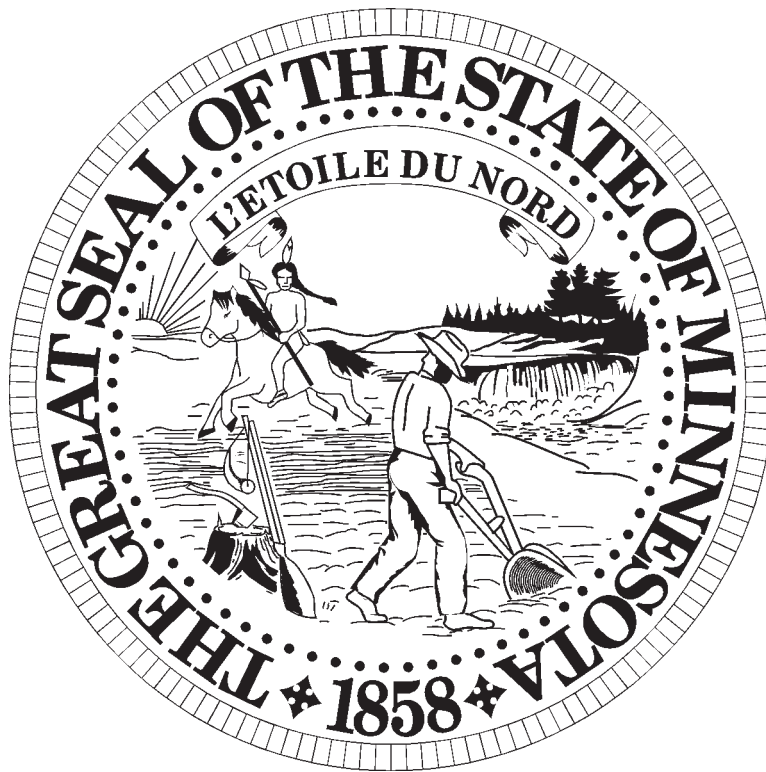


State of Minnesota

State Register



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State Register

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

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- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
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|----------------------------|---|---|--|
| # 11 | Monday 11 September | Noon Tuesday 5 September | Noon Wednesday 30 August |
| # 12 | Monday 18 September | Noon Tuesday 12 September | Noon Wednesday 6 September |
| # 13 | Monday 25 September | Noon Tuesday 19 September | Noon Wednesday 13 September |
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| Patricia Anderson, State Auditor | (651) 297-3670 | Mary Mikes, Director | (651) 297-3979 |
| Mary Kiffmeyer, Secretary of State | (651) 296-2079 | Robin Panlener, editor | (651) 297-7963 |
| | | John Mikes, assistant editor | (651) 297-4616 |
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NOTICE: How to Follow State Agency Rulemaking in the State Register

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

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

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

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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Adopted Rules

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

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

Department of Administration

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Minnesota Department of Revenue

Adopted Permanent Rules Governing Sales and Use Tax; Deductions in Computing Sales Price

The rules proposed and published at *State Register*, Volume 30, Number 46, pages 1245-1248, May 15, 2006 (30 SR 1245), are adopted as proposed.

Adopted Rules

Department of Transportation

Adopted Exempt Permanent Rules Relating to Aeronautics

The rules proposed and published at *State Register*, Volume 31, Number 4, pages 112-114, July 24, 2006 (31 SR 112), are adopted as proposed.

Exempt Rules

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

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

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

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

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

Secretary of State

Adopted Exempt Permanent Rules Relating to Voter Registration

ORDER ADOPTING RULES: Adoption of Rules Governing Elections, *Minnesota Rules*, Chapter 8200 and 8210

WHEREAS:

1. All notice and procedural requirements in Minnesota Statutes, chapter 14, Minnesota Rules, chapter 1400, and other applicable law have been complied with.
2. This rulemaking was a rulemaking pursuant to Minnesota Statutes, section 14.388, the good cause exemption, by direction of the Legislature, Laws 2006, chapter 242, section 39.
3. The Office of the Secretary of State submitted Revisor's Document RD 3662 dated July 17, 2006 to the Office of Administrative Hearings.
4. Upon the suggestion of the Administrative Law Judge, the Hon. Kathleen D. Sheehy, three minor technical changes were made. Those changes were not substantial changes to the proposed rules.
5. The changes were incorporated into Revisor's Document RD 3662 dated August 14, 2006 and were resubmitted to the Office of Administrative Hearings.

IT IS ORDERED that the abovementioned rules, in the form set out in the State Register on September 11, 2006 are adopted pursuant to authority vested in me by Minnesota Statutes, section 14.388, clause (3).

Dated: August 24, 2006

Mary Kiffmeyer, Secretary of State

8200.1100 PRINTING SPECIFICATIONS.

Voter registration applications printed for the purpose of distribution and mailing must be printed pursuant to ~~this part items A to D.~~

A. The size must be ~~at least~~ six inches by 8-9/16 inches, including a 9/16-inch stub.

B. The paper must be at least 100-pound white offset.

C. ~~The secretary of state may approve alternate forms of voter registration applications to be attached to or included in tax booklets and forms used by state agencies, and other forms deemed appropriate by the secretary of state if the forms have spaces for the information required in *Minnesota Statutes*, section 201.071. The secretary of state may approve the county use of an application with dimensions other than those prescribed in item A.~~

D. The bottom stub must have an adhesive applied to it so that the ~~card~~ application can be sealed when it is folded together for mailing.

~~D.~~ ~~Voter registration applications to be attached to or included in tax booklets and forms used by state agencies and other alternate forms deemed appropriate by the secretary of state must include spaces for the information required in *Minnesota Statutes*, section 201.071, and must be approved by the secretary of state.~~

8200.1200 REGISTRATION APPLICATION; FORMAT.

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

Subp. 1a. **See repealer.**

Subp. 1b. **Design specifications.** The secretary of state shall provide ~~design specifications~~ examples of ~~each approved~~ the voter registration application to all county auditors, ~~from which all voter registration applications for distribution and use shall be printed.~~

[For text of subs 2 and 3, see M.R.]

8200.1700 PRINTING AND DISTRIBUTING VOTER REGISTRATION APPLICATIONS.

Each county auditor shall have printed and shall maintain an adequate number of voter registration applications in compliance with ~~this chapter 8200~~ and *Minnesota Statutes*, chapter 201. An election official who causes voter registration applications to be printed shall print the applications in a form ~~meeting the requirements of this~~ prescribed by this chapter and *Minnesota Statutes*, chapter 201, ~~and meeting the design approved by the secretary of state pursuant to part 8200.1200.~~ The auditor shall provide voter registration applications to any person or group who requests a reasonable number of applications for the purpose of distribution.

8200.3700 CHANGE OF STATUS OF VOTER REGISTRATION REMOVAL OF APPLICATIONS FROM REGISTRATION FILES.

If a voter registration application ~~has its status changed to inactive~~ is to be removed from the registration files, except that of a deceased person or that of a ~~person voter~~ who has ~~updated his or her registration pursuant to part 8200.3600 or who has registered~~ reregistered in another state, the county auditor ~~must~~ may notify the person whose ~~status is to be changed~~ application is to be removed of the ~~change removal~~ and the reason for the ~~change removal~~ in writing. The applications ~~whose status is changed~~ removed must be maintained in separate files for 22 months.

