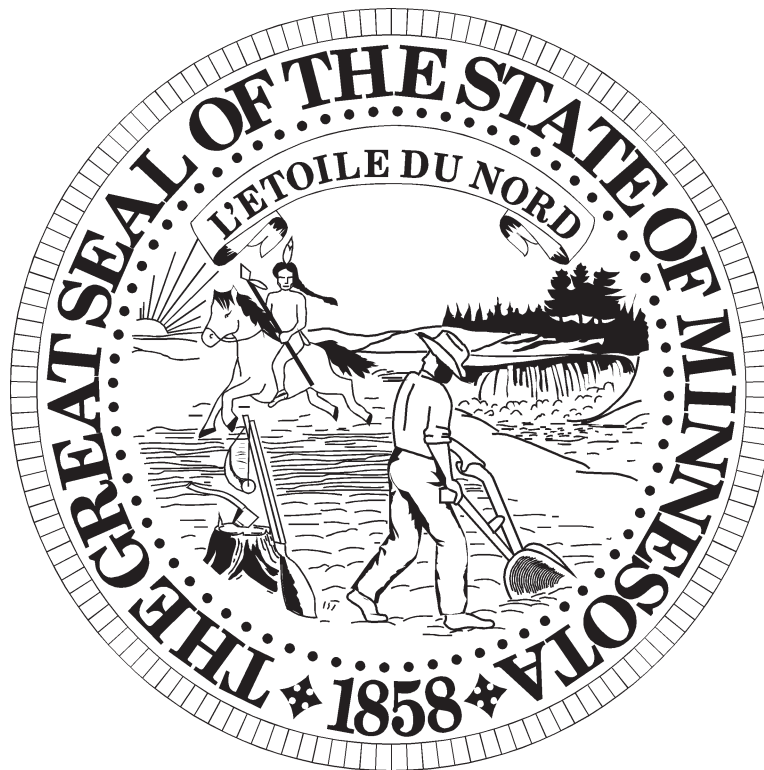


State of Minnesota

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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Monday 17 September 2012

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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- Withdrawn Rules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

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Vol. 37 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Proposed, Adopted and Exempt RULES
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# 14	Monday 1 October	Noon Tuesday 25 September	Noon Wednesday 19 September
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Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. 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. TTY relay service phone number: (800) 627-3529.

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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 Nursing

CORRECTION TO Proposed Permanent Rules Relating to Nursing Professional and Practical Nursing Licensure

The rules proposed and published at *State Register*, Volume 36, Number 35, page 1092 (36 SR 1092) and page 1098 (36 SR 1098), March 19, 2012 contained an error. The date of issue was not identified and the Web site information was incomplete. Below is the correct version.

Program Requirements: 6305.0800: Appendices to Minnesota Administrative Rules, Chapter 6305, issued by the Minnesota Board of Nursing, February 2012, are incorporated by reference. They are available through the Minnesota Board of Nursing Web site at: <http://www.Nursingboard.state.mn.us> under the education topic tab. They are not subject to frequent change.

Program Requirements: 6310.3800: Appendices to Minnesota Administrative Rules, Chapter 6310, issued by the Minnesota Board of Nursing, February 2012, are incorporated by reference. They are available through the Minnesota Board of Nursing Web site at: <http://www.Nursingboard.state.mn.us> under the education topic tab. They are not subject to frequent change.

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.

Board of Nursing

Adopted Permanent Rules Relating to Nursing Professional and Practical Nursing Licensure and Registration

The rules proposed and published at *State Register*, Volume 36, Number 35, pages 1081-1098, March 19, 2012 (36 SR 1081), are adopted as proposed.

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 Amendment to Game and Fish Rules: Waterfowl Season

The Adopted Expedited Emergency Game and Fish Rules: Waterfowl Season, published at 37 SR 307, are amended as follows:

6240.0650 TAKING COOTS, MOORHENS, AND DUCKS.

Subpart 1. **Open season.** Coots, moorhens, and ducks may be taken:

[For text of item A, see 37 SR 307]

B. in the Central Waterfowl Zone, as described in subpart 3, during the 60-day period that includes September ~~20~~22 to 30 and October 6 to November 25; and

[For text of item C, see 37 SR 307]

[For text of subps 2 and 3, see 37 SR 307]

EFFECTIVE PERIOD. The amendment to *Minnesota Rules*, part 6240.0650, subpart 1, item B, made by this rule is effective on the date the rule it amends is effective and expires January 30, 2013.

Official Notices

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

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

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Minnesota Gambling Control Board Request for Comments on Possible Amendments to Rules Governing Lawful Gambling, *Minnesota Rules*, part 7861-7865

Subject of Rules. The Gambling Control Board requests comments on its possible amendments to rules governing lawful gambling based on statutory changes in *Minnesota Statutes* section 349 that occurred in 2010-2012. The Board is considering clarifying rules language pertaining to electronic pull-tabs and bingo and other concerns that may come up that the Board decides to address as time allows.

Persons Affected. The amendments to the rules would likely affect nonprofit organizations authorized to conduct lawful gambling, distributors of lawful gambling equipment, linked bingo game providers, and manufacturers of gambling equipment. Local units of government would most likely not be affected as ordinance mandates are contained in *Minnesota Statutes*, sections 349.213 and are not addressed in the Board's rules.

Statutory Authority. *Minnesota Statutes*, section 349.151, subdivision 4(a)(5) authorizes the Board to make rules authorized by Chapter 349; *Minnesota Statutes*, section 349.151, subdivision 4(a)(20) authorizes the Board to take all necessary steps to insure the integrity of and public confidence in lawful gambling; and *Minnesota Statutes*, section 349.151, subdivision 13 authorizes the Board to adopt rules when necessary or proper in discharging the Board's powers and duties.

