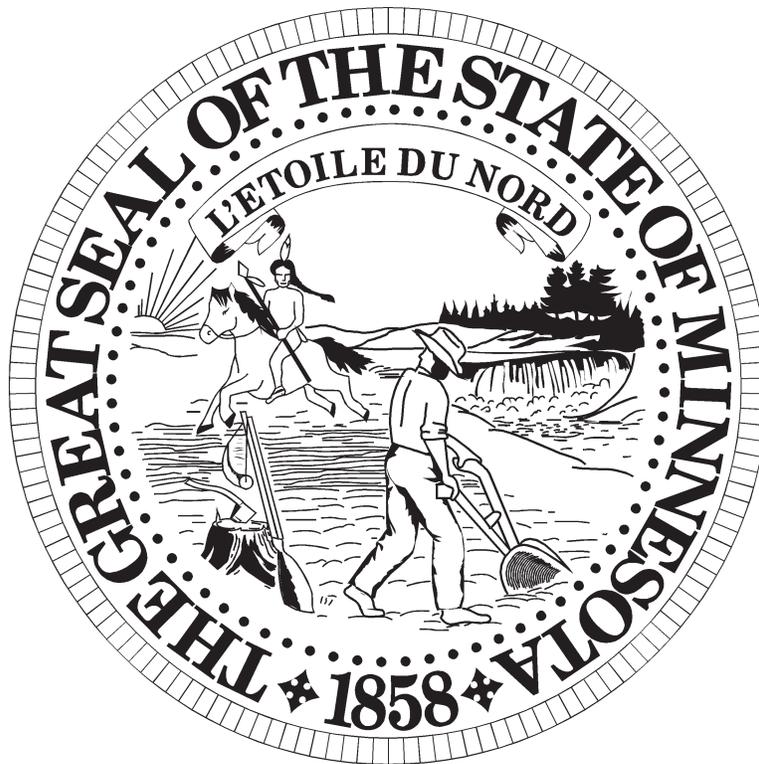


Minnesota

State Register

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



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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

**Monday 26 August 2013
Volume 38, Number 9
Pages 261 - 294**

Minnesota State Register

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

The *Minnesota 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. It 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- Withdrawn Rules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

Vol. 38 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
# 10	TUESDAY 3 SEPTEMBER	Noon Tuesday 27 August	Noon Wednesday 21 August
# 11	Monday 9 September	Noon Tuesday 3 September	Noon Wednesday 28 August
# 12	Monday 16 September	Noon Tuesday 10 September	Noon Wednesday 4 September
# 13	Monday 23 September	Noon Tuesday 17 September	Noon Wednesday 11 September

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USPS Publication Number: 326-630 (ISSN: 0146-7751)

THE MINNESOTA STATE REGISTER IS PUBLISHED by Plant Management Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available on-line at website: <http://www.comm.media.state.mn.us/bookstore/mnbookstore>

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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 Department of Public Safety (DPS)

Division of Office of Justice Programs

Crime Victims Reparations Board

Proposed Permanent Rules Relating to Claims

DUAL NOTICE: NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

UNLESS 25 OR MORE PERSONS REQUEST A HEARING, AND NOTICE OF HEARING IF 25 OR MORE REQUESTS FOR HEARING ARE RECEIVED; REVISOR'S ID NUMBER 4178

Proposed Amendments to Rules Governing the Crime Victims Reparations Board, *Minnesota Rules*, parts 3050.3200 and 3050.3500.

Introduction. The Department of Public Safety intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310 and the Administrative Procedures Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on September 29, 2013 the Department will hold a public hearing in suite 2300, 445 Minnesota Street, St. Paul, MN 55101, starting at 9:30 a.m. on Thursday, October 10, 2013. To find out whether the Department will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after September 29, 2013 and before October 10, 2013.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Marie Bibus at the Minnesota Crime Victims Reparations Board, 445 Minnesota St., #2300, St. Paul, MN 55101, **phone:** (651) 201-7304, **fax:** (651) 296-5787, **e-mail:** Marie.Bibus@state.mn.us. **TTY** users may call the Department of Public Safety at (651) 205-4827.

Subject of Rules and Statutory Authority. The proposed rules amendments are about crime victim reparations claims procedures and eligibility for reparations. The statutory authority to adopt the rules is *Minnesota Statutes*, section 611A.56, subdivision 1, paragraph (b).

The proposed amendments are described as follows:

Minnesota Rule, part 3050.3200 Loss of Income. This amendment increases the maximum amount for lost wages for siblings, adult children and grandparents of deceased victims from one week to six weeks.

Proposed Rules

Minnesota Rule, part 3050.3500 Family Members of Injured Victims. This amendment eliminates the cap on the number of counseling sessions for a spouse, parent, child, grandparent, or sibling of an injured victim. Instead, they would be eligible for counseling expenses up to the maximum amount determined by the Board annually pursuant to *Minnesota Rule*, part 3050.3800. The amendment also would allow the Board to annually determine the maximum benefit for expenses incurred by family members who are providing care to a severely injured victim. This would allow the Board to modify the current \$2,000 cap on expenses for caring for an injured victim.

A copy of the proposed rules is published in the *State Register*. A free copy of the rules is available upon request from the agency contact person listed above. You may also download a free copy of the rules by accessing the Office of Justice Programs homepage from the Department of Public Safety's website at ojp.dps.mn.gov.

Comments. You have until 4:30 p.m. on September 29, 2013, 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, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. You must also make any comments on the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Department hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on September 29, 2013. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

Alternative Format/Accommodation. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The Department may modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Department follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Department encourages you to participate in the rulemaking process.

Cancellation of Hearing. The Department will cancel the hearing scheduled for October 10, 2013, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at (651) 201-7304 after September 29, 2013 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Department will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Department will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Barbara Neilson is assigned to conduct the hearing. Judge Neilson can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-7845, and **fax:** (651) 361-7936.

Hearing Procedure. If the Department holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than

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20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the agency and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge before the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

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

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

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

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date that the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date that the agency adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 14 August 2013

Marie Bibus, Director
Crime Victims Reparations Board
Minnesota Department of Public Safety

3050.3200 LOSS OF INCOME.

[For text of subs 1 to 6, see M.R.]

Subp. 7. **Family members of deceased.** Payment of wage loss compensation for a parent or spouse of a victim who died as the direct result of a crime usually may not exceed six weeks. If the emotional disability of the parent or spouse continues past six weeks, the parent or spouse may make a request for an extension of the lost wages. The request must include an evaluation by a physician or psychologist stating that there is a continuing emotional disability due to the crime and a date by which the claimant is expected to return to work. The extension may not exceed 46 weeks. Payment of wage loss compensation for children, grandparents, or siblings of a victim who died as the direct result of a crime may not exceed ~~one week~~ six weeks. No extension of lost wages for other family members is allowed, unless there are extraordinary circumstances where the limit imposes undue hardship on the secondary victim.

[For text of subs 8 and 9, see M.R.]

3050.3500 FAMILY MEMBERS OF INJURED VICTIMS.

The board shall authorize payment for ~~up to 20~~ counseling sessions up to the maximum amount allowed under part 3050.3800 for a spouse, parent, child, grandparent, or sibling of an injured victim if the treatment plan filed under and complying with part 3050.2700 indicates that the sessions directly benefit the victim.

Proposed Rules

When care is needed by a victim and when a determination is made by the board that a spouse, parent, child, grandparent, or sibling of the victim is an appropriate person to provide care to the victim, the board shall authorize payment to reimburse the spouse, parent, child, grandparent, or sibling for lost wages, and reasonable expenses for transportation and lodging. Total payment to claimants on behalf of any one victim under this provision must not exceed ~~\$2,000~~ an amount to be determined by the board within 30 days of the beginning of each fiscal year. Computation of lost wages shall be the same as under part 3050.3200.

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.