8200.5100 REGISTRATION AT PRECINCT ONLY.

Subpart 1. **Procedure; proof.** Any person otherwise qualified but not registered to vote in the precinct in which the person resides may register to vote on election day at the polling place of the precinct in which the person resides. To register on election day, a person must complete and sign the registration ~~card~~ application and provide proof of residence. A person may prove residence on election day only:

A. by presenting:

(1) a valid Minnesota driver's license, learner's permit, or a receipt for either that contains the voter's valid address in the precinct;

(2) a valid Minnesota identification card issued by the Minnesota Department of Public Safety or a receipt for the identification card that contains the voter's valid address in the precinct; ~~or~~

(3) a current student identification card that contains the student's valid address in the precinct, a current student fee statement that contains the student's valid address in the precinct, or a copy of a current student registration card that contains the student's valid address in the precinct; or

(4) a tribal identification card as provided by *Minnesota Statutes*, section 201.061, subdivision 3, paragraph (d), clause (1);

B. by having a valid registration in the same precinct under a different address;

C. by presenting a notice of late registration mailed by the county auditor or municipal clerk; or

D. by having a person who is registered to vote in the precinct and knows the applicant is a resident of the precinct sign the oath in part 8200.9939.

The oath in item D must be attached to the voter registration ~~card~~ application until the address of the applicant is verified by the county auditor. The county auditor shall file the oaths and maintain them for one year.

Subp. 2. **Additional proof of residence allowed.** An eligible voter may prove residence under this subpart by presenting one of the

Exempt Rules

photo identification cards listed in item A and one of the additional proofs of residence listed in item B.

A. The following documents are acceptable photo identification cards under this subpart if they contain the voter's name and photograph:

- (1) a Minnesota driver's license or identification card;
- (2) a United States passport;
- (3) a United States military identification card; ~~or~~
- (4) a student identification card issued by a Minnesota postsecondary educational institution; ~~or~~
- (5) a tribal identification card as provided by *Minnesota Statutes*, section 201.061, subdivision 3, paragraph (d), clause (2).

B. An original bill for gas, electric, telephone, cellular telephone, cable television, solid waste, water, or sewer services is acceptable as an additional proof of residence under this subpart if:

- (1) the bill shows the voter's name and current address in the precinct; and
- (2) the due date on the bill is within 30 days before or after election day.

If the photo identification presented by the voter establishes the voter's identity and the additional proof of residence presented by the voter establishes the voter's current address in the precinct, the voter shall have proven residence under this subpart.

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

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

8200.9115 FORM OF POLLING PLACE ROSTERS.

Subpart 1. **General form of roster.** The polling place rosters must contain the following items from the statewide registration system: voter's name, voter's address, voter's date of birth, voter's school district number, and a line on which the voter's signature can be written. When a voter's registration has been challenged pursuant to *Minnesota Statutes*, section 201.121, subdivision 2, an indicator noting the voter's challenged status must be printed on the line provided for the voter's signature. A similar indicator must be printed on the line provided for the voter's signature to note a voter's guardianship or felony status, if any.

The following certification must be printed at the top of each page of the polling place roster: "I certify that I am at least 18 years of age and a citizen of the United States; that I reside at the address shown and have resided in Minnesota for 20 days immediately preceding this election; that I am not under guardianship of the person ~~where I have not retained the right to vote in which the court order revokes my right to vote~~, have not been found by a court to be legally incompetent to vote, and ~~that I have not been convicted of a felony without having my civil rights restored~~ the right to vote because, if convicted of a felony, my felony sentence has expired (been completed) or I have been discharged from my sentence; and that I am registered and will be voting only in this precinct. I understand that giving false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

One or more pages in the polling place roster must be provided for use by voters who register to vote in the polling place on election day. An election day registrant shall fill in the registrant's name, address, and date of birth and shall sign the roster on the line provided.

Each page in the polling place roster must also contain the name of the precinct and a page number. In addition, each line provided for a voter's signature must be consecutively numbered on each page.

The roster may also include additional material as permitted under *Minnesota Statutes*, section 201.221, subdivision 3.

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

8210.0100 PRESIDENTIAL ABSENTEE BALLOTS.

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

Subp. 2. **Form of affidavit of eligibility.**

↓ TO BE COMPLETED BY VOTER ↓

VOTER'S NAME (PLEASE PRINT)

VOTER'S FORMER ADDRESS IN MINNESOTA (PLEASE PRINT)

CITY OR TOWN (PLEASE PRINT)

COUNTY (PLEASE PRINT)

I certify that I

- will be at least 18 years old on election day;
- am a citizen of the United States;

Exempt Rules

- am not under guardianship of the person ~~where I have not retained the right to vote~~ in which the court order revokes my right to vote;
- have not been found by a court to be legally incompetent to vote;
- ~~have not been convicted of a felony without having my civil rights restored~~ have the right to vote because, if convicted of a felony, my felony sentence has expired (been completed) or I have been discharged from my sentence;
- previously lived in Minnesota at the address printed above;
- moved from Minnesota to another state within 30 days of the election; and
- am not eligible to vote in the state in which I now live.

VOTER'S SIGNATURE

DATE

8210.0500 INSTRUCTIONS TO ABSENTEE VOTER.

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

Subp. 2. Instructions for unregistered voters.

INSTRUCTIONS TO ABSENTEE VOTERS,
VOTERS WHO ARE CURRENTLY NOT REGISTERED
IN MINNESOTA, VOTERS WHOSE REGISTRATIONS
HAVE BEEN DULY CHALLENGED, AND
VOTERS WHO REGISTERED BY MAIL AND
HAVE NOT COMPLETED REGISTRATION REQUIREMENTS
“IMPORTANT NOTICE TO CHALLENGED VOTERS:

Pursuant to *Minnesota Statutes*, chapter 201, the county auditor is required to “challenge” your voter registration, either because of a notification from the post office that you no longer live at the address listed on your voter registration or because of another question about your eligibility to vote. To remove the challenge so that your ballot can be counted, you must complete the enclosed Minnesota voter registration application. Read the statement at the bottom of the registration application and sign the application only if all parts apply to you. To complete the return envelope, follow the instructions provided.”

Follow these instructions carefully.

Before you vote by absentee ballot you must have a witness.

Step 1. Locate one of the following individuals to serve as your witness:

- a. anyone who is registered to vote in Minnesota including your spouse or another relative who meets this qualification;
- b. a notary public; or
- c. any person having authority to administer oaths.

Step 2. Fill out the voter registration application. Remember to sign your name at the bottom of the application.

Step 3. Show your witness your proof of residence in the precinct. One of the following documents may be used as proof of residence:

- a. a valid Minnesota driver's license, permit, or identification card, or a receipt for any of these forms, that contains your current address, or a tribal identification card as provided in *Minnesota Statutes*, section 201.061, subdivision 3, paragraph (d), clause (1);
- b. one document from the list in (i) and one document from the list in (ii):
 - (i) an original bill in your name for gas, electric, telephone, cellular telephone, cable television, solid waste, water, or sewer services showing your current address and due up to 30 days before or after election day, and
 - (ii) your Minnesota driver's license or identification card, United States passport, United States military identification card with your photograph, tribal identification card as provided in *Minnesota Statutes*, section 201.061, subdivision 3, paragraph (d), clause (2), or Minnesota postsecondary student identification card with your photograph;
- c. the signature of a registered voter who lives in your precinct; if your witness is registered to vote in your precinct, your witness may also vouch for you;
- d. a student identification card, registration card, or fee statement that contains the student's current address in the precinct; or
- e. a current valid registration in the same precinct; or
- f. ~~tribal band members living on an Indian reservation may prove residence for purposes of registering by showing an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, street address, signature, and picture of the individual. The county auditor of each county having territory within the reservation shall maintain a record of the number of election day registrations accepted under this section.~~

Step 4. Show your witness the unmarked ballots.

