Varietal mixture	0	0	0	0	0.1	0.1	0.2	0.2
Ring Rot and Spindle Tuber	0	0	0	0	0	0	0	0
Winter Test:								
Virus, Ch. Dam.	0.5	0.5	0.5	0.5	0.5	0.5	0.5	
BRR, PSTV	0	0	0	0	0	0	0	

Proposed Rules

Summer Test:

PVX, VT* virus	0	1	3	3	3	3	3	0
BRR, PSTV	0	0	0	0	0	0	0	0

Numbers represent percentages VT means Virus Tested Mycoplasmas: Haywire, Witches Broom, Yellow Dwarf Severe Mosaic: PVY, PVA, PVM BRR means Bacterial Ring Rot PSTV means Potato Spindle Tuber Viroid Ch. Dam. means Expressing symptoms of chemical damage * For the classes G1 and lower, the summer test for PVX is done on request of the grower only. The lot may be labeled "Virus Tested," if the tolerance of one percent for N1 and three percent for the lower classes is met.

Subp. 12. **Table 2.**

TABLE 2
TOLERANCES FOR DISEASES AND VARIETAL MIXTURE FOR CLASSES
ORIGINATING FROM CLONAL MULTIPLICATION

	CLONE	CLASSES				
		PF1	PF2	F1	F2	C
Severe Mosaic	0	<u>0-1 0.5</u>	<u>0-2 0.5</u>	<u>0-3 0.5</u>	<u>0-3 0.5</u>	1.00
Leaf roll	0	<u>0-1 0.5</u>	<u>0-2 0.5</u>	<u>0-3 0.5</u>	<u>0-3 0.5</u>	<u>0-3 1.00</u>
Total	0	<u>0-1 0.5</u>	<u>0-2 0.5</u>	<u>0-3 0.5</u>	<u>0-3 0.5</u>	<u>1-0 1.00</u>
Total other viruses (S and X excluded)	0	<u>0-1 0.5</u>	<u>0-2 0.5</u>	<u>0-3 0.5</u>	<u>0-3 0.5</u>	0.5
Mycoplasmas	0	<u>0-1 0.5</u>	<u>0-2 0.5</u>	<u>0-3 0.5</u>	<u>0-3 0.5</u>	0.5
Total	0	<u>0-1 0.5</u>	<u>0-2 0.5</u>	<u>0-3 0.5</u>	<u>0-3 0.5</u>	0.5
Mild Mosaic (S)						
Mild Mosaic (X)						
Blackleg		0.1	0.2	exc.	exc.	exc.
Varietal Mixture		0.1	0.2	0.2		
Ring Rot and Spindle Tuber	0	0	0	0	0	<u>0</u>
Winter Test:						
Virus, Ch. Dam.		0.5	0.5	0.5	0.5	<u>0.5</u>
BRR, PSTV		0	0	0	0	<u>0</u>
Summer Lab Test:						
Virus, BRR, PSTV	0					
<u>BRR</u>	<u>0</u>					
<u>PSTV</u>	<u>0</u>					

Numbers represent percentages VT means Virus Tested Mycoplasmas: Haywire, Witches Broom, Yellow Dwarf Severe Mosaic: PVY, PVA, PVM BRR means Bacterial Ring Rot PSTV means Potato Spindle Tuber Viroid Ch. Dam. means Expressing symptoms of chemical damage.

1510.2355 MINNESOTA CERTIFIED SEED POTATO GRADES AND TOLERANCES.

Subpart 1. **Minnesota certified seed potato grades.** Before potatoes are eligible for grading as certified seed potatoes, the requirements of parts 1510.2315 to 1510.2330 must be met.

Subp. 2. **Minnesota blue tag certified seed potato grade.** To be graded as Minnesota blue tag certified seed potatoes, the potatoes must meet the requirements in items A to C.

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

B. Size. For round or intermediate shaped varieties, the maximum size ~~shall be not more than is~~ 12 ounces (340.2 grams) and, unless otherwise specified, the minimum size shall be not less than 1-1/2 inches (38.1 millimeters) in diameter. For long varieties, the maximum size ~~shall be not more than is~~ 14 ounces (396.9 grams) and, unless otherwise specified, the minimum size shall be not less than 1-1/2 inches (38.1 millimeters) in diameter. For all varieties, size "B," the minimum diameter shall be not less than 1-1/2 inches (38.1 millimeters) and the maximum size shall be not more than 2-1/4 inches (57.1 millimeters) in diameter. The department may grade potatoes that do not meet the maximum and minimum size specifications as Minnesota blue tag certified seed potatoes if the buyer agrees to accept potatoes of

Proposed Rules

alternate size specifications from the grower and these specifications are listed on the tag or bulk certificate issued by the department.