Minnesota Department of Natural Resources (DNR) Adopted Expedited Emergency Game and Fish Rules: 2013 Elk Season

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

The conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that adjustments to and bag limits are desired so that harvests and populations can be managed consistent with community and conservation goals.

Dated: July 16, 2013

Tom Landwehr, Commissioner
Department of Natural Resources

~~6232.4300 SEASONS AND OPEN AREAS~~ 2013 SEASON DATES AND QUOTAS FOR TAKING ELK.

Subpart 1. **Taking elk.** Elk may be taken by a licensed hunter using a legal firearm or a legal bow and arrow during seasons authorized by the commissioner.

Subp. 1a. **Season dates.** Licensed hunters may take elk during the following 2013 seasons:

A. Season A: September 14 to 22;

Expedited Emergency Rules

B. Season B: September 28 to October 6;

C. Season C: December 7 to 15; and

D. Season D: January 11 to 19, 2014.

Subp. 1b. **Quotas.** There are no licenses available for the 2013 elk hunting season in the Primary and Secondary Grygla Elk Zones. The number of licenses available for the 2013 elk hunting season is 21 in the Kittson County Central Elk Zone and two in the Kittson County Northeast Elk Zone, distributed as follows:

A. Season A: two licenses in the Kittson County Central Elk Zone, valid for legal antlered bull elk; three licenses in the Kittson County Central Elk Zone, valid for legal antlerless elk only; and two licenses in the Kittson County Northeast Elk Zone, valid for legal antlered bull elk only;

B. Season B: two licenses in the Kittson County Central Elk Zone, valid for legal antlered bull elk, and four licenses in the Kittson County Central Elk Zone, valid for legal antlerless elk only;

C. Season C: one license in the Kittson County Central Elk Zone, valid for legal antlered bull elk, and five licenses in the Kittson County Central Elk Zone, valid for legal antlerless elk only; and

D. Season D: one license in the Kittson County Central Elk Zone, valid for legal antlered bull elk, and three licenses in the Kittson County Central Elk Zone, valid for legal antlerless elk only.

Subp. 2. Open areas.

A. A license for the Grygla elk zones is valid for taking elk within The Primary Grygla Elk Zone prescribed in part 6232.4600, subpart 1, and the Secondary Grygla Elk Zone as described in part 6232.4600, subpart 2, are closed for the 2013 season.

B. A license for the Kittson County Central Elk Zone is valid for taking elk within the elk zone prescribed in part 6232.4600, subpart 3.

C. A license for the Kittson County Northeast Elk Zone is valid for taking elk within the elk zone prescribed in part 6232.4600, subpart 4.

6232.4500 ELK LICENSE APPLICATION PROCEDURE.

Subpart 1. General provisions. The provisions in this part apply to the elk license application process.

A. If the number of applications for any zone and season exceeds the quota, a random selection will be conducted to determine the successful applicants.

B. ~~Up to 20 percent of the licenses in each zone may be issued in a separate landowner and tenant drawing. One landowner license is available for each of the four Kittson County Central Elk Zone seasons. Landowner licenses are not available in the Kittson County Northeast Elk Zone.~~ The following persons are eligible for this separate drawing:

[For text of subitems (1) to (3), see M.R.]

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

D. The application deadline is the Friday nearest ~~July~~ June 15.

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

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

Subp. 3. Drawing procedure.

A. A random drawing from a pool consisting of general drawing applicants shall be used to distribute legal antlered bull licenses that

Expedited Emergency Rules

are offered in the Kittson County Northeast Elk Zone.

~~A. B.~~ If one or more than one qualified landowners landowner in either zone apply, a drawing to select one landowner in the Primary and Secondary Grygla Elk Zones, combined, and one landowner in the Kittson County Central Elk Zone shall occur first. The remaining parties shall then be selected in a general drawing to finalize successful parties. If no qualified landowners apply, all licenses shall be drawn from the general pool of applicants applies in any season, a drawing to select one landowner for each of the Kittson County Central Elk Zone seasons shall occur first.

~~C.~~ If no qualified landowners apply for any season with landowner licenses, a random drawing from all remaining landowner applicants from all other seasons shall be used to distribute any remaining landowner licenses. Licenses shall be assigned to the season originally applied for. The remaining parties shall then be selected by season in a general drawing to finalize successful parties. If no qualified landowners apply, all licenses for that season shall be drawn from the general pool of applicants.

~~D.~~ A random drawing from a pool consisting of successful landowners and general drawing applicants shall be used to distribute any legal antlered bull licenses that are offered, except when no landowner licenses are available. For any zone and season, no more than one legal antlered bull license shall be offered to landowner licensees.

~~B. E.~~ There shall also be alternate parties drawn from the pool of unsuccessful parties. These parties would be offered the opportunity to purchase licenses that have been offered to a successful party, but not purchased. The pool consists of the remaining landowners, tenants, and parties from the general drawing. An alternate party shall only be notified in the event that a successful party decides not to purchase a license.

REPEALER. The expedited emergency amendments to *Minnesota Rules*, parts 6232.4300 and 6232.4500, published in the *State Register*, volume 37, page 1783, June 10, 2013, are repealed.

EFFECTIVE PERIOD. The emergency amendments to *Minnesota Rules*, parts 6232.4300 and 6232.4500, expire February 28, 2014. After the emergency amendments expire, the permanent rules as they read prior to the amendments again take effect, except as they may be amended by permanent rule.

Revenue Notices

The Department of Revenue began issuing Revenue Notices in July of 1991. Revenue Notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue Revenue Notices is found in *Minnesota Statutes*, Section 270C.07.

KEY: Underlining indicates additions to existing language. ~~Strikeouts~~ indicate deletions from existing language.

Minnesota Department of Revenue Revenue Notice # 13-02: Corporate Franchise Tax Credit – Job Opportunity Building Zones – Member of a Pass-through Entity

Introduction

This Revenue Notice addresses whether a pass-through entity that is a job opportunity building zone (JOBZ)-qualified business, operating within a JOB zone pursuant to *Minnesota Statutes*, sections 469.310 – 469.320, may pass through to its members or partners the JOBZ credit provided under *Minnesota Statutes*, section 469.318. This credit is allowed against the taxes imposed under *Minnesota Statutes* chapter 290 and is refundable to the extent that the amount of the credit exceeds the JOBZ-qualified business's liability.

JOBZ tax exemptions claimed by pass-through entities pursuant to *Minnesota Statutes*, sections 469.316 and 469.317 are treated differently than the credits earned under section 469.318. The treatment of JOBZ tax exemptions claimed by pass-through entities is discussed in Revenue Notice # 11-01.

Department Position

The Department's position is that a JOBZ-qualified, pass-through entity may either claim the credit or may pass through the credit earned under *Minnesota Statutes*, section 469.318 to its members or partners. The JOBZ-qualified, pass-through entity may distribute the JOBZ credit, even when those partners or members are not themselves JOBZ-qualified businesses.