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 Board intends to adopt or to withdraw the rules. The Board plans to appoint an advisory committee to comment on the possible rules. If you wish to be considered as a participant in the Public Advisory Committee (PAC) for this rules process, notify the agency contact person listed below. The PAC meetings will be conducted at the Board's office at 1711 West County Road B, Suite 300 South, Roseville, Minnesota 55113. It is anticipated that the meetings will be conducted once a month or as otherwise deemed necessary by the Director.

Rules Drafts. The Gambling Control Board has not yet prepared a draft of the possible rules amendments to *Minnesota Rules*, parts 7861 to 7865. The draft, when prepared, will be available through the Board's web site at www.gcb.state.mn.us or by contacting the agency's contact person listed below.

Agency Contact Person. Written comments, questions, requests to receive a rules draft of when prepared, and requests for more information on these possible rules should be directed to: Deb Hellenberg at Gambling Control Board, 1711 West County Road B, Suite 300 South, Roseville, Minnesota 55113, **phone:** (651) 639-4083, **fax:** (651) 639-4032, or **e-mail:** deb.hellenberg@gcb.state.mn.us. TTY users may call the Board at (651) 639-4083.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. 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: September 17, 2012

Tom Barrett, Executive Director
Minnesota Gambling Control Board

Minnesota Housing Finance Agency (MHFA) Notice of Hearing on Bond Issues for Qualified Mortgage Bonds

NOTICE IS HEREBY GIVEN that the Minnesota Housing Finance Agency (the “Agency”) will hold a public hearing at 10:00 a.m. on Tuesday, October 2, 2012 at the Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101, for the purposes of taking public testimony regarding the issuance of qualified mortgage bonds, comprising one or more series, in an aggregate principal amount not exceeding \$250,000,000. The bonds will be issued as qualified mortgage bonds subject to the mortgage eligibility requirements of Section 143 of the Internal Revenue Code of 1986, as amended, and will provide funds for the purchase by the Agency of mortgage loans of certain low and moderate income, firsttime homebuyers of single family owneroccupied residences located throughout the State of Minnesota, which homebuyers qualify under the Agency’s bond financed single family mortgage program (the “Program”) and applicable federal tax law. The Agency’s Program is further described in the MHFA Mortgage Loan Program Procedural Manual: MBS, as updated from time to time, a copy of which may be obtained from the Agency. Said bonds may be issued either as refunding bonds to refund certain outstanding bonds of the Agency or as “new money” bonds using a portion of the Agency’s state bond volume allocation, and may be issued either as shortterm bonds, subject to refunding or remarketing at a subsequent date on a longterm, fixed or variable rate basis, or as longterm, fixed or variable rate bonds on original issuance. The bonds covered by this hearing notice, up to an aggregate principal amount not exceeding \$250,000,000, are anticipated to be issued periodically to fund the Program during the calendar years 2012 and 2013, until fully utilized.

Parties wishing to comment on the financing for the Program may appear in person at the hearing or may submit written comments to the undersigned prior to the hearing, which comments will be considered at the hearing. Parties desiring additional information should contact Ms. Suzanne Best of the Agency (651-297-3131).

Mary Tingerthal, Commissioner
Minnesota Housing Finance Agency

Minnesota Department of Human Services (DHS) Request for Statements of Interest for Development and Implementation Council for Community First Services and Supports and Money Follows the Person

The Minnesota Department of Human Services (“the Department”) will convene a Development and Implementation Council to consult and collaborate with the Department in the redesign of Personal Care Assistance services through the development and implementation of Community First Services and Supports (CFSS). CFSS will be designed to comply with the finalized regulations regarding section 1915(k) of the Social Security Act, the Community First Choice Option, with its emphasis on flexibility, self-direction, and person-centered planning.

The Department also seeks to engage the Development and Implementation Council to serve as a consumer advisory group for Money

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Follows the Person Rebalancing Demonstration (MFP). MFP is a demonstration that will assist individuals receiving Medical Assistance who have been residing in an institution for more than 90 days relocate to a community setting. The consumer advisory group will assist the Department to simplify and improve the effectiveness of transition services with a focus on those individuals with complex needs who seek to relocate to a community setting.

The Department is seeking Statements of Interest (“SOI”) from individuals interested in serving on the Council so that the development and implementation of these initiatives can be informed by the people who will utilize these services. The Department requires that the Development and Implementation Council have a majority comprised of people with disabilities (including children), people over the age of 65 and their family members or representatives. To ensure a diversity of perspectives, the Department is seeking to have representation from people with a variety of disabilities including consumers of various cultural groups that use personal care assistance services and other home and community-based services administered by the Department. Individuals selected to serve on the council will be requested to:

- Attend a series of meetings
- Participate with others in discussions about long term services and supports
- Provide information and recommendations specific to CFSS and MFP to improve the service system
- Give feedback about recommended changes being proposed

Other interested parties including advocates, providers or associations may also express interest and must demonstrate experience with home and community-based services and supports, and an understanding of person-centered planning, self-direction, and consumer choice. Additionally, the Department would value representation from those individuals with experience with assistive technology, environmental modifications, and transitioning from institutional settings into the community.

It is anticipated that the Development and Implementation Council will continue for 2 years. Meetings in the first year will be monthly and will be quarterly after that.

The first Council meeting is tentatively scheduled for October 9, 2012 from 1pm-4pm.

All persons expressing an interest in serving on this committee will be requested to complete a form which includes writing a brief statement summarizing their interest in serving on the committee. If you are interested in submitting a Statement of Interest, please download the form using the link below:

http://www.dhs.state.mn.us/main/groups/disabilities/documents/pub/dhs16_171413.pdf

You may also contact the Department by phone or mail to have a paper copy sent to you. Reimbursement of some expenses may be made available for some committee members based on need. **Completed SOI forms must be received by the Department by September 24, 2012.**

To request a paper copy of the SOI form: Call Jennifer Perry at (651) 431-2172 (voice) or MN Relay: 711 or 800.627.3529

Mail your request for a paper copy AND send your completed form to:

Minnesota Department of Human Services
Disability Services Division
P.O. Box 64967
St. Paul, MN 55164-0967
ATTN: Jennifer Perry

Scanned copies of completed SOI may be sent to: jennifer.perry@state.mn.us

The Department values and strives for a diverse committee composition including gender, racial, geographic, age, and socioeconomic diversity.