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

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

Subp. 4. **Minnesota white tag certified seed potato grade.** Minnesota white tag certified seed potato grade consists of certified seed potatoes that are graded according to agreement between the seller and the purchaser as to size and defects, except that not more than one-half percent of soft rot, frozen, or wet breakdown and two percent dry rot, of which not more than one percent late blight tuber rot is allowed.

~~The use of the white tag certified seed potato grade must be restricted to intrastate shipments.~~

[For text of subps 5 to 7, see M.R.]

REPEALER. *Minnesota Rules*, parts 1505.0610; 1505.0620; 1505.0630; 1505.0640; 1505.0650; 1505.0660; 1505.0670; 1505.0680; 1505.0730; 1505.0732; 1505.0734; 1505.0740; 1505.0750; 1505.1300; 1505.1310; 1505.1320; 1505.1330; 1505.1340; 1505.1350; 1505.1360; 1505.1370; 1505.1380; 1505.1390; 1505.1400; 1505.1410; 1505.1420; 1505.1430; 1505.1440; and 1505.1450, are repealed.

Withdrawn Rules

An agency may choose to withdraw rules it has proposed, thus cancelling any time-sensitive schedule for public comment, hearing, or further movement toward the rules' adoption. These rules will be listed as withdrawn by their individual rules numbers in the *State Register's* index to rulemaking activity, **Minnesota Rules: Amendments and Additions**. An agency that so chooses to withdraw proposed rules, may reintroduce those same rules at a later date.

Minnesota Board of Pharmacy

Notice of Withdrawal: Rule 6800.4210 Schedule I Controlled Substances

The Minnesota Board of Pharmacy withdraws the proposed rule change to *Minnesota Rule* 6800.4210 as published in the *State Register* on Monday 1 November 2010 (35 SR 693) on pages 693 - 695.

Appointments

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

Minnesota Department of Management and Budget (MMB) Appointment of Commissioner Steve Sviggum

NOTICE IS HEREBY GIVEN, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Tim Pawlenty appointed Steve Sviggum to the office of Commissioner of the Minnesota Department of Management and Budget, effective December 2, 2010. His appointment replaces Commissioner Thomas J. Hanson, appointed on December 30, 2006.

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

- *Minnesota Statutes*, Chapters 16A

Commissioner Sviggum resides at 42490 - 60th Avenue, Kenyon, Minnesota, 55946, Goodhue County, Congressional District Two.

He can be reached at the Minnesota Department of Finance, 400 Centennial Bldg., 658 Cedar Street, St. Paul, MN 55155. Telephone (651) 201-8000. Website: <http://www.mmb.state.mn.us>

Official Notice

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

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

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Minnesota Comprehensive Health Association (MCHA) Notice of Board of Director's Meeting December 13, 2010

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA) Board of Directors will be held at 1:00 p.m. on Monday, December 13, 2010, at the MCHA Executive Office, 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

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

Minnesota Department of Labor and Industry (DLI) Construction Codes and Licensing Division REQUEST FOR COMMENTS on Possible Amendment to and Repeal of Rules Governing Boilers, Pressure Vessels and Boats for Hire, *Minnesota Rules*, Chapter 5225

Subject of Rules. The Minnesota Department of Labor and Industry ("Department") requests comments on its possible amendment to rules governing boilers, pressure vessels and boats for hire. The Department is considering rule amendments to *Minnesota Rules*, Chapter 5225 that relate to boilers, pressure vessels and boats by revising some rules and repealing other rules to: 1) coordinate with, elaborate on, or support legislative changes, and 2) update the rules to reflect current industry practices.

Persons Affected. The amendment to and repeal of rules would likely affect owners of boilers and pressure vessels, licensed operating engineers of boilers, steam engines, or steam turbines, employers of licensed operating engineers, mechanical contractors, boiler and pressure vessel manufacturers and repair firms, boat owners and operators, insurance companies that insure boilers, pressure vessels, or boats, and colleges and universities that teach education courses related to boilers, pressure vessels, or boats.

Statutory Authority. *Minnesota Statutes*, section 326B.02, subdivision 5 authorizes the Commissioner of the Department to adopt, amend, suspend, and repeal rules relating to *Minnesota Statutes*, chapter 326B.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The Department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Department may solicit comments from affected groups or appoint an advisory committee to comment on the possible rules.