Publication Date: August 26, 2013

Susan Von Mosch, Assistant Commissioner
for Tax Policy
Department of Revenue

Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

Minnesota Department of Natural Resources (DNR)

Savage Fen SNA Commissioner's Designation Order #235

EFFECTIVE DATE: August 26, 2013
Statutory Authority: *Minnesota Statutes* 84.033, 86A.05, Subd. 5 and 97A.093
Supersedes: SNA Order # 217

WHEREAS, certain lands in Scott County, Minnesota, described as:

The Southwest Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Seventeen (17), Township One Hundred Fifteen (115) North, Range Twenty-one (21) West, EXCEPT the west 329.43 feet (as measured along the north and south lines thereof).

and

The West 498 feet (as measured at right angles to the west line thereof) of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Sixteen (16), Township One Hundred Fifteen (115) North, Range Twenty-one (21) West, EXCEPT the South 315 feet thereof.

and

Together with the right of ingress and egress, in common with others, for road purposes over and across the East 60 feet of the West 558 feet (as measured at right angles to the west line thereof of said Northeast Quarter of the Northwest Quarter, EXCEPT the South 315 feet thereof).

and

Subject to easements created by Documents No. 82129 filed July 24, 1954, in Book 130, pages 463-64, office of the county recorder, Scott County Minnesota; subject to easements granted in favor of Williams Pipeline Company by instrument date May 4, 1988. Subject to reservation for the benefit of Tract D, Registered Land Survey 81, Scott County, Minnesota, an easement forever. Subject to easement in favor of the City of Savage for sanitary sewers and other municipal utilities recorded January 24, 1979 in Scott County Recorder's Office as Document No. 167691. Subject to easement in favor of Northern States Power Company recorded February 2, 1962 in Book 153 of Deeds, page 478, Scott County Recorder.

and

The North 900 feet of the West 660 feet of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 16, Township 115, Range 21, Scott County, Minnesota, EXCEPT the North 107 feet of the West 660 feet of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$.

and

Outlot C, SOUTHWOOD, according to the plat on file and of record in the office of the Registrar of Titles, Scott County, Minnesota.

and

That part of the Southeast Quarter of the Northwest Quarter of Section 16, Township 115 North, Range 21 West, Scott County, Minnesota, lying east of the West 660.00 feet, EXCEPT Maple Leaf Woods 1st Addition, Scott County, Minnesota.

and

The Southwest Quarter of the Northeast Quarter of Section 16, Township 115 North, Range 21 West, Scott County, Minnesota, EXCEPTING THEREFROM that part of the Southwest Quarter of the Northeast Quarter of Section 16, Township 115 North, Range 21 West, shown as Parcel 1 on Scott County Right of Way Plat No.

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80 as the same is on file and of record in the offices of the County Recorder and the Registrar of Titles in and for Scott County, Minnesota.

and

That part of the Northwest Quarter of the Southeast Quarter of Section 16, Township 115 North, Range 21 West, Scott County, Minnesota, lying northerly of the centerline of County Road Number 16 (formerly State Highway Number 13) and easterly of the easterly line of the plat of Maple Leaf Woods 1st Addition, EXCEPTING THEREFROM that part of the Northwest Quarter of the Southeast Quarter of Section 16, Township 115 North, Range 21 West, shown as Parcel 1 on Scott County Right of Way Plat No. 80 as the same is on file and of record in the offices of the County Recorder and the Registrar of Titles in and for Scott County, Minnesota.

and

That part of the Southeast Quarter of the Northeast Quarter of Section 16, Township 115 North, Range 21 West, Scott County, Minnesota described as follows:

Commencing at the northwest corner of said Southeast Quarter of the Northeast Quarter; thence on an assumed bearing of South 00 degrees 06 minutes 24 seconds East along the west line of said Southeast Quarter of the Northeast Quarter 579.72 feet to the POINT OF BEGINNING; thence North 89 degrees 39 minutes 32 seconds East 72.17 feet to the center line of Quentin Avenue; thence South 02 degrees 34 minutes 32 seconds East along said center line and its extension 701.76 feet to a point on the south line of said Southeast Quarter of the Northeast Quarter 102.43 feet east of the southwest corner of said Southeast Quarter of the Northeast Quarter; thence westerly along said south line 102.43 feet to said southwest corner; thence northerly along said west line to the point of beginning.

EXCEPTING THEREFROM that part of the Southeast Quarter of the Northeast Quarter of Section 16, Township 115 North, Range 21 West, shown as Parcel 1 and 2 on Scott County Right of Way Plat No. 80 as the same is on file and of record in the offices of the County Recorder and the Registrar of Titles in and for Scott County, Minnesota.

and

The South 320.00 feet of the East 324.57 feet as measured at right angles of the Northwest Quarter of the Northwest Quarter and that part of the Southwest quarter of the Northwest Quarter except the South 311.00 feet thereof in Section 16, Township 115, Range 21, Scott County, Minnesota. Lying Easterly and Northerly of the following described line:

Commencing at the Northwest corner of the Northwest Quarter of Section 16; thence on an assumed bearing of South 86 degrees 18 minutes 30 seconds East along the North line of said Northwest Quarter a distance of 60.67 feet; thence South 4 degrees 50 minutes 03 seconds East a distance of 949.65 feet; thence North 85 degrees 09 minutes 57 seconds East a distance of 40.00 feet; thence South 4 degrees 50 minutes 03 seconds East a distance of 381.79 feet to the North line of the Southwest Quarter of the Northwest Quarter and the beginning of the line to be described; thence continuing South 4 degrees 50 minutes 03 seconds East a distance of 549.35 feet; thence North 85 degrees 09 minutes 57 seconds East a distance of 40.00 feet; thence Southerly on a nontangential curve, concave to the East, the radial line of said curve being a Easterly extension of the last described line, having a radius of 835.94 feet, a central angle of 14 degrees 24 minutes 37 seconds a distance of 207.48 feet, thence South 19 degrees 14 minutes 40 seconds East tangent to the last described curve a distance of 275.71 feet to the North line of the South 311.00 feet of the Southwest Quarter of the Northwest Quarter and there terminating.

and

The North 107 feet of the West 660 feet of the Southeast Quarter of the Northwest Quarter of Section 16, Township 115, Range 21, according to the United States Government Survey thereof and situate in Scott County, Minnesota.

and

Township One Hundred Fifteen (115) North, Range Twenty-one (21), West, Fourth Principal Meridian (New Chester Township):

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PARCEL 1: That part of the Northeast Quarter of the Northwest Quarter of said Section 16 described as follows: Beginning at the Southeast corner of said Northeast Quarter of the Northwest Quarter and running thence West on an assumed bearing of North 87°17'48" West and along the South line thereof to the Southwest corner thereof; thence North 00°12'48" West and along the West line of said Northeast Quarter of the Northwest Quarter a distance of 315.00 feet; thence South 87°17'48" East and parallel to the South line thereof a distance of 498.64 feet to a point, said point lying distant 498.00 feet East of the West line as measured at right angles thereto; thence North 00°12'48" West and parallel to the said West line a distance of 966.80 feet to a point on the North line of the Northwest Quarter of said Section 16; thence South 86°04'09" East and along said North line a distance of 509.32 feet to a point on said North line, said point being distant 313.48 feet West of the Northeast corner of the Northwest Quarter of said Section 16 as measured along said North line; thence South 00°15'11" West and parallel to the Southerly extension of the West line of Section 31, Township 27 North, Range 24 West, into said Northeast Quarter of the Northwest Quarter, a distance of 300.20 feet; thence South 89°58'49" East a distance of 312.90 feet to a point on the east line of said Northwest Quarter distant 278.84 feet South of the Northeast corner thereof; thence South along said East line thereof to the Southeast corner thereof and the point of beginning.

EXCEPTING THEREFROM any portion thereof which lies within the following two tracts:

(1) A 60.00 foot fee simple interest for public roadway and utility purposes over, under, and across that part of the North half of Section 16, Township 115, Range 21, Scott County, Minnesota. The centerline of said taking is described as follows: Commencing at the northeast corner of the Northwest Quarter of said Section 16; thence North 87 degrees 10 minutes 29 seconds West, assumed bearing, along the north line of said Northwest Quarter a distance of 792.26 feet to a point 528 feet east of the west line of the Northwest Quarter of said Northwest Quarter and the point of beginning of the centerline to be described; thence South 01 degrees 20 minutes 49 seconds East, parallel with said west line, a distance of 363.48 feet; thence North 88 degrees 52 minutes 13 seconds East 789.03 feet to a point in the east line of said Northwest Quarter distance 308.84 feet South of the northeast corner of said Northwest Quarter; thence continuing North 98 degrees 52 minutes 13 seconds East 131.10 feet and said centerline there terminating.