**Minnesota Department of Labor and Industry (DLI)
Labor Standards Unit
Notice of Correction to Commercial Prevailing Wage Rates**

Corrections have been made to the Commercial Prevailing Wage Rates certified 12/12/2011 for the following Counties:

Group 1 (501 through 503) in Benton County.

Group 2 (504 through 507) in Becker County.

Group 6 (535 through 540) in Becker County.

Group 8 (548 through 550) in Aitkin, Becker, Beltrami and Benton Counties.

Labor Code 105, Watch Person in Aitkin and Becker Counties.

Labor Code 111, Traffic Control Person (Temporary Signage) in Aitkin, Becker and Benton Counties.

Special Equipment (201 through 204) in Benton County.

Labor Code 702, Boiler Maker in Benton County.

Labor Code 710, Lathers in Becker and Benton Counties.

Labor Code 716, Pile Driver (Including Vibratory Driver or Extractor for Piling and Sheeting Operations) in Becker County.

Labor Code 724, Tile Setter in Becker County.

Labor Code 725, Tile Finishers in Aitkin and Becker Counties.

Labor Code 730, Sign Erector in Aitkin and Becker Counties.

Copies with the corrected certified wage rates for these Counties 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. 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.

Ken B. Peterson, Commissioner
Department of Labor and Industry

**Minnesota Plumbing Board
Notice of Final Interpretation on Oil and Flammable Liquid Separator**

On September 11, 2012, the Minnesota Plumbing Board issued a Final Interpretation, which is printed below, pursuant to Minnesota Statutes §§ 326B.435, subdivision 2(a)(4), and 326B.127, subdivision 5. Any person aggrieved by this Final Interpretation may appeal it within 30 days of its issuance by the Plumbing Board, in accordance with Chapter 14 of the Minnesota Statutes. Any person wishing to appeal this Final Interpretation must mail, fax, or deliver a written letter of appeal to:

Plumbing Board, Attention: Patricia Munkel-Olson
c/o Minnesota Department of Labor and Industry
443 Lafayette Road North
St. Paul, MN 55155
Fax: (651) 284-5725

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Any mailed letter of appeal must be postmarked no later than October 11, 2012. Any faxed or delivered letter of appeal must be received by the Plumbing Board no later than 4:30 p.m. on October 11, 2012.

Questions may be directed to Patricia Munkel-Olson, phone: (651) 284-5128, **e-mail:** *patricia.munkel-olson@state.mn.us*. **TTY** users may call (651) 297-4198. No telephone or email appeals will be accepted.

FINAL INTERPRETATION

Inquiry: PB0068

Subject: Oil and Flammable Liquid Separator

Code Reference: Minnesota Plumbing Code, *Minnesota Rules* Part 4715.1120 (2009)

Submitted by: Mr. Joel Dahlgren
United Grain Systems, LLC
705 East Fourth Street
Winthrop, MN 55396

Approved by: Code Interpretation Committee by John Parizek, Code Interpretation Committee Chair and Board Chair

Date Received: August 17, 2012

Issue Date: September 11, 2012

Background: The Committee heard information describing the building that surrounds and covers two semi-truck scales in separate enclosures. The building houses two semi-truck scales where one scale is located on either side of a center office suite that contains multiple offices. The structure could be viewed as two or three separate buildings sharing common walls, or a single building i.e. the inbound semi-truck scale, the outbound truck scale, the office suites, or any combination thereof. The roof line over the inbound semi-truck scale is higher than the outbound scale roof line to accommodate a grain probe. In all other respects the building(s) surrounding and covering the semi-truck scales are similar in size and design, and are unheated spaces. Each of semi-truck scale areas include four pit drains that are piped to a 20-24 inch vertical pipe that is approximately 12 feet long and installed about 8 feet below grade. The piping also serves as the collection point for the drain tile that surrounds the pits. A sump pump may be used to drain the vertical pipe to a man-made unlined water pond. Entry and egress for each scale occurs through semi-truck sized entry doors.

The Committee and Submitter agree that for the purpose of this Request for Interpretation the building(s) surrounding and covering a semi-truck scale is not: a repair garage, gasoline station with grease racks, work or wash racks, auto wash, or a private garage that is classified as a Group U occupancy serving a one- or two-family dwelling.

Question One: Is a building surrounding and covering a semi-truck scale an enclosed garage for the purposes of the Minn. Plumbing Code, *Minnesota Rules* part 4715.1120?

Answer One: The building *is* enclosed and *is not* a garage.

Commentary: All parties were heard and had fair opportunity to present facts, thoughts, opinions, and challenges pertaining to Question One. The Committee considered Question One is two parts. First, is the building enclosed; then is the building a garage. The Committee considered the longstanding interpretation of 'enclosed' as it relates to the State Building Code from Department of Labor and Industry staff, heard commentary provided by Mr. Dahlgren and Mr. Jeff Nielsen, the Request for Interpretation, including Xeroxed pictures of the building that were provided with the Request for Interpretation, and the Encarta English Dictionary, which defines "enclose" as "to surround or shut in something," and "garage" as "a building for parking or storing one or more motor vehicles." Based on these considerations, the Committee determined that the building *is* enclosed, and *is not* a garage.

Question Two: Are oily and/or flammable liquid waste produced in the building?

Answer Two: Yes.

Commentary: All parties were heard and had fair opportunity to present facts, thoughts, opinions, and challenged pertaining to Question Two. The Committee heard commentary from Department of Labor and Industry staff, Mr. Dahlgren and Mr. Jeff Nielsen, the information contained in the Request for Interpretation, the number of semi-trucks that can be weighed during a 24-hour period, and meaning of the word “produced.” Based on these considerations, the Committee determined that oily and/or flammable liquid waste is produced in the building from the semi-trucks that are weighed by the scales.