Rules Drafts. The Department will post rule drafts for this rule when they are available on the rulemaking docket on the Department's website at: <http://www.dli.mn.gov/RulemakingCCL.asp>.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Colleen Chirhart at the Department of Labor and Industry, Construction Codes and Licensing Division, 443 Lafayette Road N., St. Paul, Minnesota 55155, **phone:** (651) 284-5867, **fax:** (651) 284-5749, and

Official Notices

e-mail: at colleen.chirhart@state.mn.us. **TTY** users may call the Department at (651) 297-4198.

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

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

Dated: 23 November 2010

Steve Sviggum, Commissioner
Department of Labor and Industry

Minnesota Department of Labor and Industry (DLI) Construction Codes and Licensing Division REQUEST FOR COMMENTS on Possible Rules Governing Boiler, Steam Engine, or Steam Turbine Operating Engineers and Amendment to *Minnesota Rule* part 5225.0550

Subject of Rules. The Minnesota Department of Labor and Industry (“Department”) requests comments on its possible rules governing engineers who operate boilers, steam engines, or steam turbines. The Department is considering rules that establish: 1) continuing education requirements for licensed operating engineers and 2) educational equivalencies that a current licensee may meet in lieu of a portion of operating experience in order to receive a higher grade operating engineer license.

Persons Affected. The rules would likely affect owners of boilers and pressure vessels, licensed operating engineers of boilers, steam engines, or steam turbines, employers of licensed operating engineers, mechanical contractors, boiler and pressure vessel manufacturers and repair firms, insurance companies that insure boilers or pressure vessels, and colleges and universities that teach education courses related to boilers or pressure vessels.

Statutory Authority. *Minnesota Statutes*, section 326B.02, subdivision 5 authorizes the Commissioner of the Department to adopt, amend, suspend, and repeal rules relating to *Minnesota Statutes*, chapter 326B. The *2010 Laws of Minnesota*, chapter 183, section 22, extends the authority to adopt rules under *Minnesota Statutes*, section 326B.978, subdivisions 4 and 18. These rules, if adopted, would establish: 1) continuing education requirements for licensed operating engineers and 2) educational equivalencies that a current licensee may meet in lieu of a portion of established operating experience in order to receive a higher grade operating engineer license.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The Department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Department may solicit comments from affected groups or appoint an advisory committee to comment on the possible rules.

Rules Drafts. The Department will post rule drafts for this rule when they are available on the rulemaking docket on the Department’s website at: <http://www.dli.mn.gov/RulemakingCCL.asp>.

Agency Contact Person. Written comments, questions, or 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: Colleen Chirhart at the Department of Labor and Industry, Construction Codes and Licensing Division, 443 Lafayette Road N., St. Paul, Minnesota 55155, **phone:** (651) 284-5867, **fax:** (651) 284-5749, and **e-mail:** at colleen.chirhart@state.mn.us. **TTY** users may call the Department at (651) 297-4198.

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print,

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Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

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

Dated: 23 November 2010

Steve Sviggum, Commissioner
Department of Labor and Industry

Minnesota Racing Commission REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Horse Racing, *Minnesota Rules*, 7873 Pari-mutuel Rules, 7877 Duties and Responsibilities of Class C Licensees, 7883 TB/QH Horse Races

Subject of Rules. The Minnesota Racing Commission requests comments on its possible amendment to rules governing Horse Racing. The Commission is considering rule amendments that revise the price of a trifecta ticket and the carryover of pick four pari-mutuel pool, allow jockey mud pants, amend conditions regarding jockey mount fees, set specifications for riding crops, and limit toe grab restrictions to Thoroughbred horses.

Persons Affected. The amendment to the rules would likely affect Class A & B Licensees, Class C licensees, and the betting public, and horsemen.

Statutory Authority. *Minnesota Statutes*, sections 240.03, 240.13, 240.16, and 240.23, authorize the Racing Commission to amend rules which affect the integrity of racing or the public health, welfare, or safety.

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 Commission intends to adopt or to withdraw the rules. The Commission does not contemplate appointing an advisory committee to comment on the possible rules.

Rules Drafts. The Commission has prepared a draft of the possible rules amendments.