(2) Together with a fee simple interest for public roadway and utility purposes over, under and across that part of the Northeast Quarter of said Section 16 lying southerly of the northerly 278.84 feet thereof, nor included in the above described taking, and which lies within the circumference of a circle having a radius of 60.00 feet. The center of said circle is a point 30.00 feet South 01 degrees 07 minutes 47 seconds East from the point of termination of the above described centerline.

PARCEL 2: That part of the Northwest Quarter of the Northeast Quarter of Section 16, Township 115 North, Range 21 West, Scott County, Minnesota, described as follows: Beginning at the Southwest corner thereof and running thence East along the South line thereof on assumed bearing of South 89°15'36" East a distance of 987.97 feet; thence North 00°00'52" West, and parallel to the West line of said Northeast Quarter, a distance of 857.25 feet to a point on the Southwesterly right of way line of the Minneapolis, Northfield and Southern Railway; thence North 42°09'20" West and along said Southwesterly right of way line, a distance of 188.39 feet to a point which is 278.84 feet South of the North line of said Northeast Quarter as measured at right angles to said North line; thence North 89°58'49" West, and parallel to the North line of said Northeast Quarter, a distance of 862.35 feet to a point on the west line thereof distance 278.84 feet South of the Northwest corner thereof; thence South along the West line of the Northeast Quarter to the Southwest corner thereof and to the point of beginning.

EXCEPTING THEREFROM the following described tract:

Commencing at the Northwest corner of the said Northeast Quarter and running thence South along the West line thereof a distance of 940.00 feet; thence deflecting 82°19'30 to the left a distance of 441.87 feet to the actual point of beginning of the tract to be excepted; thence North and parallel with said West line a distance of 217.76 feet; thence East and at right angles to said West line a distance of 490.00 feet; thence South and parallel with the said West line a distance of 300.00 feet; thence Northwesterly a distance of 494.41 feet to a point which is 15.14 feet South of the point of beginning as measured parallel with said West line; thence North a distance of 16.14 feet to the point of beginning.

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AND ALSO EXCEPTING THEREFROM any portion thereof which lies within the following two tracts:

(1) A 60.00 foot fee simple interest for public roadway and utility purposes over, under, and across that part of the North Half of Section 16, Township 115, Range 21, Scott County, Minnesota. The centerline of said taking is described as follows: Commencing at the northeast corner of the Northwest Quarter of said Section 16; thence North 87 degrees 10 minutes 29 seconds West, assumed bearing, along the north line of said Northwest Quarter a distance of 792.26 feet to a point 528 east of the west line of the Northwest Quarter of said Northwest Quarter and the point of beginning of the centerline to be described; thence South 01 degrees 20 minutes 49 seconds East, parallel with said west line, a distance of 363.48 feet; thence North 88 degrees 52 minutes 13 seconds East 789.03 feet to a point in the east line of said Northwest Quarter distance 308.84 feet South of the northeast corner of said Northwest Quarter; thence continuing North 88 degrees 52 minutes 13 seconds East 131.10 feet and said centerline there terminating.

(2) Together with a fee simple interest for public roadway and utility purposes over, under and across that part of the Northeast Quarter of said Section 16 lying southerly of the northerly 278.84 feet thereof, not included in the above described taking, and which lies within the circumference of a circle having a radius of 60.00 feet. The center of said circle is a point 30.00 feet South 01 degrees 07 minutes 47 seconds East from the point of termination of the above described centerline.

PARCEL NO. 3: That part of the Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) of Section 16, Township 115, Range 21, Scott County, Minnesota, lying East of the West 987.78 feet thereof and South of the Southwesterly right of way of the Minneapolis, Northfield and Southern Railway.

and

Tract I

The Northeast Quarter of the Northeast Quarter (NE ¼ of NE ¼) of Section 17, Township 115, Range 21, except

Commencing at the Northeast corner of the Northeast quarter thence Westerly along the North line of said Northeast quarter a distance of 470 feet, thence Southerly at right angles to the North line of the Northeast quarter a distance of 652.95 feet, thence Southeasterly to a point on the East line of the Northeast quarter, said point being 719.6 feet, Southerly of the Northeast corner of said Section 17, thence Northerly along said East line to the point of beginning and there terminating, except that part of the above described land described as follows:

Tract II

The Southwest Quarter of the Northeast Quarter (SW ¼ of NE ¼) of Section 17, Township 115, Range 21.

Tract III

The Southeast Quarter of the Northeast Quarter (SE ¼ of NE ¼) of Section 17, Township 115, Range 21, excepting the following described tracts:

(1) That part of the Southeast Quarter of the Northeast Quarter (SE ¼ of NE ¼) and the Northeast Quarter of the Southeast Quarter (NE ¼ of SE ¼) described as follows: Commencing at a point on the East line of said Section 17 (17) 1200 feet North of the Southeast corner of said Northeast Quarter of the Southeast quarter (NE ¼ of SE ¼); thence North on the Section line 400 feet; thence due West at right angles 217.8 feet; thence South 400 feet; thence East 217.8 feet to the place of beginning.

(2) That part of the North one-half (N ½) of the Southeast Quarter (SE ¼) and the South one-half (S ½) of the Northeast Quarter (NE ¼) described as follows: commencing at a point which is 2510.9 feet North of the Southeast corner of Section Seventeen (17) and at right angles to the East line of said section a distance of 217.8 feet; thence North and parallel to the East line of said section a distance of 400 feet; thence West and at a right angle with said East section line a distance of 108.9 feet; thence South parallel to the East line of said section a distance of 400 feet; thence East at a right angle to said East section line a distance of 108.9 feet to the point of beginning.

containing 299.64 acres, more or less, are under the control and possession of the Department of Natural Resources;
and

Commissioner's Orders

WHEREAS, such lands contain native plant communities, such as Calcareous Fen (Southeastern), Seepage Meadow/Carr, Elm-Basswood-Black Ash-(Hackberry) Forest, Sugar Maple-Basswood-(Bitternut Hickory) Forest, which supports the following rare plant and animal species: valerian (*Valeriana edulis ciliata*), small white lady's-slipper (*Cypripedium candidum*), twig-rush (*Cladium mariscoides*), sterile sedge (*Carex sterilis*), hair-like beak-rush (*Rhynchospora capillacea*), false asphodel (*Tofieldia glutinosa*), and hooded warbler (*Wilsonia citrina*);

and

WHEREAS, the most effective means by which such lands can be used and protected for educational and research purposes in such manner and by such means as will leave them conserved for future generations is by designation as a Scientific and Natural Area.

THEREFORE, IT IS HEREBY ORDERED, pursuant to authority vested in me by law, including but not limited to *Minnesota Statutes*, sections 84.033; 86A.05, subd. 5; and 97 A.093, that the above-described lands are designated as the Savage Fen Scientific and Natural Area.

FURTHERMORE, the Savage Fen Scientific and Natural Area is designated as a Public Use unit, open to the public for nature observation and general educational and research activities.

IT IS FURTHER ORDERED that Scientific and Natural Area Order no. 217 is hereby superseded.

IT IS FURTHER ORDERED that the provisions of *Minnesota Rules* 6136.0100 through 6136.0600 shall apply to the above-designated area, except that the following uses will be permitted with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: fishing, hunting by archery and other special hunts, and the construction by the City of Savage (or its designee) of a non-motorized trail for use by bicycles and pedestrians on a specified alignment, and dogs on leashes and picnicking within the trail corridor in conjunction with use of a constructed trail.

This order takes effect upon publication in the State Register.

Dated: 15 August 2013

Tom Landwehr, Commissioner
Department of Natural Resources

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.

Minnesota Department of Human Services (DHS)

Disability Services Division

REQUEST FOR COMMENTS on Possible Amendments to Rules Governing Positive Support Strategies, Safety Interventions and Emergency Use of Manual Restraint, and Repeal of Rules Governing Aversive and Deprivation Procedures in *Minnesota Rules*, Chapter 9525, Revisor's ID No.: R-04213

This Request for Comments Notice Supersedes the Request for Comments Notice Published in the *State Register* on Monday, January 12, 2012 (36 SR 878).