Question Three: Considering the answers to questions one and two, is the installation of an oil and flammable liquid separator located inside the building required by *Minnesota Rule* part 4715.1120?

Answer Three: Yes.

Commentary: All parties were heard and had fair opportunity to present facts, thoughts, opinions, and challenged pertaining to Question Three. The Committee considered the plain language of the rule, which states in pertinent part:

“Enclosed garages ... *and all* buildings where oily and/or flammable liquid wastes are produced *shall have a separator installed* into which all oil, grease, and sand bearing and/or flammable wastes shall be discharged before emptying into the building drainage system or other point of disposal, when floor drains or trench drains are provided. *The separator shall be located inside the building.*”
(*Emphasis added.*)

As required by *Minnesota Statutes* § 326B.127, subd. 5, the Plumbing Board will consider this Final Interpretation for adoption as part of the Code.

Dated: 11 September 2012

John Parizek Chair, Code Interpretation Committee
Chair, Minnesota Plumbing Board

Minnesota Pollution Control Agency (MPCA) Environmental Analysis and Outcomes Division Request For Comments on Planned Miscellaneous Amendments to Rules Governing Air Quality, *Minnesota Rules* Chapters 7002, 7005, 7007, 7008, 7009, 7011, 7017, 7019, 7021, 7023, 7027, and 7030

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) is requesting comments on planned miscellaneous amendments to air quality rules, *Minnesota Rules* chapters 7002 (Permit Fees), 7005 (Definitions and Abbreviations), 7007 (Permits and Offsets), 7008 (Exempt Air Emissions), 7009 (Ambient Air Quality Standards), 7011 (Standards for Stationary Sources), 7017 (Monitoring and Testing Requirements), 7019 (Emission Inventory Requirements), 7021 (Acid Deposition Control), 7023 (Mobile and Indirect Sources), 7027 (Stratospheric Ozone Protection), and 7030 (Noise Pollution Control). This rulemaking is referred to as the Omnibus Air Rule. The MPCA is considering amendments to the listed rule chapters. Comments on the amendments are requested from affected or interested parties. Comments should be submitted in writing in accordance with the provisions of this notice under the **Public Comment** section below.

Plain English Summary: This Request for Comments is the MPCA’s legal notice of its intent to begin rulemaking. This is the first of several opportunities for public comment and input on this rulemaking. At this stage, we do not have a draft rule; we want your feedback to inform us about the ideas described under the **Subject of Rules** section below. If you have other ideas related to this rulemaking that we need to consider, please submit them in writing. For example, we recognize that costs to regulated parties can be a concern with rulemaking; if you have cost information or data related to this rulemaking that you wish to share with us to inform our decisions, please submit that information. Submitting your ideas and information to us at this early stage in rulemaking allows us more time to address issues that may come up, and helps to ensure informed decision-making on our part.

Where to Get More Information: A website has been established for this rulemaking where additional information will be posted as it becomes available: <http://www.pca.state.mn.us/oxpg1413>. Also, if you are interested in being notified when a draft of the rules is available and of other activities related to this rulemaking, please register for GovDelivery at:

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<https://public.govdelivery.com/accounts/MNP/CA/subscriber/new>.

The Omnibus Air Rule is located under the Public Notices and Rulemaking topic.

Subject of Rules: The Omnibus Air Rule is part of an ongoing effort to maintain and improve the MPCA's existing rules. This rulemaking has the overall purpose of keeping the air quality rules current, ensuring consistency with applicable federal and state regulations, removing redundant language and clarifying ambiguous rule language, and correcting gaps or errors identified while administering the rules.

There are two parts to this rulemaking: Part 1 relates to revisions to standards of performance for Sulfur Dioxide (SO₂) and Nitrogen Dioxide (NO₂), and Part 2 relates to "housekeeping" or updates to the listed rule chapters to provide consistency and clarity, and ease overall understanding of the rules. These updates are referred to as the omnibus portion of the rulemaking.

Part 1 - Sulfur Dioxide (SO₂) and Nitrogen Dioxide (NO₂) Revisions

The United States Environmental Protection Agency recently promulgated revised ambient standards for SO₂ and NO₂. These federal standards are applicable requirements for regulated parties. The rule revisions related to standards of performance for SO₂ and NO₂ are necessary to help ensure compliance with the new federal ambient standards. These revisions will also allow enforceable emission limitations to be easily applied to multiple sources, rather than on a permit by permit basis, which is expected to result in cost savings both for the regulated parties, and MPCA. The MPCA intends to simplify for regulated parties, their demonstration of compliance with these new federal ambient standards by:

- 1) Amending the standards of performance under Chapter 7011 for indirect heating fossil-fuel burning equipment, direct heating fossil-fuel burning equipment, and stationary internal combustion engines by further lowering the emissions limit of SO₂ from such equipment; and
- 2) Amending the same standards of performance under Chapter 7011 to establish new emission limits for Nitrogen Oxides (NO_x), of which NO₂ is a subset. Current standards of performance do not include any limitations on NO_x emissions.

The MPCA will determine how to proceed with Part 1 after reviewing responses received to this Request for Comments. For example, based on responses, the MPCA may proceed with SO₂ and NO₂ revisions, only SO₂ revisions, or only NO₂ revisions. The MPCA may also proceed with amending none, one, or more of the standards of performance listed.