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

Richard G. Krueger, Executive Director
Minnesota Racing Commission
P. O. Box 630
Shakopee, MN 55379
Phone: (952) 496-7950
Fax: (952) 496-7954
E-mail: richard.krueger@state.mn.us.
TTY users may call the Commission 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 cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

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

you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: 22 November 2010

Richard G. Krueger
Minnesota Racing Commission

Department of Transportation (Mn/DOT) Engineering Services Division, Office of Construction and Innovative Contracting Notices of Suspension and Debarment

NOTICE OF SUSPENSION

NOTICE IS HEREBY GIVEN that the Department of Transportation (Mn/DOT) has ordered that the following vendors be suspended effective December 28, 2009, until final disposition of the hearing or hearing appeal:

Riley Bros. Companies Inc. and its affiliates, Morris MN
Riley Bros. Construction Inc. and its affiliates, Morris MN
Riley Bros. Properties, LLC, and its affiliates, Morris MN
Riley Bros. Utilities, Inc. dba/Chris Riley Utilities, Inc. and its affiliates, Morris MN

NOTICE OF DEBARMENT

NOTICE IS HEREBY GIVEN that the Department of Transportation (Mn/DOT) has ordered that the following vendors be debarred for a period of three (3) years effective February 24, 2010 until February 24, 2013:

Joseph Edward Riley, Morris, MN
John Thomas Riley, Morris, MN

Minnesota Statutes, Section 161.315, prohibits the Commissioner, counties, towns or home rule or statutory cities from awarding or approving the award of a contract for goods or services to a person who is suspended or debarred; including

- 1) any contract under which a debarred or suspended person will serve as a subcontractor or material supplier,
- 2) any business or affiliate which the debarred or suspended person exercises substantial influence or control, and
- 3) any business or entity which is sold or transferred by a debarred person remains ineligible during the period of the seller's or transfer's debarment.

State Contracts

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

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

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

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

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

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

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

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Department of Administration (Admin) Notice of Request for Proposals for Digital Aerial Photography Proposals

The Minnesota Department of Administration is requesting proposals to acquire 2011 digital aerial photography for 36 counties in southern Minnesota on behalf of a multi-agency collaborative. The Department of Administration requests cost and technical proposals for a baseline product, a stereo product over the same region and costs for potential resolution enhancements over selected areas, which the state may consider as options.

The winning vendor will be expected to:

- Collect four-band, leaf-off digital aerial photography during the spring of 2011 for the project region, approximately 23,000 square miles in area spanning the southern reaches of the state
- Process those data to provide the Baseline Product: 0.5-meter resolution ortho-rectified imagery in two formats: 1) county mosaics, and 2) USGS quarter-quadrangle-based tiles
- Provide separate stereo imagery for the entire project area in addition to the Baseline Product
- Provide cost information for optional enhancements to the Baseline Product, which include 1-foot resolution data in lieu of 0.5-meter products for selected counties
- Meet industry-standard accuracy and quality specifications
- Prepare full metadata records complying with state standards

Work is proposed to start after February 1, 2011.

The Request for Proposals can be obtained from:

Christopher Cialek, Project Coordinator
MnGeo; Minnesota Department of Administration
658 Cedar Street; Suite 300
St. Paul, MN 55155
E-mail: chris.cialek@state.mn.us
Telephone: (651) 201-2481

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:30 PM, Central Standard Time, January 3, 2011. **Late proposals will NOT be considered.** Faxed 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 Agriculture (MDA) Division of Ag Development and Financial Assistance Notice of Availability of Contract for Minnesota Farm Behavioral Health Outreach and Support Program

BACKGROUND

The recovery from disaster events, such as natural disasters (i.e. floods, tornadoes), can be an overwhelming experience. Many individuals find the navigation of insurance claims, disaster assistance programs, rebuilding, and recovery to be vast and frustrating. For the farm sector, the needs of the recovery process may take second stage to the immediate needs of the farm operation. Such compounding of events can push ones emotional stability to the breaking point. Behavioral health issues; such as stress related ailments, depression, anxiety, and suicidal thoughts, can be prevalent. The availability of behavioral health therapy and family unit outreach has been limited in many rural areas of Minnesota. Along with the farm family members, many agri-business personnel (i.e. milk haulers, farm suppliers, lenders, etc) and other agriculture professionals (cooperative extension staff, farm management professionals, etc) find it difficult to recognize the signs of such behavioral health issues and are unskilled in intervention techniques to help.

The Minnesota Department of Agriculture is requesting proposals for the purpose of:

- a) providing behavioral health therapy and case management of farmers and dependent family members in need of supportive services do to issues brought on by a disaster event, and
- b) providing in-service training to agri-business and other ag professionals on recognizing and addressing behavior health needs of farmers and dependent family members. Training would include strategies for behavioral health management of intervening professionals.

Work is proposed to start after January 1, 2011.