Step 5. Mark the ballots in secrecy. If you are disabled or otherwise unable to mark the ballots, you may ask your witness to assist you. Mark your votes in the manner shown or explained at the top of the ballots. Follow the instructions under each office that tell you how

Exempt Rules

many votes can be cast and do not cast more votes than instructed. Casting more votes than instructed for an office will prevent your votes from being counted for that office.

FOR PRIMARY VOTERS ONLY: Carefully follow the instructions on the ballot. If you are voting in a partisan primary, you may only vote for the candidates of one party. Voting for candidates in more than one party will prevent your partisan ballot from being counted.

If you make an error when marking your ballot, you may request a new ballot from the election official from whom you received your ballot. If you cannot request a new ballot for any reason, completely erase any errors and remark your ballot.

Step 6. Fold each ballot so that it fits within the tan ballot secrecy envelope. Do not put any identifying marks on the ballot.

Step 7. Place all voted ballots in the tan ballot secrecy envelope and seal the envelope. Do not write on the tan ballot secrecy envelope.

Step 8. Place the tan ballot secrecy envelope and your completed voter registration application into the white ballot return envelope and seal the envelope.

Step 9. Print your name and address and sign your name on the back of the white ballot return envelope. The name, address, and signature of your witness are required as well.

Step 10. a. If you have been provided with an additional envelope to conceal the signature, identification, and other information on the white ballot return envelope, place the white ballot return envelope into the additional envelope;

b. If, instead, you have been provided a white ballot envelope with an additional flap that when sealed, conceals the signature, identification, and other information, make sure that the flap is properly in place to conceal that information.

Step 11. Return your ballot to the address on the white ballot return envelope in one of the following ways:

- a. by mail so it will be delivered by election day;
- b. in person no later than 5:00 p.m. on the day before election day; or
- c. by having someone else return your ballot by 3:00 p.m. on election day (this person cannot be a candidate and cannot return ballots for more than three voters).

Note: Follow these instructions carefully. An improperly completed ballot, or statement of voter or witness, will invalidate your votes. If you have any questions, please call

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

REPEALER. Minnesota Rules, parts 8200.1200, subpart 1a; and 8200.9310, subpart 4, are repealed.

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.

Department of Revenue Revenue Notice # 06-10: Sales and Use Tax – Fabrication Labor – Prefinishing Woodwork

Introduction

This Revenue Notice sets out the department's position on charges to prefinish woodwork. In this context, woodwork refers to wooden interior fittings in a house or building, such as doors, mantles, moldings, staircases, trims, and windowsills; prefinishing refers to finishing that is done prior to installation of the woodwork in real property. Typically, prefinishing involves at least staining and sealing the surfaces of the wood that will be visible after installation.

Minnesota Statutes, section 297A.61, subdivision 3(c), provides that for Minnesota sales and use tax purposes, "sale" includes the gross receipts from, and the sales price of, the "...fabrication... of tangible personal property for a consideration for consumers who furnish either directly or indirectly the materials used in the ...fabrication... [process]."

Department Position

Amounts paid for labor or automated services to prefinish woodwork constitute taxable receipts derived from the fabrication of the woodwork in the following situation. If a general contractor pays a subcontractor to prefinish woodwork as part of a project the general contractor is doing for a customer, the gross amount paid by the general contractor to the subcontractor for that prefinishing is subject to sales tax, regardless of whether the unfinished woodwork was purchased by the general contractor or the customer.

This position does not apply to contractors or employees of contractors who prefinish woodwork themselves and also install it, or to owners of real property who buy unfinished woodwork for their real property and prefinish it prior to installation.

Please refer to Sales Tax Fact Sheet 128 ("Contractors") and Sales Tax Fact Sheet 152 ("Labor") for information on how the sales tax applies to other situations involving this particular type of fabrication labor.

Effective Date

The Department of Revenue will begin to enforce this Revenue Notice for sales and purchases made on or after January 1, 2006. This Revenue Notice does not reflect a change in the department's position as to how prefinishing woodwork should have been taxed prior to January 1, 2006, therefore no refunds will be issued for sales taxes collected and remitted on prefinishing woodwork prior to January 1, 2006.

Publication Date: September 11, 2006

John H. Mansun, Assistant Commissioner
for Tax Policy and External Relations

Department of Revenue Revenue Notice # 06-11: Sales and Use Tax – Sales Price – Labor Charges; Revocation of Revenue Notice # 91-20

The purpose of this Revenue Notice is to distinguish between charges for taxable installation and fabrication labor charges and nontaxable repair labor charges.

Background

Effective January 1, 2002, the definition of sales price in *Minnesota Statutes*, section 297A.61, subdivision 7, was amended to include installation labor when the labor is part of a taxable sale. Installation charges are part of the sales price, even if separately stated. If an item

Revenue Notices

being sold is taxable, a charge by the seller to install the item is taxable. Repair labor is not subject to sales tax when separately stated.

Effective July 1, 2002, *Minnesota Statutes*, section 297A.61, subdivision 3(j), was added to tax installation charges by a third party. A third party installer is required to charge tax on the installation of an item if the seller of the item would have been required to charge tax on the installation.

Definitions

For purposes of imposing sales tax on labor charges, the following definitions will be used:

Fabrication labor means labor to make, create or assemble a new item or alter an existing item into a new or changed item. This includes charges to create or alter an item when the customer provides the materials. Fabrication labor is taxable when the item being modified or created is taxable.

Installation labor means labor to set an item into position or to connect, adjust or program it for use, or to add something new or different to an item. Installation labor is taxable whether provided by the seller of the item or by a third party, if the installation would be taxable if provided by the seller of the item. Installation labor includes replacement of a component part when the new part is an upgrade of the old part, or when the new part is significantly different from the original component part, regardless of whether the old part malfunctions or not. Installation labor does not include the removal or replacement of a defective part. Installation labor does not include labor resulting in an alteration, repair or improvement to real property.

Repair labor means labor to mend or restore an item that was broken, worn, damaged, defective, or malfunctioning, to working order or operating condition so that it can be used for its original purpose. Repair labor includes maintenance labor that sustains or supports safe, efficient, continuous operations; or to keep something in good working order by preventing decline, failure, lapse, or deterioration. Repair labor is exempt if the repair charges are separately stated from taxable repair parts or other taxable items on the bill to the customer.

A charge to replace a malfunctioning component part of an item with a comparable part is considered nontaxable repair labor. However, when the new part is significantly different from the original component part, or is an upgrade, the replacement labor is considered taxable installation labor.

Examples

The following are examples to illustrate the difference between taxable and exempt labor charges. For sales made after July 1, 2002, if the installation charges would be taxable by the seller, they are also taxable when performed by a third party.

1. A company sells computer equipment, including hook-up and installation charges. The company bills separately for computer set-up, hook-up to peripheral equipment, networking the computer with other computers in the office, and installing software that comes with the computer. In addition, the seller charges to install software that the customer owns and previously used on a different computer. All of the charges are taxable as part of the sales price of the computer equipment except the charge to reinstall the customer's own software. The charge to reinstall the customer's software is not taxable if the charge is clearly identified as a separate charge on the customer's bill.

2. A computer consulting business is hired to provide technical help such as setting up a computer, repairing office machines, installing or upgrading software, migrating information, running payroll, training, and overseeing the installation of new software by others. Since installation labor is labor to set an item into position, or to connect, adjust or program it for use and includes replacement of a component part with an upgrade, the charges for setting up a new computer and installing or upgrading new software are taxable as installation labor. Charges for repair, migration, payroll, training and supervision services are exempt if separately stated. If there is a single charge for all of the services then the entire charge is taxable.