Subject of Rules. The Minnesota Department of Human Services requests comments on its possible amendment to rules governing the use of positive support strategies, safety interventions and emergency use of manual restraint and repeal of rules governing aversive and deprivation procedures in licensed facilities and services that serve persons with developmental disabilities and persons age 65 and older. The Department is considering rule amendments that govern the provision of home and community-based services licensed under *Minnesota Statutes*, Chapter 245D and matters determined by the agency to be related to services provided under *Minnesota Statutes*, Chapter 245D; and repealing its aversive and deprivation rules. The rule standards will apply to the provision of basic support services and intensive support services regulated by *Minnesota Statutes*, Chapter 245D.

Persons Affected. The amendment to and repeal of rules in chapter 9525 would likely affect persons with disabilities and persons age 65 and older and their families who receive services from persons or entities licensed under *Minnesota Statutes*, chapter 245D. Persons and entities licensed under *Minnesota Statutes*, Chapter 245D and their employees and other persons and entities who provide goods and services to the license holders may also be affected.

Statutory Authority. *Minnesota Statutes*, section 245.8251, subdivision 1, requires the Department to adopt rules "governing the use of positive support strategies, safety interventions and emergency use of manual restraint in facilities and services licensed under chapter 245D."

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 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 does plan to appoint a task force to comment on the possible rules in 2014.

Rules Drafts. The Department has not yet drafted the possible rules amendments and repeal.

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: Dean Ritzman at Minnesota Department of Human Services, P.O. Box 64967, St. Paul, MN 55164-0967, **phone:** (651) 431-2444, **fax:** (651) 431-7411 and **e-mail:** dean.ritzman@state.mn.us. **TTY** users may call MN Relay at 711 or (800) 627.3529. Written comments, questions, and requests for more information on the rulemaking process should be directed to: Bob Klukas, Department of Human Services, Appeals and Regulations Division, PO Box 64941, St. Paul, MN 55164-0941, **phone:** (651) 431-3613, **fax at:** (651) 431-7523, **e-mail:** robert.klukas@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 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

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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: 14 August 2013

Lucinda Jesson, Commissioner
Department of Human Services

Minnesota Department of Public Safety (DPS) Bureau of Criminal Apprehension Notice of Information Meeting October 16, 2013

The Minnesota Bureau of Criminal Apprehension will hold a meeting from 9:00 a.m. to 11:30 a.m. on Wednesday, October 16, 2013 to discuss progress on several BCA initiatives regarding criminal justice information sharing in the state of Minnesota. Information on project architecture, the new crime reporting system and the new criminal history system will be provided. 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 jill.oliveira@state.mn.us

Minnesota Public Utilities Commission (PUC) REQUEST FOR COMMENTS on Possible Amendments to Rules Governing Cogeneration and Small Power Production, *Minnesota Rules*, Chapter 7835; Revisor's ID Number R-04214; PUC Docket No. E-999/R-13-729

Subject of Rules. The Minnesota Public Utilities Commission requests comments on possible amendment to rules governing Cogeneration and Small Power Production. The Commission is considering rule amendments to incorporate recent statutory changes affecting cogeneration and small power production. These changes include, among others, the following:

- increasing the net-metering threshold capacity for a qualifying facility or *net metered facility* interconnecting to a public utility
 - under the changes, the threshold is “less than 1,000 kW” (from less than 40 kW);
- establishing a new annual billing/crediting method;
- prohibiting standby charges for facilities under 100 kW;
- requiring public utilities to aggregate meters for net metering at customers' request;
- authorizing the Commission to limit cumulative generation from net-metered customers and permitting a public utility to request that the Commission set such limits;
- authorizing public utilities to limit capacity to 120 % of demand for wind customers and to 120 % of energy consumption for solar photovoltaic customers; and
- changing requirements governing the uniform statewide contract to incorporate the new net-metering threshold for facilities interconnecting to a public utility.

Persons Affected. The rule amendments would likely affect public utilities providing retail electric service, cogenerators, small power producers, municipal electric utilities, electric cooperatives, net metered customers, and persons wanting to interconnect with a public utility.

Statutory Authority. *Minnesota Statutes* § 216.05, subd.1, gives the Commission general rulemaking authority. And *Minnesota Statutes* § 216B.164, subd. 6, authorizes the Commission to adopt rules governing cogeneration and small power production.

Public Comment. Interested persons or groups may submit comments or information on these possible rule amendments in writing until 4:30 p.m. on September 30, 2013. The Commission 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. **Please refer to PUC Docket No. E-999/R-13-729 in your comments.** You may also electronically file your comments using the Commission's electronic filing system located at: <https://www.edockets.state.mn.us/EFiling>.

Advisory Committee. The Commission has not determined whether to appoint an advisory committee under *Minnesota Statutes* §14.101 to comment on the possible rules. Persons interested in this issue should address it in their comments. And persons interested in serving on an advisory committee should include a request to do so in their comments.

Rules Drafts. The Commission has not yet drafted the possible rules amendments.

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

Kate Kahlert, Staff Attorney
Public Utilities Commission
121 Seventh Place East, Suite 350
Saint Paul, Minnesota 55101-2147
Phone: (651) 201-2239
Fax: (651) 297-7073;
E-mail: kate.kahlert@state.mn.us.
Persons with hearing loss or speech disabilities may call us through
Minnesota Relay at 1-800-627-3529 or by dialing 711.

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 submit 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.

Minnesota 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 May 6, 2013 until July 5, 2013:

- 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

Official Notices

- 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 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

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 May 6, 2013 until May 6, 2016:

- Gary Francis Bauerly and his affiliates, Rice, MN
- Gary Bauerly, LLC and its affiliates, Rice, MN
- Watab Hauling Co. and its affiliates, Rice, 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 Grants & Loans

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

SEE ALSO: Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

Minnesota Department of Health (MDH) Division of Compliance Monitoring Request for Proposals for Exceptions to the Nursing Home Moratorium

Purpose

The commissioner of health is accepting written proposals from nursing homes and certified boarding care homes requesting funding through the moratorium exception process, according to *Minnesota Statutes* 144A.073. The commissioner of health, in coordination with the commissioner of human services, may approve such requests under conditions listed in *Minnesota Statutes*. These conditions refer to categories of exceptions which are defined as:

- (a) "Conversion" means the relocation of a nursing home bed from a nursing home to an attached hospital.
- (b) "Relocation" means the movement of licensed nursing home beds or certified boarding care beds as permitted by state statute to promote equitable access across the state or to move the beds to another site.
- (c) "Renovation" means extensive remodeling of an existing facility with a total cost exceeding ten percent of the appraised value of the facility or \$200,000, whichever is less. A renovation may include the replacement or upgrade of existing mechanical or electrical systems.
- (d) "Replacement" means the construction of a complete new facility.
- (e) "Addition" means the construction of new space to an existing facility.
- (f) "Upgrading" means a change in the level of licensure of a bed from a boarding care bed to a nursing home bed in a certified boarding care facility.
- (g) "Phased project" means a proposal that identifies construction occurring with more than one distinct completion date. To be considered a distinct completion, each phase must have construction that is ready for resident use, as determined by the commissioner, that is not dependent on similar commissioner approval for future phases of construction. The commissioner of human services shall only allow rate adjustments for construction projects in phases if the proposal from a facility identifies construction in phases and each phase can be approved for use independent of the other phases.

Appropriation Available

The amount of the legislative appropriation available for the total annual additional costs to the Medical Assistance program for this Request for Proposals (RFP) is approximately \$359,072.

NOTE: As of 10-01-13, *Minnesota Statutes* 256B.434, subd. 4f, allows projects with costs less than \$1,451,303 to proceed without applying for a moratorium exception under this process.