A Request for Proposals will be available by mail or email from this office through December 27, 2010. **A written request (by direct mail, fax, or email) is required to receive the Request for Proposal.**

The Request for Proposal can be obtained from:

Kevin Plante
Minnesota Department of Agriculture
625 Robert St N.
St. Paul, MN 55155-2538
Fax: (651) 201-6120
E-mail: kevin.plante@state.mn.us

State Contracts

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00 p.m. CST on Monday, December 27. **Late proposals will NOT be considered.** Fax or e-mailed proposals will **NOT** be accepted.

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 State Colleges and Universities (MnSCU) Anoka-Ramsey Community College Request Proposals for Printing and Mail Preparation for the Public Art Work for Visual Arts Center

NOTICE IS HEARBY GIVEN that Anoka-Ramsey Community College will receive proposals for public art work for the new Visual Arts Center located at the Coon Rapids Campus of Anoka-Ramsey Community College. Specifications are available on the website:

<http://www.anokaramsey.edu/IT/proposal.cfm>

Copies of the specifications can also be obtained from Mirela Gluhic at (763) 433-1338 or *mirela.gluhic@anokaramsey.edu*.

Sealed proposals must be received by the Business Office of Anoka-Ramsey Community College, 11200 Mississippi Blvd., Coon Rapids, MN 55433 by 4 p.m. on January 11, 2010.

Anoka-Ramsey Community 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) North Hennepin Community College Request for Proposal (RFP) for Food Service at North Hennepin Community College

Introduction:

North Hennepin Community College, Brooklyn Park, is soliciting bids for the management of its Food Service, beginning July 1, 2011.

Proposal Due Date:

Vendor proposals are due no later than 4:00pm, on Friday, February 11, 2011. Proposals must be submitted to Kitty Hennemann, Director of Student Life, North Hennepin Community College, 7411 - 85th Avenue North, Brooklyn Park, MN 55445. Specifications can be obtained by calling (763) 424-0803 or (763) 424-0802.

Site Inspection and Briefing:

To schedule a briefing session and site inspection, please call the phone numbers listed above. Site inspections will be scheduled during the week of January 3, 2011.

Minnesota State Colleges and Universities (MnSCU)**Winona State University****Request for Bids for Contract to Purchase Recycled Print Cartridges and Repair/Maintenance/Cleaning for about 300 Laser Printers**

NOTICE IS HEREBY GIVEN that Winona State University is seeking bids for one contract to purchase recycled print cartridges along with “as requested” repair/maintenance/cleaning of approximately 300 laser printers.

Bid specifications will be available December 6, 2010 by contacting Deb Benz, at Somsen Hall, PO Box 5838, Winona, MN 55987, e-mail: dbenz@winona.edu or by calling (507) 457-5069.

Sealed bids must be received by Deb Benz at PO Box 5838 or at 175 W Mark Street, Somsen 205G, Business Office, Winona State University, Winona, MN 55987 by 3:00 PM, Monday, December 20, 2010.

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

Minnesota Department of Education (MDE)**Notice of Request for Proposals for External Evaluator of Projects Funded under the Federal State Personnel Development Grant**

The Minnesota Department of Education (MDE) is requesting proposals for an external evaluator of the projects funded under the federal State Personnel Development Grant (SPDG)

PROJECT OVERVIEW**Goal:**

Conduct the external, third party evaluations represented in the SPDG’s Evaluation Plan as approved by OSEP, and as agreed upon on an annual basis over the course of the entire grant period.

Summary of Tasks:

1. Carry out the third party evaluations represented in the SPDG’s Evaluation Plan as approved by OSEP, and as agreed upon on an annual basis.
2. Develop, implement and maintain the program evaluation protocols, data-bases, and systems needed to demonstrate the implementation integrity, outcomes, and scaling-up success of the grant.
3. Assist in the data analysis, interpretation, presentation, and write-up process needed to complete all SPDG annual (and, eventually, the final) reports required by OSEP, and any other related reports or presentations needed by MDE staff. This will include a primary responsibility for completing the OSEP SPDG Performance and Program Indicators and Targets section of the annual/final report within the time constraints required and drafting the Narrative section.
4. Meet twice per year on-site at the MDE (typically, October and April), and participate two more times per year (typically, January and July) on conference calls with the entire SPDG staff in order to coordinate and accomplish all program evaluation activities.
5. Meet up to twice per year with MDE staff and the SPDG sub-grantees.
6. Participate on other as-needed telephone calls with the SPDG Director and/or other SPDG staff in order to maintain an efficient and effective third party evaluation system.