3. As a promotion, a company gives away free prewritten computer software, but charges for installation. Installation charges are included in the definition of sales price so the charge is taxable. If the software is installed by a third party, the charge is also taxable since the seller would have been required to charge sales tax if they had installed the software.

4. A washing machine belt breaks and the service person replaces it with a new belt. The charge for the belt is taxable and the separately stated labor charge to install the belt is a nontaxable repair charge, since the washing machine is being restored to working order.

5. A malfunctioning washing machine is replaced with a new washing machine and the retailer installs it. The washing machine is taxable

and the labor charge is taxable installation labor.

6. A business purchases an alarm security system and has it installed. In this situation, some components of the security system become real property while others remain taxable tangible personal property. If the items are attached to real property, the charges to install them are not taxable, since the installer is altering, repairing, or improving real property. However, the installer, or whoever paid for the materials, must pay tax on the cost of materials that become real property. Charges for items that are freestanding and the charges to install them are taxable. If the invoice breaks out charges for the various components of the system and the installation labor charges, only the charges for the freestanding items and the charges to install them are taxable. If there is a single charge for installing all of the equipment, the entire installation charge is taxable.

7. A customer purchases a freestanding dock in the spring and the seller installs it. The dock and initial installation charges are taxable. The customer pays to have the dock removed in the fall and installed again in the spring. Charges to remove the dock and to reinstall it are not taxable.

8. A business purchases freestanding modular workstations and contracts with the seller to install them. Charges for the workstations and for the installation are taxable. A few years later, the business moves to another location and pays to have the workstations disassembled and reinstalled at the new location. Charges to disassemble and reinstall the workstations are not taxable.

9. A car radio is broken. The repair consists of replacing comparable parts in the radio. The charges for materials and labor are separately stated. The charge for parts is taxable and the charge for repair labor is exempt.

10. A car radio is replaced with an upgraded radio/CD player. The labor to install a new radio/CD player is taxable since the radio is not being repaired. Tax is imposed on installation of upgrades and of new component parts that are significantly different from the original component parts.

11. An AM/FM car radio is broken and is replaced with a comparable AM/FM radio. The charge for the radio is taxable; a separately stated charge for labor to install the new radio is exempt as repair labor, since the new radio is not significantly different than the broken radio.

12. A company adds a sunroof, remote car starters, and seat warmers to a car. The total charges to the customer for materials and labor are taxable since charges for the parts are taxable and the labor to add these items is taxable fabrication labor.

13. A company adds a bed liner to a truck, either by installing an already made insert or by spraying a product on the truck bed. The total charges to the customer for materials and labor are taxable since charges for the parts and/or spray product are taxable, and the labor to add the items is taxable installation labor.

14. A customer contracts with a machine shop to gun-drill some steel rods that the customer provides. Even though the customer provided the materials, the labor is considered taxable fabrication labor.

Revenue Notice # 91-20: Sales and Use Tax – Vehicle Accessories – Tax Base – Fabrication of Tangible Personal Property and Installation Charges is hereby revoked.

Publication Date: September 11, 2006

John H. Mansun, Assistant Commissioner
for Tax Policy and External Relations

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.

Department of Agriculture

Pesticide & Fertilizer Management Division (PFMD)

Notice of Date Change for Minnesota Agricultural Response Compensation Board Meeting September 21, 2006

The September 20, 2006, Agricultural Chemical Response Compensation board (ACRRA Board) meeting has been rescheduled to September 21, 2006. The meeting will be held at the Minnesota Department of Agriculture, Orville L. Freeman Office Building, 625 Robert Street North, St. Paul, Minnesota, Room OLF-B555 at 9:30 a.m.

Minnesota Comprehensive Health Association

Notice of Meeting of the Finance Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Finance Committee will be held at 3:00 p.m. on Monday, September 18, 2006. The meeting will take place at the MCHA executive office located at 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

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

Minnesota Comprehensive Health Association

Notice of Proposed Premium Rate Meetings

NOTICE IS HEREBY GIVEN that representatives from the Minnesota Comprehensive Health Association's (MCHA) executive staff and writing carrier will hold public meetings for enrollees in Minnesota as indicated below. The purpose of the meetings is to allow MCHA enrollees an opportunity to comment on Board approved policy changes. Any changes must be approved by the Minnesota Department of Commerce. New policies would go into effect on January 1, 2007

For additional information, please call Peggy Zimmerman-Belbeck at (952) 593-9609.

SCHEDULE OF 2006 PUBLIC MEETINGS

| <u>LOCATION</u> | <u>DATE</u> | <u>TIME</u> |
|--|-----------------------------|-------------------------|
| ST. PAUL Holiday Inn St. Paul East 2201 Burns Avenue St. Paul, MN 55119 Tel: (651) 731-2220 | Monday, September 18, 2006 | 10:00 a.m. to 1:00 p.m. |
| ROCHESTER Ramada Hotel & Conference Center 1517 6 th Street SW Rochester, MN 55902 Tel: (507) 289-8866 | Tuesday, September 19, 2006 | 10:00 a.m. to 1:00 p.m. |

BRAINERD

Ramada Inn Brainerd
2115 South 6th Street
Brainerd, MN 56401
Tel: (218) 829-1441

Wednesday, September 20, 2006

10:00 a.m. to 1:00 p.m.

MINNETONKA

Medica
401 Carlson Parkway
Minnetonka, MN 55305
Tel: 1-(866)-894-8053

Thursday, September 21, 2006

10:00 a.m. to 1:00 p.m.

Office of Higher Education**Notice of Public Hearing Before the Minnesota Office of Higher Education
Regarding Issuance of Supplemental Student Loan Program Revenue Bonds,
Series 2006 (TAX-EXEMPT)**

The Minnesota Office of Higher Education ("OHE") will hold a public hearing at 9:00 a.m. in 1450 Energy Park Drive, Suite 350, St. Paul, Minnesota on the 27th day of September, 2006, on the issuance of Supplemental Student Loan Program Revenue Bonds, Series 2006 (Tax-Exempt) (the "Bonds"). The Bonds are being issued for the purpose of making loans to eligible students (the "Student Loans") under the OHE's Supplemental Student Loan Program in accordance with the provisions of *Minnesota Statutes*, Chapter 136A, as amended, funding certain funds and paying a portion of the costs of issuance of the Bonds (the "Project").

OHE'S principal offices are located at 1450 Energy Park Drive, Suite 350, St. Paul, Minnesota 55108.

The Bonds are proposed to be issued in an amount not to exceed \$70,000,000. The Bonds shall be limited obligations of OHE payable from and secured solely by all payments of principal of and interest on certain Student Loans and the proceeds thereof, certain funds and accounts and other collateral constituting the security as to be described in the resolution authorizing the Bonds. The Bonds will not be deemed to constitute a pledge of the faith of OHE or the of Minnesota, but shall be payable solely from revenues pledged by OHE in accordance with an indenture of trust, as supplemented. Neither the faith or credit nor the taxing power of the State of Minnesota will be pledged to the payment of principal of or the interest on the Bonds.

OHE has no taxing power.

The hearing shall provide the fullest opportunity for expression of opinion, for argument on the merits and for the introduction of documentary evidence pertinent to the nature of the Project and the proposed issuance of the Bonds.

Written comments will be accepted by OHE at 1450 Energy Park Drive, Suite 350, St. Paul, Minnesota 55108, but must be received on or before the date of the hearing.