Part 2 - Updates to Rules

Various rule updates are necessary to account for changes in federal regulations and/or guidance, to clarify existing rule language, and ease overall understanding of the rules. The list below includes some rules that are under consideration for amendment:

- 1) Amendments to the procedure for administrative amendments under Chapter 7007 to conform to the new statutory requirements for completeness determination and permit issuance, and to create a simple process for revising non-substantive permit information (such as facility description)
- 2) Amendments to Chapter 7007 to address the 2009 federal Flexible Air Permitting Rule
- 3) Amendments to Chapter 7007 to reflect changes to some permit application requirements resulting from administrative processes implemented to meet the 150-day permit issuance goal established by the Permitting Efficiency Law of 2011 and Laws of Minnesota 2012, Chapter 150, Article 1, Subp. 14a
- 4) Amendments to Chapter 7008 to exempt certain refrigerants as exempted in the federal Mandatory Greenhouse Gas Reporting Rule
- 5) Amendments to Chapter 7009 to clarify applicability of National Ambient Air Quality Standards (NAAQS), revise standards to match current federal standards, and make the definition of ambient air consistent with federal definition
- 6) Amendments to Chapter 7017 relating to downtime and Quality Assurance and Quality Control (QA/QC) for Continuous Emission Monitoring System (CEMS) and Continuous Opacity Monitoring System (COMS)
- 7) Amendments to Chapter 7030 to update the MPCA mailing address

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8) Amendments to Chapters 7002, 7005, 7007, 7008, 7009, 7011, 7017, 7019, and 7030 as they may come up and as the MPCA has time for. Please note that the MPCA may consider updates to additional air rules in Chapters 7021, 7023, and 7027, should the need be identified. These types of amendments would generally conform to the purpose of the Omnibus Air Rule, as described above in the **Subject of Rules** section.

Persons Affected: The rule amendments would likely affect air emission facilities with registration permits, facilities with individual state or Part 70 permits, and facilities with individual air emissions permits that plan on making modifications.

Statutory Authority: *Minnesota Statutes*, section 116.07, subd. 4, authorizes the MPCA to adopt rules and standards for the prevention, abatement, and control of air pollution.

Public Comment: Interested persons or groups may submit written comments or information on these planned rule amendments from September 17, 2012 until 4:30 p.m. on November 1, 2012. Comments or information should be submitted to Mary H. Lynn at the address below. The MPCA 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 MPCA does not plan to appoint an advisory committee to comment on the rule amendments.

The MPCA does not anticipate that the rule amendments will require a local government to adopt or amend an ordinance or other regulation under *Minnesota Statutes*, section 14.128. Local governments may submit written information to the contrary.

The MPCA requests any information pertaining to the cumulative effect of the rule amendments with other federal and state regulations related to the specific purpose of the rule. Cumulative effect means the impact that results from incremental impact of the proposed rule in addition to other rules, regardless of what state or federal agency has adopted the other rules.

Rules Draft: The MPCA has not yet drafted the rule amendments. Persons interested in being notified when a draft of the rules is available and of other activities relating to this (or other MPCA rulemakings) are encouraged to register at:

<https://public.govdelivery.com/accounts/MNP/CA/subscriber/new>.

MPCA Contact Persons: Written comments, requests to receive a draft of the rules when it is available, and requests for more information on these planned rule amendments should be directed to:

Mary H. Lynn
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul MN 55155-4194
Telephone: (651) 757-2439 or
Toll-free: 1-800-657-3864
TTY: (651) 282-5332
E-mail: mary.lynn@state.mn.us

Technical questions on these planned rule amendments should be directed to:

Catherine Neuschler
Telephone: (651) 757-2607 or
Toll-free: 1-800-657-3864
E-mail: catherine.neuschler@state.mn.us

Alternative Format: Upon request, this information can be made available in an alternative format, such as large print, Braille, or audio. To make such a request, please contact the rule process contact person at the telephone number or address listed above.

NOTE: Written 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 MPCA is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submit written 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: **5 September 2012**

John Linc Stine, Commissioner
Minnesota Pollution Control Agency

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Minnesota Pollution Control Agency (MPCA)

Watershed Division

Notice of Extension of Public Notice Period of the Draft Pope 8 Lakes Nutrient Total Maximum Daily Load (TMDL) Report

The Minnesota Pollution Control Agency (MPCA) is extending the Public Notice comment Period of the draft Pope 8 lakes TMDL and is available for review at <http://www.pca.state.mn.us/index.php/water/water-types-and-programs/minnesotas-impaired-waters-and-tmdls/tmdl-projects/minnesota-river-basin-tmdl-projects/project-pope-county-8-lakes-excess-nutrients.html>

Send comments on the draft TMDL to the MPCA contact person listed in the original *State Register* Notice by 4:30 P.M. on October 17, 2012. This is an extension of the original public notice, which ran July 23 – August, 22, 2012 in the *Minnesota State Register*, which can be accessed at: Volume 37, Number 4: July 23, 2012

Dated: September 2012

Department of Public Safety (DPS)

Bureau of Criminal Apprehension

Notice of Information Meeting October 17, 2012

The Minnesota Bureau of Criminal Apprehension will hold a meeting from 9 a.m. to 11:30am on Wednesday, October 17, 2012 to discuss progress on several BCA initiatives regarding criminal justice information sharing in the state of Minnesota. Specific project updates will be provided, including BCA headers and schema changes, updates on CJRS and CCH replacement, eCharging deployments, the new Statute Service, an OSB update and the latest development related to Integrated Search Service, the Name-Event Index Service and Identity Access Management. The meeting will take place at the Bureau of Criminal Apprehension offices at 1430 Maryland Ave. E. in St. Paul. In addition, limited participation may take place via web conference. (To make arrangements to participate remotely, please contact Jill Oliveira at the information listed below.)

Vendors, particularly those working with local agencies to manage records, as well as agency information technology staff are encouraged to attend this meeting. Please RSVP. For more information, or to RSVP, contact Jill Oliveira, Public Information Officer, at (651) 793-2726 or e-mail: jill.oliveira@state.mn.us.