Eligibility to Submit a Proposal

A proposal for an exception to the nursing home moratorium may be submitted by an organization or individual authorized by a facility's governing board or management to prepare and submit a proposal to the commissioner of health.

Method for Estimating Proposal Cost

The method that the commissioner will use in evaluating proposals for approval or disapproval for estimating the cost of a proposal is detailed in the application materials.

Criteria for Review

Minnesota Statutes 144A.073, subd. 4a, states the criteria the commissioner of health is to consider in reviewing moratorium exception proposals:

Subd. 4a. **Criteria for review.** In reviewing the application materials and submitted costs by an applicant to the moratorium process, the review panel shall consider the following criteria in recommending proposals:

State Grants & Loans

- (1) the extent to which the proposed nursing home project is integrated with other health and long-term care services for older adults;
- (2) the extent to which the project provides for the complete replacement of an outdated physical plant;
- (3) the extent to which the project results in a reduction of nursing facility beds in an area that has a relatively high number of beds per thousand occupied by persons age 85 and over;
- (4) the extent to which the project produces improvements in health; safety, including life safety code corrections; quality of life; and privacy of residents;
- (5) the extent to which, under the current facility ownership and management, the provider has shown the ability to provide good quality of care based on health-related findings on certification surveys, quality indicator scores, and quality-of-life scores, including those from the Minnesota nursing home report card;
- (6) the extent to which the project integrates the latest technology and design features in a way that improves the resident experience and improves the working environment for employees;
- (7) the extent to which the sustainability of the nursing facility can be demonstrated based on the need for services in the area and the proposed financing of the project; and
- (8) the extent to which the project provides or maintains access to nursing facility services needed in the community.

Procedure for Receiving Application Materials

The application materials, including instructions, format and necessary forms, are available at the following website:

<http://www.health.state.mn.us/divs/fpc/moratoriumapp13/>

or upon e-mail written or facsimile request to:

Mary Cahill, **phone:** (651) 201-3701; **E-mail:** mary.cahill@state.mn.us
MDH – Division of Compliance Monitoring **Fax:** (651) 215-9695

U.S. Mail Service:

MDH – Division of Compliance Monitoring
P.O. Box 64900
St. Paul, Minnesota 55164-0900

Review and Approval of Proposals

Proposals will be reviewed by a committee composed of organizations that represent consumers and providers of nursing home services; persons who provide engineering, building construction, or design services; and, state agencies involved in long term care issues, housing and finance. Applicants will have the opportunity to present their proposal, in person, to the Proposal Review Committee (Committee) prior to the Committee submitting comments and recommendations to the commissioner. Details on this meeting, including date, time and location will be made available to the contact person listed in each moratorium exception proposal. The commissioner of health will approve or disapprove project proposals based on criteria established in law and rule. The commissioner will make the final decision no later than March 24, 2014.

Questions Concerning the RFP

Any questions relating to the RFP process must be submitted by prospective applicants in writing via Fax, US mail or e-mail to:

Mary Cahill
Minnesota Department of Health
Division of Compliance Monitoring
P.O. Box 64900
St. Paul, MN 55164-0900
Fax: (651) 215-9695
E-mail: mary.cahill@state.mn.us

No answers will be provided in response to phone calls. Each question must cite the particular RFP page to which it refers. Copies of all questions and their answers will be provided to all prospective applicants who have requested application materials. Only responses in writing by staff of the Minnesota Department of Health will be considered official. The closing date for the receipt of questions will be Friday, October 18, 2013.

Technical assistance in completing the application forms is available from the Aging Services of Minnesota, at (651) 645-4545, or Care Providers of Minnesota at (952) 854-2844.

Procedures for Submitting Proposals

No proposals submitted by facsimile machine will be accepted. **Six (6) written copies of the completed proposal must be received no later than 4:00 p.m. on Tuesday, December 10, 2013 by:**

Darcy Miner
U.S. Mail Service:
Minnesota Department of Health
Division of Compliance Monitoring
P.O. Box 64900

Darcy Miner
Courier or Walk-In-Service
Minnesota Department of Health
Division of Compliance Monitoring
85 East Seventh Place, Room 220

Minnesota Department of Human Services (DHS) Community Partnerships and Child Care Services Division Child Development Services Notice of Request for Proposals (RFP) for Qualified Grantee (s) to Provide Loans and Business Planning Assistance for Child Care and Early Childhood Education Programs to Improve Quality

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services (DHS) Child Development Services (CDS) unit through the Division of Community Partnerships and Child Care Services is soliciting proposals from qualified Responders (agencies or organizations) to provide loans and business planning assistance for child care and early childhood programs to improve quality. Funding for this project is provided through Minnesota's state general fund and the federal Child Care and Development Fund (CCDF).

The term of any resulting contract is anticipated to be twenty months, from **November 4, 2013**, through **June 30, 2015**. The **annual** fiscal year cost for this contract should not exceed **\$200,000**.

The scope of the Child Care Improvement Grant is described in Minnesota Statutes, Section 119B.25 passed by Minnesota Legislature in 1997 and signed into law. The purposes of Child Care Improvement Grant as described in statute include:

- Enhancing and expanding child care and early childhood education sites
- Encouraging private investment in child care and early childhood education sites
- Promoting availability of quality, affordable child care throughout Minnesota
- Providing for cooperation between private nonprofit child care organizations, family child care and center providers and the Department of Human Services

Activities that a grantee shall use these funds for include:

- a) establishing a revolving loan fund to make loans to existing, expanding, and new licensed and legal unlicensed child care and early childhood education sites;
- b) establishing a fund to guarantee private loans to improve or construct a child care or early childhood education site;
- c) establishing a fund to provide forgivable loans or grants to match all or part of a loan made under this section;
- d) establishing a fund as a reserve against bad debt; and
- e) establishing a fund to provide business planning assistance for child care providers.

The Department of Human Services, Child Development Services works to ensure that all grants and initiatives meet the broad goals of Child Development Services. To ensure alignment with these goals, loans and business planning assistance services provided through this grant must be provided to child care and early childhood education programs who meet two requirements as a condition of receiving these supports and services:

- a) Child care and early childhood education programs must have and maintain a Parent Aware rating or have signed a Parent Aware Participation Agreement. In counties where Parent Aware has not yet rolled out, programs should seek participation in Building Quality to prepare for a Parent Aware rating. In counties where this option is not yet available, this requirement does not apply. This will ensure that programs with an identified commitment to improving quality will be prioritized for loans and business planning assistance services.

State Grants & Loans

b) Staff or caregivers working in child care and early childhood education programs must have or create a record in the Minnesota Professional Development Registry. This will support the Department of Human Service's broader goals of assisting practitioners in progressing along the career lattice and recognizing this progress. It also ensures that business planning assistance provided through this grant will be tracked in the practitioner's Learning Record.

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

http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_000102

under "Partners and Providers," "Grants and RFPs". To obtain an e-mail copy of the RFP, please contact Fred Fuhrmann at fred.fuhrmann@state.mn.us.

For further information or to request a paper copy of the Request for Proposals, please contact:

Fred Fuhrmann, Grants Coordinator
Community Partnerships and Child Care Services Division
Department of Human Services
P.O. Box 64962
St. Paul, MN 55164-0962
E-mail: fred.fuhrmann@state.mn.us

Proposals must be physically received (not postmarked) at Minnesota Department of Human Services, 444 Lafayette Road North, St. Paul, MN, 55155, no later than **3:00 p.m. Central Daylight Time on Thursday, September 19, 2013** to be considered. **Late proposals and 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.

State Contracts

In addition to the following listing of state contracts, readers are advised to check the Statewide Integrated Financial Tools (SWIFT) Supplier Portal at: <http://supplier.swift.state.mn.us> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be advertised in the Supplier Portal (see link above) or posted on the Department of Administration, Materials Management Division's (MMD) Web site at: <http://www.mmd.admin.state.mn.us/solicitations.htm>.