State Contracts

7. Attend the annual OSEP Project Directors' conference (typically in July of each year in Washington, DC) with selected SPDG staff, attend scheduled Regional SPDG Project Director and Evaluators meetings (typically, once per year in October), participate on OSEP-initiated SPDG Project Directors' conference calls (typically, monthly), and maintain relevant and needed affiliations with the national SPDG Evaluators group/cadre.

8. Other relevant responsibilities as defined and agreed upon.

Two attachments are included with the solicitation document to assist responders in developing their proposals.

Estimated Project Period:

The Department estimates that the initial contract period would be approximately 2 years with extensions up to three additional years based on approved continued funding from the federal Office of Special Education Programs for a total of 5 years. The estimated initial contract period would be early February, 2011, through September 30, 2012.

Estimated Project Costs:

The initial contract amount may be prorated since the first year of the two year contract may not be a full 12 month period, February, 2011, through 9/30/2011 based on a 12 month amount of \$35,000. The second year of that almost two year contract period would be for \$35,000 and would run approximately from 10/1/2011 through 9/30/2012. Any extended contract years would be up to \$35,000 a year and align with the federal year of funding. The total period for all contracts would not exceed 5 years.

Question and answer due dates are identified in the solicitation document along with additional information pertaining to the SPDG workplan activity chart (taken from approved workplan) and the evaluator chart (taken from the approved workplan) and subject to some minor changes each year.

The Request for Proposal can be requested through email or hard copy written letter from:

Name: **Rosa Tock Quinonez**
Minnesota Department of Education
1500 Highway 36 West
Roseville, Minnesota, 55113-4266
Phone: (651) 581-8372
E-mail address: rosa.tock.quinonez@state.mn.us

No requests may be submitted through fax or phone. Potential responders are requested to submit a request to obtain the full Request for Proposals no later than Monday, December 27, 2010, 4 PM, Central Time, to ensure adequate time to respond.

Proposals submitted in response to the Request for Proposals must be received at the address above, to the attention of Faye Lovell, no later than **Monday, January 10, 2011, 4 pm, Central Time**. Late proposals will NOT be considered. Fax or emailed proposals will **NOT** be considered. Please refer to the instructions in the request for proposal document.

This request does not obligate the State to complete the work contemplated in this notice or award a contract. The State reserves the right to cancel this solicitation/RFP if it is in the best interest of the state and funding is not available. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota Historical Society (MHS) Notice of Request for Proposals for The Age of Brainerd Ceramics

The Minnesota Historical Society (Society) and the Oversight Board of the Statewide Historical and Archaeological Survey (Board) are hereby seeking a qualified consultant to investigate the age of Brainerd ceramics in Minnesota and related radiocarbon dating problems associated with the use of charred food remains from prehistoric ceramics. The purpose of the project is to determine how early Brainerd ceramics appear, how late they survive, and the effects of carbonate contamination on dating charred food residues on prehistoric ceramics in Minnesota.

The project cost may not exceed \$65,000.

The Request for Proposals is available from Mary Green-Toussaint, Purchasing Coordinator, Minnesota Historical Society, via e-mail: mary.green-toussaint@mnhs.org.

Proposals must be received by 2:00 P.M. Local Time on Wednesday, December 22, 2010. Late proposals will NOT be accepted.

Dated: 6 December 2010

Minnesota Department of Human Services (DHS) Health Care Eligibility and Access Division Notice of Request for Proposals to Provide Services for Verifying Income of Public Assistance Enrollees and Applicants Using Payroll Data in a Proof of Value Pilot

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals from qualified Responders to provide a service for verifying income of public assistance enrollees and applicants using payroll data in a Proof of Concept pilot to last three months..

Work is proposed to start **March 1, 2011**. For more information, or to obtain a copy of the Request for Proposal, contact:

Kassie Church
Health Care Eligibility and Access Division
Department of Human Services
P.O. Box 64989
St. Paul, MN 55164-0989
Phone: (651) 431-3131
E-mail: kassandra.church@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 e-mail address above no later than **2:30 p.m., Central Standard Time, December 28, 2010**. **Late proposals will NOT be considered.** Faxed or 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 Labor and Industry (DLI) Notice of Availability of Contract to Provide Workers' Compensation Medical Bill Review and Payment Services

The Minnesota Department of Labor and Industry, Claims Services and Investigations Section is requesting proposals for the purpose of providing medical bill review and payment services for uninsured employer, bankrupt self-insured employer and asbestosis claims. These services must be provided in accordance with all applicable workers' compensation laws and administrative rules and within the specifications provided in the Request for Proposal.