Public Utilities Commission (PUC)

Notice of Permit Decision in the Matter of the Xcel Energy and Great River Energy Application for a Route Permit for the CapX2020 Hampton-Rochester-La Crosse 345kV High Voltage Transmission Line Project in Southeast Minnesota (Docket No. ET-2, E-002/TL-09-1448)

NOTICE IS HEREBY GIVEN that a Final Order has been issued by the Minnesota Public Utilities Commission designating a route and issuing a construction permit for the CapX 2020 Hampton – Rochester – La Crosse 345 kV Transmission Line project. The Project was approved by the Commission on April 12, 2012 at its regularly scheduled meeting. The May 30, 2012 Order Issuing Route Permit as Amended contains findings and conclusions made by the Commission in its decision in this matter.

If you have questions about this project or would like further information, the full record can be reviewed at the Commission's website at www.puc.state.mn.us (select "Search eDockets" and enter year "09" and number "1448"), summary information can be viewed at the Department of Commerce's project webpage: <http://mn.gov/commerce/energyfacilities/Docket.html?Id=25731> and questions can be directed to Commission staff member, Mike Kaluzniak, at 121 - 7th Place East, Suite 350, St. Paul, MN 55101, by phone at (651) 201-2257 or e-mail at mike.kaluzniak@state.mn.us.

**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 (“MnDOT”) has ordered that the following vendors be suspended for a period of sixty (60) days, effective August 7, 2012 until October 6, 2012:

- Marlon Louis Danner and his affiliates, South St. Paul, MN
- Danner, Inc. and its affiliates, South St. Paul, MN
- Bull Dog Leasing, Inc. and its affiliates, Inver Grove Heights, MN
- Danner Family Limited Partnership and its affiliates, South St. Paul, MN
- Ell-Z Trucking, Inc. and its affiliates, South St. Paul, MN
- Danner Environmental, Inc. and its affiliates, South St. Paul, MN

NOTICE OF DEBARMENT

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) 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

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of three (3) years, effective March 25, 2011 until March 25, 2014:

- Philip Joseph Franklin, Leesburg, VA
- Franklin Drywall, Inc. and its affiliates, Little Canada, MN
- Master Drywall, Inc. and its affiliates, Little Canada, MN

Minnesota Statute 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 to a relative or any other party over whose actions the debarred person exercises substantial influence or control, remains ineligible during the duration 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.

On-going State Contracts

The state spends \$2-3 billion a year on contracts. 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 \$10.20 each 1/10 of a page, you cannot go wrong.

Subscribers receive a list of **all current contracts and grants**, as well as LINKS to the *State Register*, Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. To view, open the *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**
- **Updates to Index to Vol. 31**
- **"Contracts & Grants" Open for Bid**
- **E-mailed to you, on Friday**
- **Easy Access to State Register Archives**

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 Loretta J. Diaz, our subscriptions manager, at (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** loretta.diaz@state.mn.us.

Department of Administration (Admin)

State Designer Selection Board

Notice of Availability of Request for Proposal (RFP) for New Well & Treatment Facility, Minnesota Correctional Facility-Stillwater (State Designer Selection Board Project No. 12-11)

The Department of Administration, Real Estate and Construction Services ("State"), through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposal is available on the Department of Administration, Real Estate and Construction Services website:

<http://www.admin.state.mn.us/recs/cs/cs-sa.html>.

A **pre-proposal meeting** is scheduled for 10:00 a.m. C.T., September 20, 2012 at the Minnesota Correctional Facility-Stillwater, 970 Pickett Street, Bayport, MN, 55003-1490 (Front Lobby Entrance). Project questions shall be referred to the appropriate person(s) as listed in the Request for Proposal.

Proposals must be delivered to Kathy Grochowski, Executive Secretary, State Designer Selection Board, 309 Administration Building, 50 Sherburne Ave., St. Paul, MN 55155, **phone:** (651) 201-2389, not later than 12:00 noon C.T., Monday, October 8, 2012. Late responses will not be considered.

The Department of Administration, Real Estate Construction Services Division is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota State Colleges and Universities (MnSCU)

Metropolitan State University

Notice of Availability of Request for Proposal (RFP) for Designer Selection for Metropolitan State University Parking Ramp

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Metropolitan State University, St Paul, Minnesota, is seeking a designer for the above referenced project.

A full Request for Proposal is available at: http://www.metrostate.edu/msweb/resources/depts_services/bldg_services/RFP.html

A **mandatory** project informational meeting has been scheduled for **10:30 a.m. CDT on September 19, 2012 at Metropolitan State's Saint Paul Campus in the Founders Hall Auditorium.**

Proposals must be delivered to: Metropolitan State University, Diana McCollum, Suite 321 Founders Hall, 700 East Seventh Street, Saint Paul, MN 55106, not later than **2 p.m. CDT October 5, 2012.**

Late responses will not be considered.

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

Minnesota State Colleges and Universities (MnSCU)

Saint Paul College

Notice of Request for Bids for Snow Plowing Services

Saint Paul College is requesting bids for snow plowing services of all parking lots and sidewalks located at 235 Marshall and 317 Marshall Avenues.

A **mandatory pre-bid meeting** will be held on October 1, 2012 at 1:00 PM in the Saint Paul College Theater, 235 Marshall Ave, St. Paul, MN 55102

Sealed bids must be received by 1:00PM on October 8, 2012 in the Theater and a public bid opening will be conducted at that time.

A copy of the request for bid form is available from: nataliya.kabakova@saintpaul.edu

Department of Employment and Economic Development (DEED)

Unemployment Insurance Division

Notice of Availability of Contract for Requirements Gathering for the Unemployment Insurance Program Contact Center / Interactive Voice Response Upgrade Project

The Minnesota Department of Employment & Economic Development is requesting proposals for the purpose of partnering with a vendor to assist with the development of a comprehensive Requirements Document for a Contact Center/Interactive Voice Response (IVR) system. The vendor will also work collaboratively with the business to create a Requirements Score Card which they will use to compare these business requirements to the State of MN Cisco Contact Center/IVR solution and the other leaders in Gartner's Magic Quadrant for Contact Center Infrastructure research. We are seeking a "solution agnostic" approach to gather requirements. Vendor's

State Contracts

proposing to complete this work must be able to confirm vendor/contractor is **not** in the business of selling, implementing or supporting a Contact Center/IVR solution.