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 advertised in the SWIFT Supplier Portal or alternatively, in the *Minnesota State Register* if the procurement is not being conducted in the SWFT system.

Minnesota State Colleges and Universities (MnSCU)

Bemidji State University

Notice of Request for Proposals for Development of an Intensive English Center and Curriculum for International Students

NOTICE IS HEREBY GIVEN that Bemidji State University will receive sealed proposals for the "Development of an Intensive English Center and Curriculum for International Students." Specifications will be available August 26, 2013, at the following website:

http://www.bemidjistate.edu/offices/procurement_logistics/rfps_bids/

Instructions for delivering proposals, as well as all other requirements and contact information, will be contained in the RFP to be posted at the above website.

Sealed proposals must be received by Belinda Lindell, Director of Procurement & Logistics, Bemidji State University & Northwest Technical College, Deputy 204, Box 8, 1500 Birchmont Drive NE, Bemidji, MN 56601, by 2:00 PM, Tuesday, September 24, 2013. Late proposals will not be considered.

Bemidji State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received. This Request for Proposal does not obligate the University to complete a proposed contract, and the University reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota State Colleges and Universities (MnSCU)

Board of Trustees

Notice of Request for Qualifications (RFQ) for Job Order Contracting Construction Master List of Contractors

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities ("MnSCU"), requests qualifications of Minnesota registered contractors providing commercial general contracting, plumbing, HVAC, fire suppression, electrical work or low voltage services to assist MnSCU in construction projects as needed for up to a five-year period. Projects will vary in scope and may involve new construction or renovations, which includes but is not limited to buildings, infrastructure, utilities and site work.

Two informational webinars will be held for contractors: 1) Tuesday, September 3, 2013 at 3:00 PM (CST) and 2) Friday, September 6, 2013 at 10:00 AM (CST). Information on attending the online webinar, the Request for Qualification (RFQ) and associated documents can be found online at: <http://www.finance.mnscu.edu/facilities/design-construction/index.html> under Announcements.

Questions should be addressed in the manner as noted in the RFQ to:

Jeanne Qualley
Minnesota State Colleges & Universities
Phone: (651) 201-1784, or
E-mail: Jeanne.qualley@so.mnscu.edu

State Contracts

Proposals must be delivered to:

Minnesota State Colleges & Universities
ATTN: Facilities Design and Construction
Wells Fargo Place
30 Seventh Street East, Suite 350
St. Paul, Minnesota 55101-7804

Proposals must be received NOT later than October 1, 2013 at 12:00 P.M. CST; late responses will not be considered.

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

Minnesota State Colleges and Universities (MnSCU) Minnesota West Community and Technical College Notice of Request for Proposals for Developer to Finance, Design and Construct Student Housing

Minnesota West Community and Technical College is seeking a third party developer to finance, design, and construct student housing on its Worthington campus in Worthington, Minnesota.

Details regarding the student housing project can be obtained from Lori Voss, Vice President of Administration at 507-223-1331, Minnesota West Community & Technical College, 1011 First Street West, Canby, MN 56220 or **e-mail:** lori.voss@mnwest.edu.

A mandatory meeting with interested developers will be held September 9, 2013 in room 209 at 10:00. Proposals are due September 23, 2013 at 4:00. Occupancy is to begin fall semester of 2015. Minnesota West reserves the right to reject all proposals.

Minnesota West Community & Technical College is a member of the Minnesota State Colleges and Universities System.

Minnesota State Colleges and Universities (MnSCU) St. Cloud Technical & Community College Formal Request for Proposal for Tractor and Trailer Maintenance

Response Due Date and Time: Tuesday, September 3, 2013 at 2:00 p.m. Central Time

The complete Request for Proposal will be available on Monday, August 19, 2013 on the website <http://www.sctcc.edu/rfp>.

Title of Project: Tractor and Trailer Maintenance

Geographic Location Requirements: St. Cloud Technical & Community College, 1540 Northway Drive, St. Cloud, MN 56303

Responses must be received at the location listed below:

St. Cloud Technical & Community College
1540 Northway Drive
St. Cloud, MN 56303
Susan Meyer, Purchasing Agent, Room 1-401

Phone: (320) 308-5973
Fax: (320) 308-5027
E-mail: *smeyer@sctcc.edu*

Contact for questions: Susan Meyer, Phone: (320) 308-5973, e-mail: *smeyer@sctcc.edu*

Your response to this Request for Proposal (RFP) must be returned sealed. Sealed responses must be received no later than the due date and time specified above. Late responses cannot be considered and the responses will be rejected.

The laws of Minnesota and MnSCU Board of Trustees policies and procedures apply to this RFP.

All attached General RFP Terms and Conditions, Specifications and Special Terms and Conditions are part of the RFP and will be incorporated into any contract(s) entered into as a result of this RFP.

All responses to this RFP must be prepared as stated herein and properly signed. **Address all correspondence and inquiries regarding this RFP to the Contact person above. This is a request for responses to an RFP and is NOT a purchase order.**

Minnesota State Colleges and Universities (MnSCU) St. Cloud Technical and Community College Formal Request for Proposal (RFP) for Purchase of Automatic Surface Grinders Machining Lab Equipment

RESPONSE DUE DATE AND TIME: Tuesday, September 10, 2013 by 2:00 pm Central Time

The complete Request for Proposal will be available on Monday, August 26, 2013 on the website <http://www.sctcc.edu/rfp>

TITLE OF PROJECT: Purchase of Automatic Surface Grinders Machining Lab Equipment for Department of Labor Grant to equip instructional program labs.

GEOGRAPHIC LOCATION TO INCLUDE:

St. Cloud Technical and Community College, 1540 Northway Drive, St Cloud MN 56303 (SCTCC)
Central Lakes College, 1830 Airport Road, Staples, MN 56479 (CLC)
Pine Technical College, 900 4th Street SE, Pine City, MN 55063 (PTC)

RESPONSES MUST BE RECEIVED AT THE LOCATION LISTED BELOW:

St. Cloud Technical and Community College
1540 Northway Drive
St. Cloud, MN 56303
Susan Meyer, Purchasing Agent Room 1-401
Phone: (320) 308-5973
Fax: (320) 308-5027
E-mail: *smeyer@sctcc.edu*

Your response to this Request for Proposal (RFP) must be returned sealed. Sealed responses must be received no later than the due date and time specified above, at which time the names of the vendors responding to this RFP will be read. **Late responses** cannot be considered and the responses will be rejected.

The laws of Minnesota and MnSCU Board of Trustees policies and procedures apply to this RFP.

All attached General RFP Terms and Conditions, Specifications and Special Terms and Conditions are part of this RFP and will be incorporated into any contract(s) entered into as a result of this RFP.

State Contracts

All responses to this RFP must be prepared as stated herein and properly signed. **Address all correspondence and inquiries regarding this RFP to the Contact person named above. This is a request for responses to an RFP and is not a purchase order.**

Explore Minnesota Tourism Notice of Availability – Contract for Advertising Services

Explore Minnesota Tourism (EMT), the state agency responsible for marketing and promoting Minnesota's travel opportunities to potential travel consumers, is requesting proposals from advertising agencies for the Explore Minnesota Tourism Advertising Services contract. The contract period is anticipated to be January 1, 2014 through March 31, 2015, with renewal options for additional periods for a maximum of five years total. The current estimated contract amount is \$7.5 million annually, subject to legislative approval.

The successful respondent will assist in the planning and implementation of advertising and promotional campaigns, offering the best combination of strategy, creativity, effectiveness and return on investment.

Advertising Services Include: Preparing seasonal, annual and multi-year advertising plans, creating and producing advertising, negotiating and placing various media advertising, conducting research and evaluation of marketing communications, and various other advertising related services as needed.

The anticipated contract start date is January 1, 2014.