Dated: August 29, 2006

By Order of the Director of the Minnesota Office of Higher Education
Susan Heegaard, Director

Department of Human Services**Chemical & Mental Health Services Administration****Public Notice Regarding the Medical Assistance Psychiatric Consultation Service,
and Corresponding Rate**

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of a new Medical Assistance (Medicaid) service, and the accompanying rate.

In 2005, the legislature enacted legislation providing for a new Medical Assistance service, psychiatric consultation. This legislation was enacted in *Laws of Minnesota 2005*, First Special Session, chapter 4, article 2, section 10 (codified at *Minnesota Statutes*, §256B.0625, subd. 48).

Effective upon federal approval, the Medical Assistance Program will pay for consultations between primary care physicians (or their affiliated non-physician practitioners) and psychiatrists provided on or after October 1, 2006. Notice of this new service was previously published in the *State Register* on July 25, 2005 (30 SR 73).

Official Notices

Consultations will be via telephone, email, facsimile, or other means. If a patient consents, the consultation may be provided without the patient present.

CPT codes 99371 through 99373 will be used for billing the psychiatric consultation service and represent three levels of service complexity and substance. The allowed payment amount for each code includes payment for both the primary care physician and the psychiatrist. Medical Assistance payment will be made to the primary care physician who, in turn, is responsible for payment to the consulting psychiatrist pursuant to a contract.

Upon federal approval, Medical Assistance will pay for this service at the lower of the submitted charge or the rates below.

Primary care component provided by a physician plus the psychiatrist component:

| | |
|----------------|----------|
| CPT code 99371 | \$80.85 |
| CPT code 99372 | \$159.69 |
| CPT code 99373 | \$201.10 |

Primary care component provided by a physician assistant, nurse practitioner, or clinical nurse specialist plus the psychiatrist component:

| | |
|----------------|----------|
| CPT code 99371 | \$78.79 |
| CPT code 99372 | \$155.07 |
| CPT code 99373 | \$194.50 |

Primary care component provided by a physician extender plus the psychiatrist component:

| | |
|-------------------|----------|
| CPT code 99371 U7 | \$73.64 |
| CPT code 99372 U7 | \$143.54 |
| CPT code 99373 U7 | \$178.02 |

The Department anticipates that the Medical Assistance costs including the federal share will be \$ 650,597 for the remainder of State Fiscal Year 2007 and \$1,301,195 for FY 2008.

This notice is published pursuant to *Code of Federal Regulations*, Title 42, section 447.205 (42 CFR §447.205), which requires publication of a notice when there is a change in the methods and standards for setting payment rates for noninstitutional Medical Assistance services. Written comments and requests for information may be sent to Linda Fuhrman, Adult Mental Health Division, Chemical & Mental Health Services Administration, Minnesota Department of Human Services, P.O. Box 64981, St. Paul, Minnesota 55164-0981, **phone:** (651) 431-2247 or **email:** linda.fuhrman@state.mn.us.

Public Employees Retirement Association

Notice of Meeting of the Board of Trustees September 14, 2006

A meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, September 14, 2006, at 9:30 a.m., in the PERA offices, 60 Empire Drive, Room 117, Saint Paul, Minnesota.

Department of Transportation

State Aid for Local Transportation Division

Notice of Appointment and Meeting of a State Aid Variance Committee

NOTICE IS HEREBY GIVEN that the Commissioner of Transportation has appointed a State Aid Variance Committee who will conduct a meeting on Thursday, September 21, 2006 at 9:00 a.m. at the Mn/DOT Arden Hills Training Center, located at 1900 West County Road I, in Shoreview, Minnesota, 55126.

This notice is given pursuant to *Minnesota Statute* 47k.705.

The purpose of this open meeting is to investigate and determine recommendations for variance requests from minimum State Aid roadway standards and administrative procedures as governed by *Minnesota Rules* for State Aid Operations 8820.3300 adopted pursuant to *Minnesota Statutes* Chapters 161 and 162.

The agenda will be limited to the following:

1. Petition of Hennepin County for a variance from *Minnesota Rules* 8820.3300 as they apply to the reconstruction of Lyndale Avenue South between Minnehaha Parkway West and West 38th Street in the City of Minneapolis, so as to allow a parking lane width of 9 feet in lieu of the minimum 10 feet width.

2. Petition of the City of Faribault for a variance from *Minnesota Rules* 8820.2800 as they apply to the reconstruction of Western Avenue between Old 4th Street and 7th Street NW, SAP number 125-137-003, so as to allow bid opening in advance of receiving State Aid approval of final plans and specifications.

3. Petition of Scott County for a variance from *Minnesota Rules* 8820.9936 as they apply to the reconstruction of CSAH 21 between TH 13 and the east city limits of Prior Lake, S.P. number 70-621-023, so as to allow two 25 mph vertical curves in lieu of the required 30 mph vertical design requirement, so as to reduce the economic and environmental impacts to adjacent properties.

4. Petition of the City of Hutchinson for a variance from *Minnesota Rules* 8820.9995 as they apply to the construction of a pedestrian underpass and trail system between TH 7 and School Road in the City of Hutchinson, so as to allow a design speed of 17.7 mph in lieu of the required 20 mph and to allow a vertical clearance under TH 7 of 9 feet 10.5 inches in lieu of the required 10 feet.

5. Petition of Waseca County for a variance from *Minnesota Rules* 8820.2500 as they apply to the reconstruction of Clear Lake Drive, CSAH 13 between 8th Avenue and CSAH 4 and CSAH 4 between CSAH 13 and TH 14, in the City of Waseca and Woodville Township, so as to allow a right of way corridor width of 60 feet in lieu of the required width of 66 feet between stations 133+25 and 166+00 and between stations 179+85 and 195+15.

6. Petition of the City of Peterson for a variance from *Minnesota Rules* 8820.9922 as they apply to the reconstruction of North Church Street in the City of Peterson, so as to allow a design speed of 20 mph in lieu of the required minimum 30 mph design speed.

| | |
|------------|--------------------|
| 9:15 a.m. | Hennepin County |
| 9:35 a.m. | City of Faribault |
| 9:55 a.m. | Scott County |
| 10:15 a.m. | City of Hutchinson |
| 10:35 a.m. | Waseca County |
| 10:55 a.m. | City of Peterson |

Dated: September 5, 2006

Julie A. Skallman, State Aid Engineer
State Aid for Local Transportation

State Grants & Loans

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

Minnesota Department of Health Office of Rural Health and Primary Care Community Clinic Grant Program

Notice of Grant Opportunity to Improve Minnesota's Clinic-based Safety Net Providers

The Minnesota Department of Health (MDH) is seeking applications from eligible community clinics through the Community Clinic Grant Program. The purpose of these grants is to improve the ongoing viability of Minnesota's clinic-based safety net providers. Grants help clinics serve people with low incomes, reduce current or future uncompensated care burdens, or improve care delivery infrastructure. The level of funding for the community clinic grant program is \$567,000 for fiscal year 2007. An eligible community clinic means a nonprofit clinic, government entity, Indian tribal government or Indian health service unit; or a consortium of these entities. Applicants must also use a sliding fee scale or other procedure to determine eligibility for charity care or to ensure that no person will be denied services because of inability to pay. The Office of Rural Health and Primary Care expects that successful applicants will be able to begin their grant projects by April 2007.