Work is proposed to start after November 26, 2012.

A Request for Proposals will be available by email through Thursday, October 18, 2012. **A written email request is required to receive the Request for Proposal.**

The Request for Proposal can be obtained from:

Jim Nelson, Sr. Project Manager

E-mail: *Jim.T.Nelson@state.mn.us*

Proposals submitted in response to the Request for Proposals in this advertisement must be received via email to the email address specified in the RFP no later than Friday, October 19, 2012, 3:00 pm Central time. **Late proposals will not be considered.** Only emailed proposals will 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.

Minnesota Historical Society (MHS) Request for Bids for Gallery “C” Refit for Wall Demolition Services and Wall Finishing Services

The Minnesota Historical Society is seeking bids from qualified and experienced contractors for the entire scope of services needed for the demolition of the 1934 traveling exhibit and repainting of the space at the Minnesota History Center. This demolition and painting of gallery is in preparation for a Civil War exhibit created by MHS. ***The gallery space will be available for demolition work on Monday October 15, 2012, and the work must be completed by Friday, November 2, 2012.***

A mandatory pre-bid informational meeting will be held at **10:00 a.m. Local Time, on Monday September 24, 2012**, beginning at the **Gallery “C” Concourse on the 3rd Floor** of the Minnesota History Center. The address is 345 Kellogg Boulevard West, St. Paul, Minnesota 55102. An agenda and map are included as part of this bid package.

The Request for Bids (which will also serve as the Project Manual) is available by emailing Mary Green Toussaint, Acting Contracting Office, at *mary.green-toussaint@mnhs.org*.

All proposals must be received no later than **2:00 p.m. Local Time, Tuesday, October 2, 2012**. Authorized agents for receipt of bids are Society staff located at the 1st Floor Information Desk of the Minnesota History Center. **Late bids will not be considered.**

Minnesota Department of Human Services (DHS) Purchasing and Service Delivery Division Notice of Request for Proposals to Provide Evaluation of Health Care Programs Enrollee Cost Sharing Requirements and Implications for State Public Health Care Programs

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to provide evaluation of health care programs enrollee cost sharing requirements and implications for state public health care programs, enrollees, managed care plans, county-based purchasing plans and other relevant stakeholders.

Work is proposed to start October 26 2012. For more information, or to obtain a copy of the Request for Proposal, contact:

Maren Fustgaard
Department of Human Services
Office of the Assistant Commissioner – Health Care
540 Cedar Street
St. Paul, MN 55155
E-mail: maren.fustgaard@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 **2:30 p.m., Central Time, October 8, 2012** Late proposals will **NOT** be considered. Faxed or e-mailed proposals will **NOT** be considered.

Minnesota Judicial Branch Request for Information on eSignature Services

Introduction

The Minnesota Judicial Branch (MJB) is interested in electronic signature (eSignature) services. As a first step in identifying an eSignature tool, along with an integrated service for eSignature, the MJB is issuing this Request for Information (RFI) on available commercial software, dynamic hosting service, licensing, authentication and support for such a tool. This RFI will not result in a contract but the information obtained from responders may provide a basis for further contractual considerations and/or procurement. All interested parties must provide information and a demonstration to the RFI as a qualification to make a bid on a future Request for Proposal (RFP) concerning an eSignature tool. There is no guarantee that any such further contract or procurement process will be issued.

The MJB is not obligated to respond to any submission, nor is it legally bound in any manner whatsoever by the submission of a response. The MJB shall not have any liability to any responder for any costs or expenses incurred in connections with this RFI or otherwise. Any amendments to this RFI will be posted on the MJB website (www.mncourts.gov).

Questions

Responders may submit questions to Kim Larson at kimberly.larson@courts.state.mn.us. Responses will be posted in the Public Notices section of the Minnesota State Court web site (<http://www.mncourts.gov>) as soon as possible after the question is received.

A complete RFI can be found on the Court's website at <http://www.mncourts.gov>

Minnesota Department of Natural Resources (DNR) Notice of Sale of State Metallic Minerals Leases in Portions of Aitkin, Lake and Saint Louis Counties

NOTICE IS HEREBY GIVEN that a sale of leases to explore for, mine and remove metallic minerals in trust fund lands, lands and minerals forfeited for non-payment of taxes, lands and minerals otherwise acquired, and other state-owned land under the jurisdiction of the Commissioner of Natural Resources, and located in portions of Aitkin, Lake and Saint Louis Counties, is scheduled to be held on Wednesday, October 24, 2012, at 9:00 a.m. The sale will take place at the Central Offices of the Division of Lands and Minerals, 4th Floor, East-West Conference Room DNR Building, 500 Lafayette Road, Saint Paul, Minnesota. No land or water areas within the Boundary Water Canoe Area Wilderness or Voyageurs National Park are included in this or any State mineral lease sale.

The Commissioner will receive sealed bids and applications for leases covering minerals in state lands, in accordance with *Minnesota Rules*, parts 6125.0100 through 6125.0700 – the metallic mineral rules issued under the authority of *Minnesota Statutes*, Chapter 93. Each bid must be submitted on a form obtained from the Commissioner. Each bid form must be accompanied by a certified check, cashier's

State Contracts

check, or bank money order, payable to the Department of Natural Resources in the sum of the following amounts:

- a) an application fee of \$100.00 for each mining unit bid upon; and
- b) rental for one full calendar year for each mining unit bid upon.

All bids must be received by the Commissioner at the office of the Division of Lands and Minerals, Fourth Floor, DNR Building, 500 Lafayette Road, Saint Paul, Minnesota 55155-4045, before 4:30 p.m. on Tuesday, October 23, 2012.