Work is proposed to begin July 1, 2011.

State Contracts

Proposals are due no later than 4:00 p.m. CST on Tuesday, December 28, 2010. **Late proposals will NOT be considered.** Fax or emailed proposals will **NOT** be considered. To request a copy of the Request for Proposal, contact:

Carol Pankow, Executive Director
Claims Services and Investigations
Minnesota Department of Labor and Industry
443 Lafayette Road
St Paul, MN 55155
Phone: (651) 284-5455
Fax: (651) 284-5733
E-mail: *Carol.Pankow@state.mn.us*

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 State Lottery Request for Proposals for Sponsorship Agreements

Description of Opportunity

The Minnesota State Lottery develops sponsorship agreements throughout the year with organizations, events, and sports teams to create excitement for lottery players, to interest new players and increase the visibility of lottery games. The Lottery encourages and continually seeks new sponsorship agreements to help achieve current Lottery marketing goals.

Proposal Content

A sponsorship proposal presented to the Lottery should meet the following three criteria:

1. Maximize Lottery Visibility – the event, sports or tie-in proposal should draw a large number of desired participants (typically 50,000 or more) whose demographics match the Lottery player profile. The Lottery is interested in effectively delivering its message of fun and entertainment to Minnesota adults whose demographics skew primarily towards those aged 25-64, with a household income of \$35,000-\$75,000, and having an educational background of some college or higher. The Lottery does not market to those under the age of 18, and family events with high levels of children present are generally not accepted. Attendance, on-site signage visibility and paid media exposure will be critical components that will be evaluated.

2. Enhance Lottery Image- – the event, sports or tie-in proposal should inherently project the attitude that the Lottery is a fun and socially acceptable part of the community. The Lottery's presence should fit well within the lineup of other sponsors. The Lottery is interested in creating opportunities whereby the sponsorship can translate into sales revenue, either via on-site sales from a Lottery booth, from sales-generating promotions with Lottery retailers or from joint programs with the sponsor's media partners.

3. Provide Promotional Extensions – the event, sports or tie-in proposal should offer exciting, value-added ways to interact with our players and have opportunities to motivate attendees, listeners and viewers to participate in and purchase Lottery games. The proposal must include proper staffing availability or other considerations to help the Lottery implement any appropriate promotional extension ideas.

Proposals should address all pertinent elements of the sponsorship and how the Lottery criteria as stated above and on the Evaluation Form are to be met. To view or print copies of the Request for Proposal go to: <http://www.mnlottery.com/vendorops.html>

This Solicitation does not obligate the state to award a contract or pursue a proposed sponsorship opportunity, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

Questions

Questions concerning this Solicitation should be directed to:

John Mellein, Marketing Director

Minnesota State Lottery
2645 Long Lake Road
Roseville, MN 55113
Telephone: (651) 635-8230
Toll-free: (888) 568-8379 ext. 230
Fax: (651) 297-7496
TTY: (651) 635-8268
E-mail: johnm@mnlottery.com

Other personnel are not authorized to answer questions regarding this Solicitation.

Response Delivery

All responses must be in writing and delivered to the contact noted above. Proposals will be accepted on an ongoing basis.

Minnesota State Retirement System (MSRS) Notice of Availability of Contract for “Holistic Monitoring Solution”

The Minnesota State Retirement System is requesting proposals for the purpose of providing a holistic monitoring and alerting solution for our newly implemented network security solution. This system should provide a “single pane of glass” dashboard to provide access to statistics, alerts, and reports of infrastructure, security and service delivery for the enterprise. This dashboard needs the flexibility to combine both internally gathered statistics and business metrics to display business service, as well as, IT service, security delivery and availability. MSRS requires a supportable, scalable, easy to use solution(s) which facilitates custom functionality in an intuitive way.

During the RFP process, a vendor/demo product(s) will be selected and tested in a lab environment. The lab experience includes implementation of demonstration equipment by the vendor(s), test period by MSRS evaluation team and “expert day” for the vendor technical representative to demonstrate system features. The best value solution will be selected and implemented.

The targeted start date for vendor demonstrations is January 17, 2011 through February 18, 2011. The RFP contains a Master Time Line link with all applicable dates.