Because of limited funding, applicants will be required to submit pre-applications and only the strongest of these will be invited to submit a final application. Prospective applicants who have questions and/or would like a copy of the application forms may contact Debra Jahnke at (651) 201-3845 or (800) 366-5424 or debra.jahnke@health.state.mn.us. The pre-application and final application forms are also available on the Office of Rural Health and Primary Care Web site at <http://www.health.state.mn.us/divs/chs/grants.htm>.

Pre-applications must be received by 4 p.m. on October 6, 2006. Final applications must be received by 4 p.m. on January 5, 2007. Applications may be mailed or delivered to the following addresses:

Debra Jahnke
Office of Rural Health and Primary Care
Division of Community Health
Minnesota Department of Health
P.O. Box 64882
St. Paul, MN 55164-0882

Or via courier:

85 East 7th Place, Suite 220
St. Paul, MN 55101

Minnesota Department of Health in partnership with Minnesota Department of Education

Health and Long-term Care Career Promotion Grant Program Notice of Grant Opportunity to Assist Consortia to Develop Intergenerational Programs to Encourage Middle and High School Students to Work and Volunteer in Health and Long-term Care Settings

The Minnesota Department of Health (MDH), in partnership with the Minnesota Department of Education, is seeking applications from qualifying consortia or partnerships between school districts, health and/or long term care employers, and higher education. The grants program is intended to assist consortia to develop intergenerational programs to encourage middle and high school students to work and volunteer in health care and long-term care settings. To qualify for a grant, a consortium shall demonstrate its ability to: 1) implement a health and/or long-term care careers curriculum that provides for the integration of academic and work based learning opportunities in a

State Grants & Loans

variety of clinical areas including long term care options; 2) align the health careers curriculum with the National Health Care Skill Standards, Minnesota Health Care Core Skills and the Minnesota Graduation Standards (available upon request); 3) offer program for high school students that provide training in health and long-term care careers with credit that articulate into post-secondary programs; 4) provide assistance and support to middle and junior high schools interested in developing information and exploration programs about health and long term care careers; 5) establish a Health/Long-term Care Careers Advisory Group to support the continued development of the program; 6) provide technical support to the participating health care and long-term care employer(s) to enable the use of the employer(s) facilities and programs for kindergarten to grade 12 health and long-term care careers education; 7) include program planning, design, marketing and implementation activities, and demonstrate evaluation and sustainability.

\$147,000 is available in 2007, with maximum grant awards to be no more than \$20,000, and a maximum \$30,000 allocation within the two-year 2006-2007 funding cycle. Grant awards will be announced by November 30, 2006, for the contract period beginning January 1, 2007, though December 31, 2007.

Applications are available at the following web sites:

<http://www.health.state.mn.us/divs/chs/grants.htm> or <http://children.state.mn.us/wrkgrnt.html>

Prospective applicants who have questions, and/or would like a written copy of the application form may contact the Office of Rural Health and Primary Care, Minnesota Department of Health Phone: (651) 201-3851 or toll free: 1-(800) 366-5424.

Deadline for proposals is **4:00 p.m. CST on Friday, October 13, 2006**. No late proposals will be considered.

Lawrence Colaizy
Office of Rural Health & Primary Care
Minnesota Department of Health

By mail: P.O. Box 64882
St. Paul, MN 55164-0882

By courier: 85 East 7th Place, Suite 220
St. Paul, MN 55101

Department of Human Services

Notice of Availability of Contract for School-Linked Mental Health Services

The Minnesota Department of Human Services is requesting proposals for the purpose of coordinating and providing school-located or school-linked mental health services through a Children's Mental Health or Family Services Collaborative.

Work is proposed to start after January 1, 2007.

A Request for Proposals will be available by mail from this office through Monday, October 1, 2006. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After Monday, October 1, 2006, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Ann Boerth
Children's Mental Health Division
Minnesota Department of Human Services
540 Cedar Street
P.O. Box 64985
St. Paul, MN 55164-0985
Fax: (651) 4431-7418

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00 p.m. Central Time on Friday, October 13, 2006. **Late proposals will not be considered.** Faxed or e-mailed proposals will **not** be considered.

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

State Contracts

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

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

Department of Administration Real Estate Management Division Notice of State Land for Sale

NOTICE IS HEREBY GIVEN that the Department of Administration is offering 82 acres, more or less, of land situated in Section 31, Township 32, Range 24 and Section 36, Township 32, Range 25, Anoka County, Minnesota for sale by sealed bid. The land is located approximately 1 mile north of Highway 10 on 7th Avenue N.W. in the City of Anoka. To obtain a copy of the complete bid package, send an e-mail to wayne.waslaski@state.mn.us or call (651) 201-2548. Written bids must be received no later than 2:30 p.m., on Wednesday, October 4, 2006.

Department of Administration Beat the Competition

Obtain MORE and FASTER information. You receive much more with a SUBSCRIPTION than viewing the *State Register* on our website. Subscribe and receive many LINKS to the *State Register*. Open the *State Register* and click on Bookmarks in the upper right corner. You will also receive ALL the current rules, with an INDEX, and previous years' indices. You also receive a summarized "Contracts & Grants" section to review. Subscriptions cost \$180 a year (normal cost \$260 - an \$80 savings). Here's what you receive:

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

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

Department of Administration Division of State Architect's Office Notice of Request for Qualifications (RFQ) and Fee Schedule for Professional Services of Minnesota Registered Architects, Engineers, Interior Designers, Land Surveyors, Landscape Architects, and Geoscientists

The Department of Administration, State Architect's Office ("State"), requests qualifications of Minnesota registered architects, engineers, interior designers, land surveyors, and geoscientists ("Consultant") to assist the State in providing studies, predesigns, design through construction documents, construction administration, post construction services, interior design, land surveys, geoscience, and project-related professional services as needed for up to a five-year period.. These projects will be varied in nature and scope and will involve new construction and remodeling, which includes but is not limited to buildings, commissioning, bridges, parking structures, site and utility work, roadways, and land development.

Unless otherwise provided in *Minnesota Statutes* § 16B.33, the following guidelines apply when using the Master Roster. State agency construction projects requiring a primary designer will have an estimated cost of construction of no greater than \$2,000,000.00; or a study, report, or predesign for a state agency planning project will have a consultant estimated fee no greater than \$200,000.00. Higher education construction projects requiring a primary designer will have an estimated cost of construction of no greater than \$2,000,000.00; and a study, report or predesign for a planning project will have a consultant estimated fee no greater than \$200,000.00. Primary Designers for

Projects to construct, erect, or remodel a building with an estimated cost in excess of these amounts will be selected by the State Designer Selection Board in accordance with *Minnesota Statutes* §16B.33.

The Request for Qualifications document may be found online at: www.sao.admin.state.mn.us. Copies of the RFQ may also be requested from:

Contracts Officer
State Architect's Office
301 Centennial Building, 658 Cedar Street
St. Paul, MN 55155-1625
(651) 201-2399

The Request for Qualifications and Fee Schedule will remain open continually to enable individuals and firms not currently on the Roster to submit their qualifications and fee schedules. One year after a completed response is added to the Master Roster, the firm will be asked whether it wants to remain on the roster. If the responder wants to continue to remain on the roster it will be able to update its fee schedule, and will be required to submit updated written documents. If no response is received within 30 days of the notice, the responder's name will be removed from the Master Roster until such time as it has re-submitted a complete response to the RFQ.