The request for proposal consists of an initial submission of a written/technical proposal including an ad agency background section, a cost/fee structure proposal and several state required documents.

New with this RFP, all responses to this RFP (termed an "Event" within SWIFT) must be submitted through the State of Minnesota SWIFT Supplier Portal using the Supplier portal (<http://supplier.swift.state.mn.us/>). Training and documentation on how to submit your response is available through the Supplier portal link above. Note: all respondents must be registered in advance to submit proposals in SWIFT.

All responses to this RFP must be submitted and received in SWIFT no later than the Event End Date and time as set forth in the SWIFT Event Details applicable to this RFP.

This request for proposal does not obligate the state to award a contract or complete the project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest. All costs incurred in responding to this RFP will be borne by the responder.

Minnesota Department of Health (MDH) Notice of Availability of Contract for Accreditation of the Public Health Laboratory

The Minnesota Department of Health is requesting proposals for the purpose obtaining accreditation for the extended list of testing performed in its Public Health Laboratory, including testing not otherwise covered under its certifications obtained by federal agencies.

Work is proposed to start after December 1, 2013.

A Request for Proposals will be available by mail from this office through September 9, 2013. **A written request (by direct mail or electronic mail) is required to receive the Request for Proposal.** After September 9, 2013, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Stephanie Drier, Project Coordinator

Minnesota Department of Health
601 Robert Street
St. Paul, MN 55155
E-mail: stephanie.drier@state.mn.us

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the physical address above no later than September 23, 2013 at 2:30 p.m. Central time. **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.

Minnesota Legislative Branch Legislative Coordinating Commission (LCC) Notice of Request for Proposals for Printing of the Mississippi River Companion Booklet

The Legislative Coordinating Commission (LCC), on behalf of the Mississippi River Parkway Commission of Minnesota (MN-MRPC) and the National Park Service (NPS) is requesting proposals for printing of the Mississippi River Companion booklet.

The selected vendor will be responsible for final edits, mock-up, proof and printing of the Mississippi River Companion, a 129-page spiral bound booklet plus cover.

For a copy of the full text of the RFP, please go to <http://www.lcc.leg.mn/lcc/RFPs.htm> or contact:

Diane Henry-Wangenstein
Minnesota Legislative Coordinating Commission
Room 72 State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155-1298
Phone: (651) 296-1121 (voice)
E-mail: diane.henry@lcc.leg.mn

All proposals must satisfy the criteria as outlined in the full text of the RFP. **Proposals must be received by Monday, September 16, 2013 at 4:00 p.m. Late applications may NOT be accepted.** All expenses incurred in responding to this notice shall be borne by the responder.

Minnesota Department of Military Affairs Facilities Management Office, Camp Ripley, Little Falls, MN Request for Proposals for Cultural Resources Services for the Minnesota Army National Guard (Project No. 13132)

The State of Minnesota, Department of Military Affairs, is soliciting proposals from interested, qualified consultants for cultural resources services for the Minnesota Army National Guard (MNARNG). Services include coordination of the annual Native American consultation meetings in support of the MNARNG Cultural Resources program and a Phase I Investigation of Maneuver Area C and Maneuver Area K2 at Camp Ripley in Morrison County, Minnesota.

A full Request for Proposal (RFP) is available on the Minnesota National Guard's website:

State Contracts

<http://www.MinnesotaNationalGuard.org/rfp>

All RFP responses must be received by the Department of Military Affairs, Attn: Anna Swoboda, Facilities Management Office, Camp Ripley, 15000 Highway 115, Little Falls, Minnesota 56345-4173 not later than **2:00 p.m. on Tuesday, September 10, 2013**. **Late responses will NOT be considered.**

The Department of Military Affairs 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 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 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

Minnesota 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.

Besides the following listing, readers are advised to check: <http://www.mmd.admin.state.mn.us/solicitations.htm> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>.

City of Hibbing**Hibbing Area Transit****Request for Proposals (RFP) to Operate Transit System**

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the CITY OF HIBBING/HIBBING AREA TRANSIT, at the office of the CITY CLERK, ROOM 201, 401 E. 21ST ST., HIBBING, MN 55746, until 1:00 P.M. local time MONDAY, SEPT. 30, 2013 for the operation of a public transit service titled "HIBBING AREA TRANSIT", for the period from JAN. 1, 2014 to DEC. 31, 2014, with option years 2015, 2016, and 2017. All proposals must provide for costs associated with each option year indicated. Option Years will be part of the evaluation process in selecting the successful proposal. The City of Hibbing will have a unilateral right in the contract by which, for the option years, they may elect to extend the term of the contract.

HIBBING AREA TRANSIT is a citywide service, subsidized with state and federal public transit dollars, which utilizes medium-duty purpose built buses to transport passengers.

The RFP documents and forms may be obtained, at no cost, at the office of the City Clerk, Room 201, 401 E. 21st Street, Hibbing, MN 55746, or on the city's website at www.hibbing.mn.us. The contact person for all written communication involving the RFP is:

Sherri A. Renskers
401 E. 21st St.
Hibbing, MN 55746

Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Minneapolis-Saint Paul International Airport

Notice of Call for Bids for CBP Global Entry Program Enrollment Center

MAC Contract No.: 106-2-703

Bids Close At: 2:00 p.m., September 17, 2013

Notice to Contractors: Sealed Bid Proposals for the project indicated above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The work includes an interior office build-out at the Baggage Claim Level of Terminal 1- Lindbergh

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 5%.

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Architectural Alliance, at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to: Architectural Alliance. Deposit per set (refundable): \$150. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on August 26, 2013, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC)

Minneapolis-Saint Paul International Airport

Notice of Call for Bids for 2013 Electronic Video Information Display Systems (EVIDS) and 2013 Wayfinding Improvements

MAC Contract No.: 106-2-713 & 106-2-714

Bids Close At: 2:00 p.m. September 17, 2013

Notice to Contractors: Sealed Bid Proposals for work indicated above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The work includes new monitor and video display systems and related software and equipment at Terminal 2-Humphrey and the MAC General Office.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 6%.

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

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Non-State Public Bids, Contracts & Grants

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on August 26, 2013, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC) Public Notice for Statements of Qualifications for Environmental Law Legal Services

The Metropolitan Airports Commission (MAC) is requesting statements of qualifications from firms interested in providing Environmental Law Legal Services.

MAC's Request for Qualifications for Environmental Law Legal Services (RFQ) is available to download on MAC's website at:
<http://www.metroairports.org/business/solicitations>.

Questions regarding this RFQ must be received by 4:00 p.m. on Friday, September 6, 2013. Statements of Qualifications must be received on or before 4:00 p.m. on Friday, September 13, 2013.

The contact person for this RFQ is Wendy Bartlett, and she may be contacted via phone at (612) 726-8192 or via e-mail at wendy.bartlett@mspmac.org.

Metropolitan Airports Commission (MAC) Public Notice for Statements of Qualifications for General Legal Services

The Metropolitan Airports Commission (MAC) is requesting statements of qualifications from firms interested in providing General Legal Services.

MAC's Request for Qualifications for General Legal Services (RFQ) is available to download on MAC's website at:
<http://www.metroairports.org/business/solicitations>.

Questions regarding this RFQ must be received by 4:00 p.m. on Friday, September 6, 2013. Statements of Qualifications must be received on or before 4:00 p.m. on Friday, September 13, 2013.

The contact person for this RFQ is Wendy Bartlett, and she may be contacted via phone at (612) 726-8192 or via e-mail at wendy.bartlett@mspmac.org.

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- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
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<i>Subtotal is:</i>	<i>Add:</i>
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\$15.01-\$25.00	\$ 6.00
\$25.01-\$50.00	\$ 9.00
\$50.01-\$100.00	\$ 14.00
\$100.01-\$1,000	\$ 17.00*
*\$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.	
More than \$1,000	Call

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Shipping _____

Subtotal _____

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