On Wednesday, October 24, 2012, at the time specified, the Commissioner or his representative will publicly open the bids and announce the amount of each bid separately. At a subsequent time, leases will be awarded by the Commissioner, with the approval of the State Executive Council, to the highest bidder for the respective mining units, but no bids will be accepted that do not equal or exceed the base royalty rates set forth in the Rules or that do not comply with all provisions of the Rules. The State reserves the right, through the State Executive Council, to reject any or all bids.

The purpose of Minnesota's metallic minerals rules is to promote and regulate the prospecting for, mining and removal of metallic minerals on state-owned and state-administered lands. These Rules, and the leases issued under the Rules, authorize exploration and development of these minerals and impose certain requirements on the lessee. The requirements include: the payment of minimum rentals that increase over the term of the lease; the payment of royalty for all ore mined and removed; the submission of data and other reports; and the submission of exploration plans. In addition, the lessee must comply with all applicable regulatory laws.

After the conclusion of the sale, each high bidder will be required to provide evidence demonstrating that the bidder is qualified to hold a state mineral lease pursuant to *Minnesota Rules*, part 6125.0410. The Rules state that a lease will only be issued to an applicant qualified to do business in Minnesota and qualified to conduct exploratory borings in Minnesota. In addition, the Commissioner may request evidence that the lease applicant is technically and financially capable of performing under the terms of a state mineral lease. The requested evidence must be provided within 45 days of the request from the Commissioner or the bids from that high bidder will be rejected.

Upon the award of a lease, the application fee submitted with the bid will be deposited as a fee for the lease. All bids not accepted will become void, and the application fee and rental payment accompanying such bids will be returned to each respective bidder; provided however, the application fee and rental payment accompanying a bid shall not be returned if the bidder was the high bidder and subsequently withdrew the bid prior to the award of a lease.

Bid forms, instructions on how bids are to be submitted, copies of the rules (*Minnesota Rules*, parts 6125.0100 through 6125.0700) and copies of the Mining Unit Book listing the land areas designated by the Commissioner as mining units may be obtained from the Transactions Section, Division of Lands and Minerals, DNR Building, 500 Lafayette Road, Saint Paul, Minnesota 55155-4045. E-mail inquiries may be sent to susan.damon@state.mn.us.

The Mining Unit Book will be available at least 30 days prior to October 24, 2012. Application for each copy of the Mining Unit Book must be accompanied by a check or money order payable to the Department of Natural Resources in the sum of \$25.00 as a fee for such Mining Unit Book plus shipping and applicable State of Minnesota sales tax. Mining Unit Books will also be available for inspection at the Hibbing and Saint Paul offices of the Division of Lands and Minerals, and on the internet through the DNR website at:

http://www.dnr.state.mn.us/lands_minerals/index.html.

Dated: September 7, 2012

Jess Richards, Director
Division of Lands and Minerals
Minnesota Department of Natural Resources

**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

**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 Public 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.

Vendors Needed for These Projects

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).

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.

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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 Loretta J. Diaz, our subscriptions manager, at **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** loretta.diaz@state.mn.us

Washington County

Public Works Department

Request for Proposals for Red Rock Corridor Alternatives Analysis Update

NOTICE IS HEREBY GIVEN that Washington County Public Works, as the lead agency on behalf of the Red Rock Corridor Commission, is seeking qualified firms for the completion of an Alternatives Analysis Update for the Red Rock Corridor. Qualified firms will have experience in the development and completion of transit alternatives analyses that are in conformance with the guidelines and policies of the Federal Transit Administration.

The project work will commence immediately upon selection of the consultant. The consultant will prepare a project schedule based on a start date of December 13, 2012.

The full Request for Proposal can be obtained from the Washington County website:

http://www.co.washington.mn.us/info_for_business/bidsrequests_for_proposals/

Proposals Due: October 12th, 2012 at 2:00 p.m. at Washington County Public Works North Shop:

Washington County Public Works Department
11660 Myeron Road North
Stillwater, MN 55082
Phone: (651) 430-4300

Minnesota's Bookstore

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<i>Historic Photos of St. Paul</i>	Stock Number 13660	\$39.95
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State Capitol Mementos

<i>Minnesota State Capitol:</i>	Stock Number 945	\$16.95
<i>The Art & Politics of a Public Building</i>		
<i>Minnesota's Capitol: A Centennial Story</i>	Stock Number 908	\$24.00

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<i>Road to the Blue Ribbon Baking</i>	Stock Number 13612	\$29.95
<i>Recipes of Our Ancestors</i>	Stock Number 13963	\$37.50
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<i>Baking with the St. Paul Bread Club:</i>	Stock Number 1027	\$24.95
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<i>Cooking with Wild Berries & Fruit</i>	Stock Number 13712	\$12.95
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<i>The Seasonal Cabin Cookbook</i>	Stock Number 1059	\$16.95

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<i>Recipes of Our Ancestors</i>	Stock Number 13963	\$37.50
<i>A Guide to Family History Resources</i>	Stock Number 940	\$11.95
<i>at the Minnesota Historical Society</i>		
<i>Six Feet Under: A Graveyard's Guide</i>	Stock Number 922	\$14.95
<i>to Minnesota</i>		
<i>Pocket Guide to Minnesota Place Names</i>	Stock Number 920	\$11.95
<i>Minnesota Place Names:</i>	Stock Number 905	\$49.95
<i>A Geographical Encyclopedia</i>		
<i>The Governor's Mouse</i>	Stock Number 13926	\$20.00



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- ♦ **Phone** (credit cards): 8 a.m. - 5 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)
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- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
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Fax and phone orders: Credit card purchases **ONLY** (American Express/Discover/MasterCard/VISA). Please allow 1-2 weeks for delivery. **Mail orders:** Complete order blank and send to address above. Enclose check or include credit card information. Please allow 4-6 weeks for delivery. Please make checks payable to "Minnesota's Bookstore." A \$20.00 fee will be charged for returned checks.

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<i>Subtotal is:</i>	<i>Add:</i>
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\$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# _____