The State reserves the right to cancel this solicitation if it is considered to be in its best interest. The RFQ is not a guarantee of work and it does not obligate the State to award any contracts. The State reserves the right to discontinue the use or cancel all or any part of this Master Roster 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 & Technical College

Minnesota West Community & Technical College is Accepting Sealed Bids for Cosmetology Equipment for the Jackson Campus

Details regarding the Cosmetology Equipment needed including specifications can be obtained from Jeff Harms, Director of Facilities at (507) 828-2527, Minnesota West Community & Technical College, 1011 First Street West, Canby, MN 56220, or

jeff.harms@mnwest.edu

Deadline for submitting sealed bids is 2:00 pm on Monday, September 18th, 2006.

Late proposals will not be accepted.

Minnesota West Community & Technical College reserves the right to reject all bids.

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

Minnesota State Colleges and Universities

Saint Paul College

Notice of Availability of Request for Qualifications (RFQ) for Architect/Engineer Designer Selection for Transportation & Applied Technology/Trades Renovation

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Saint Paul College, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota State Colleges and Universities website: www.facilities.mnscu.edu, click on "Solicitation Announcements."

An information meeting is tentatively scheduled for 10:00 AM, Tuesday, September 21, 2006, in Room 210 at Saint Paul College. All firms interested in this meeting should contact Thomas Doody, thomas.doody@saintpaul.edu or (651) 846-1428 to sign up to attend the meeting.

Proposals must be delivered to Saint Paul College, Attention: Chuck Myers, Accounting Supervisor, 235 Marshall Avenue, St. Paul, MN 55904, not later than 2:00 P.M., Monday, October 2, 2006. Late responses will not be considered.

Minnesota State Colleges and Universities 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.

State Contracts

Minnesota State Colleges and Universities (MnSCU)

South Central College

Bids Sought for Purchase of a Mini-mill Vertical Machining Center

South Central College is seeking bids on the purchase of a mini-mill vertical machining center with optional coolant pump, 3.5" floppy drive, rigid tapping, and visual quick code programming system. Sealed bids will be accepted at the South Central College - Faribault Campus until 2:00 p.m. on Tuesday September 26, 2006 at which time the bid process will be closed and bids will be reviewed and opened. The college address in Faribault is 1225 Third Street SW, Faribault MN, 55021. Technical questions in regard to the purchase should be addressed to either Jason DeMars or Paul Gaulrapp and they can be reached at (507) 332-5831. The bid opening event will be conducted by Karen Snorek, South Central College vice-president of finance and operations. Ms. Snorek can be reached at (507) 332-5890.

Minnesota State Colleges and Universities (MnSCU)

St. Cloud Technical College

Advertisement for Bids for Underground Storage Tank Removal and Replacement

Sealed Bids for: **Underground Storage Tank Removal & Replacement**
St. Cloud Technical College
St. Cloud, MN 56303-1240

will be received by: **Paula J. Andrist**
Saint Cloud Technical College
1540 Northway Drive
Room 1-401H
St. Cloud, MN 56303-1240

Until **1:00 PM, Wednesday, September 20, 2006** at which time the bids will be opened and publicly read aloud. St. Cloud Technical College reserves the right to reject any or all bids, or portions thereof, or to waive any irregularities or informalities, in bid received.

Project Scope: Remove 2-20,000 gallon double wall steel underground fuel oil tanks, 2-fuel oil pumps and all piping and associated fittings and equipment. Install 1 – 10,000 gallon double wall steel underground fuel oil storage tank (OWNER furnished) and provide all tank accessories, monitoring equipment, fuel oil transfer pumps and electrical work. Provide all site restoration. Owner's Engineer (Stanley Consultants) will subcontract to testing agency for soil compaction testing and MPCA required environmental testing.

Bid Forms, Contract Documents, Drawings and Specifications as prepared by the Project Architect/Engineer, **Stanley Consultants**, are on file at the offices of the:

- 1.) above named Project Architect/Engineer.

Complete sets only of bid forms and Specifications for use by Bidders in submitting a bid may be obtained at the following address:

Stanley Consultants, Inc.
Attn: Melissa Lidberg
5775 Wayzata Blvd., Suite 955
Minneapolis, MN 55416
Telephone: (952) 797-5394
Fax: (952) 546-4279
E-mail: lidbergmelissa@stanleygroup.com

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, must send a NON-REFUNDABLE payment (check made out to Stanley Consultants) for \$25.00 per set for shipping, handling, and reproduction costs. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid which totals over \$15,000.00 must be accompanied by a bid bond or other security described here as a proposal guarantee that the bidder will enter into a contract if its bid is accepted. This security may be either a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than five percent (5%) of the total base bid or a corporate surety bond for the same amount by a surety company authorized to do business in the State of Minnesota.

Department of Education

Notice of Request for Proposals for the Minnesota Test of Academic Skills (MTAS)

The Department of Education is soliciting proposals from qualified vendors for the development of benchmark extensions for grades 3 – 8 in reading and mathematics, grade 10 reading and grade 11 mathematics and development, training, administration and scoring of an alternate assessment based on those standards (MTAS) and setting alternate achievement standards for this alternate assessment. These alternate achievement standards partially fulfill the requirements of the No Child Left Behind Act of 2001 and the statewide testing law *Minnesota Statutes* § 120B.30.

The anticipated project period is November 15, 2006 to October 31, 2010. The Department has estimated the cost of this project should not exceed \$9,750,000.00 over this four year period. The Responder must submit a proposal for all activities detailed in the project.

For a copy of the complete Request for Proposal, please contact:

Mary Ann Vogel
Minnesota Department of Education
1500 Highway 36 West
Roseville, Minnesota 55113-4567
Phone: (651) 582-8503
Fax: (651) 582-8874
E-mail: *Mary.ann.vogel@state.mn.us*

Proposals are due no later than 3:00 p.m. Central Time October 4, 2006. Late proposals will not be considered.

The 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.

Dated: September 11, 2006

Minnesota Department of Human Services

Purchasing, Service and Delivery Division

Notice of Request for Proposals to Provide Technical and Professional Services to the Minnesota Integrated Care Project

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to assist the State in describing and evaluating the effectiveness of the delivery of care coordination and case management services under the State's publicly funded health care programs for seniors. Concurrently with this study, the State wants to provide technical assistance to health plans to build in the hallmarks of successful care coordination programs for the improvement of their care coordination practices, if necessary. To this end, the State is seeking expertise to design and implement a study of care coordination models operating under MSHO and the case management models operating under MSC+ during the first year of the statewide expansion of MSHO and the pending expansion of MSC+, referred to herein as the "transition period." The successful responder, if any, will design and implement a study to examine care coordination under four models of purchasing and delivery of care coordination services for senior members during the transition period.

The models of purchasing and service delivery are: 1) MSHO care system and clinic-based models of care coordination, 2) MSHO health plan-contracted county agency models of care coordination, 3) MSHO county-based purchasing models and 4) Minnesota Senior Care Plus (MSC+) models of case management. The study should be framed around key concepts related to best practices in care coordination programs and case management established in the current literature.

Work is anticipated to start after October 30, 2006 and last through December 31, 2007. The Department has anticipated that the cost of this contract should not exceed Two Hundred Thousand Two Hundred Twenty-Five Dollars (\$225,000). A Request for Proposal will be available by accessing the Department of Human Services public website after 12:00 noon Central Time on October 30, 2006 at:

http://www.dhs.state.mn.us/main/groups/business_partners/documents/pub/dhs_id_000102.hcsp

To obtain a paper copy of the RFP, please contact Cara Bailey at:

Cara.Bailey@state.mn.us or call (651) 431-2515.