Master Time Line <http://msrs.state.mn.us/info/holistic-monitoring-solution-timeline.htmls>

	Activity	Target Due Date
1	RFP Posted in State Register	11/22/2010 – 12/17/2010
2	Vendor “Pre-Interviews” – Recorded	11/29/2010 – 12/10/2010
3	Vendor Technical Q & A – Written submissions due	12/10/2010
4	Vendor Q & A Response Posted Deadline	12/14/2010
5	Proposal due	12/21/2010
6	Vendor Interviews	01/03/2011 - 01/14/2011
7	RFP Response Review	01/03/2011 – 02/18/2011
8	Monitoring Demonstration	01/17/2011 – 02/18/2011
9	Vendor Selection	2/18/2011

A Request for Proposal will be available by mail from this office beginning November 22, 2010. **A written request by e-mail is required to receive the Request for Proposal.** The Request for Proposal can be obtained from:

Sue Willinger, Contract Administration
60 Empire Drive, Suite 300
St. Paul, MN 55103
E-mail: Sue.willinger@state.mn.us

State Contracts

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 12:00 PM CST on December 21, 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 Public Safety (DPS) Bureau of Criminal Apprehension (BCA) Request for Proposals (RFP) for Oracle Service Bus Upgrade Consultation and Oversight

The Minnesota Department of Public Safety, Bureau of Criminal Apprehension (BCA) is requesting proposals for consulting services and oversight to upgrade to the latest supported version; Oracle OSB 11G for BCA Minnesota Justice Information Services (MNJIS).

The contract is anticipated to begin on or around January 17, 2011 and end June 30, 2011.

A written request (by direct mail or email) is required to receive the Request for Proposal.

The Request for Proposal can be obtained from:

Maureen Janke
BCA, MNJIS, Contracts and Grants Manager
1430 Maryland Avenue East
St. Paul, MN 55106
E-mail: *Maureen.janke@state.mn.us*

All questions concerning this RFP should be emailed to Maureen Janke. Deadline for submitting and accepting questions will be December 13, 2010 at 2:00 p.m. Central Daylight Time (CDT). A full collection of all the questions and answers will be e-mailed to all entities requesting a complete RFP by the end of business day December 15, 2010. Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than December 28, 2010 at 2:00 p.m. Central Daylight Time (CDT). **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 Transportation (Mn/DOT) Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of General Organizational Related Activities

(This document is available in alternative formats for persons with disabilities by calling Melissa McGinnis at 651-366-4644; for persons who are hearing or speech impaired by calling the Minnesota Relay Service at 800-627-3529.)

Mn/DOT, in conjunction with the Department of Administration, have developed a streamlined approach for fast-tracking select general organization service projects. These general organizational projects may include, but are not limited to, work in the following categories: 1) Develop, implement and summarize internal and external surveys; 2) Recommend best practices in an organizational structure; 3) Assist with organizational health structure; 4) Provide marketing support; 5) Develop, implement and provide support of ad hoc forums; 6) Establish and facilitate collaborative groups, including cross-organization and public-private teams; 7) Provide project

management for non-technical initiatives; and 8) Facilitate non-technical activities and events.

This streamlined approach includes developing an email list of firms that are interested in receiving direct notification of general organizational projects. Firms will be added on an on-going basis. Fast-tracked projects will have a shorter advertising period and turn-around time. Firms will be asked to submit responses within 5 business days and will be required to work diligently with Mn/DOT toward establishing a contract upon selection. All projects will be advertised to the public. Your firm will be directly notified that there is a project posted on the Consultant Services Website (www.dot.state.mn.us/consult) that requires general organizational skills. Please note that this notice is not a solicitation or request for proposals of any kind. Being placed on the list does not guarantee work nor does it obligate Mn/DOT to provide any contracting opportunities under this program.

Interested firms should send the following information to the email address below: Firm name, firm contact person, phone number, and email address.

Contact: Melissa McGinnis, Contract Administrator
E-mail: melissa.mcginis@state.mn.us
Telephone: (651) 366-4644

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

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

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

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT’s Consultant Services web site, indicated below, to 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:

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

State Contracts

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.

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.

Marketplace for Other Contracts

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."

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

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***Woodworking for Wildlife* - updated, Stock No. 275, \$19.95**

Minnesota author Carrol Henderson's popular book, *Woodworking for Wildlife*. Along with designs for 28 different nest box projects, this newly-expanded edition includes 300 color photographs and information on deterring nest predators, placing and maintaining boxes, and setting up remote cameras in nest boxes. The 164-page book, which has a soft cover that opens flat for easy use, features new designs for great crested flycatchers, mergansers, dippers, bumblebees and toads. *Woodworking for Wildlife* was printed in Minnesota on recycled



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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

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Shipping _____

Subtotal _____

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TOTAL _____

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