Proposals submitted in response to the Request for Proposals in this advertisement must be received **by 4:00 p.m. (CDT) on October 5, 2006, to be considered**. Late Proposals will not be considered and will be returned unopened to the submitting party. **Faxed or e-mailed Proposals will not be accepted.**

State Contracts

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

Department of Transportation (Mn/DOT)

Engineering Services Division

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

This document is available in alternative formats for persons with disabilities by calling Ron Bisek at (651) 296-1361 for persons who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529.

Mn/DOT, working in conjunction with the Consultant Reform Committee, the Minnesota Consulting Engineers Council, and the Department of Administration, has developed 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 anticipates that most consultant contracts for highway-related technical activities will be awarded using this method, however, Mn/DOT also reserves the right to use RFP or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to complete or use the Consultant Pre-qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available at this time. Following the advertisement of particular category of services, applications will be accepted on a continual basis.

All expenses 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 application forms are available on Mn/DOT's **web site** at: <http://www.dot.state.mn.us/consult>

Send completed application material to:

Ron Bisek
Consultant Services
Office of Technical Support
Minnesota Department of Transportation
Consultant Services
395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680
St. Paul, MN 55155

Note: DUE DATE: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

Department of Transportation (Mn/DOT)

Engineering Services Division

Notice Concerning Professional/Technical Contract Opportunities

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.

Non-State 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.

Metropolitan Council

Notice of Request for Proposals (RFP) for Design/Build Services for Security Improvements Project – Monitoring & Access Control

Contract Number 05P114

The Metropolitan Council is requesting proposals for Design/Build Services for Security Improvements Project – Monitoring & Access Control Contract 05P114.

| | |
|---|---------------------------|
| <i>Issue Request for Proposals</i> | September 11, 2006 |
| <i>Pre-Submittal Meeting and Site Tours</i> | September 19, 2006 |
| <i>Receive Proposals</i> | October 11, 2006 |
| <i>Contract negotiated, executed, NTP</i> | January, 2007 |
| <i>Final Completion</i> | 390 days from NTP |

Complete sets of Request for Proposal documents will be distributed to those potential proposers upon request for a fee of \$50 made payable to "The Metropolitan Council." All firms interested in being considered for this project and desiring to receive an RFP package are invited to submit a Letter of Interest to:

Harriet Simmons, Senior Administrative Assistant,
Contracts and Procurement Unit
Metropolitan Council
390 N Robert Street
St. Paul, MN 55101
Phone: (651) 602-1086
Fax: (651) 602-1083
E-mail: harriet.simmons@metc.state.mn.us

Metropolitan Council

Notice of Solicitation for MCES Electrical Maintenance Services

Contract 06P087

The Metropolitan Council of the seven-county area of the twin cities of Minneapolis and St. Paul, Minnesota intends to solicit bids to provide electrical maintenance services for its Environmental Services division (MCES) in September 2006. The services will be provided at five MCES wastewater treatment facilities located in the twin cities metropolitan area with a combined wastewater flow on the order of 200 million gallons per day and a combined electrical load on the order of 20 megawatts.

The scope of services is expected to include the maintenance of electrical distribution equipment such as automatic and manual transfer switches, substations, switchgear, transformers and cables up to 15kV, distribution panelboards, feeders, busducts and transformers, ground fault protection systems, and motor control centers. Services will be provided for an initial period of three years, with two additional one-year options.

The solicitation process will include a prequalification requirement to identify contractors with previous experience in the successful performance of these services. Prequalified contractors will be invited to submit a bid for the services.

A tentative schedule for this project is shown below.

| | |
|--|-----------------------|
| <i>Issue Invitation for Prequalification</i> | September 2006 |
| <i>Identify Prequalified Contractors</i> | October 2006 |
| <i>Issue Invitation for Bid</i> | October 2006 |

Non-State Contracts & Grants

Receive Bids
Execute contract with successful bidder
Begin Services

November 2006
December 2006
January 2007

All firms interested in being considered for this project and desiring to receive further information are invited to submit a request to:

Harriet Simmons
Metropolitan Council
390 North Robert Street
St. Paul, MN 55101
Phone: (651) 602-1086
Fax: (651) 602-1138
E-mail: harriet.simmons@metc.state.mn.us

Metropolitan Council

Notice of Request for Proposals (RFP) for Planning, Design and Construction Support for Champlin, Anoka, and Brooklyn Park (CAB) Diversion and Elm Creek Interceptor (ECI) Relief Project

Contract Number 06P124

The Metropolitan Council is requesting proposals for Planning, Design and Construction Support for Interceptor Improvements. This RFP includes multiple projects grouped together by location. These projects include planning, design and construction services to provide CAB/ECI Relief Capacity. These projects include pipelines, lift stations, meters and ancillary facilities required by the MCES. One project group will be everything west of the Mississippi River and the second group will be crossing the river and everything east.

| | |
|---|---------------------------------------|
| <i>Issue Request for Proposals</i> | September 5, 2006 |
| <i>Receive Proposals</i> | October 4, 2006 |
| <i>Contract negotiated, executed, NTP</i> | January, 2007 |
| <i>Period of performance</i> | January, 2007 to December 2012 |

All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

Harriet Simmons, Senior Administrative Assistant,
Contracts and Procurement Unit
Metropolitan Council
390 Robert Street
St. Paul, MN 55101
Phone: (651) 602-1086
Fax: (651) 602-1083
E-mail: harriet.simmons@metc.state.mn.us

Minnehaha Creek Watershed District

Call For Bids and Bid Notice for the Highway 26 Wetland Restoration Project

The MCWD Board of Managers is currently accepting bids for the Highway 26 Wetland Restoration Project located in the City of Minnetrista, Minnesota. The project involves clearing and grubbing, muck excavation, sheet pile weir construction and vegetation management. The project is located at the south side of the Highway 26, Painter Creek crossing.

Bids will be accepted until 12:00 PM, CST September 13, 2006. Bid opening will commence immediately thereafter at the MCWD offices located at 18202 Minnetonka Boulevard, Deephaven, MN 55391.

An optional PRE-BID meeting will be held at the offices of Emmons and Olivier Resources, Inc. at 10:00 AM, CST on August 31, 2006. Please notify the ENGINEER 24 hours in advance of attendance.

Contractors desiring a copy of the bid package, plans, specifications and proposal forms may obtain them from the offices of Emmons & Olivier Resources, Inc. 651 Hale Avenue, Oakdale, MN upon the payment of a \$30.00 **non-refundable** fee for each bid package.

Bid submittals must be labeled "MCWD Painter Creek Wetland Restoration" legibly in large, noticeable print on the outside of the

Non-State Contracts & Grants

submittal package. Unlabeled submittals will not be accepted.

All communications relative to this project should be addressed to the ENGINEER prior to opening of the Bid. Emmons & Olivier Resources, Inc.: Attention Joel Peterson, PE, phone (651) 770-8448.

University of Minnesota Subscribe to Bid Information Service (BIS)

The University of Minnesota offers 24 hour/day, 7day/week access to all Request for Bids/Proposals through its web-based Bid Information Service (BIS). Subscriptions to BIS are free. Visit our website at bidinfo.umn.edu or call the BIS Coordinator at (612) 625-5534.

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

Minnesota's Bookstore

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

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- **Mike Lynch's Minnesota Starwatch** - The Essential Guide to Our Night Sky, \$24.95
- **Minnesota's State Capitol** - The Arts and Politics of a Public Building, \$16.95
- **A Birders's Guide to Minnesota**, by Kim R. Eckert, \$20.00
- **Celebrate Saint Paul** - 150 Years of History, \$49.95
- **Minnesota Guidebook to State Agency Services** - Owners manual for Minnesotans, \$14.95

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