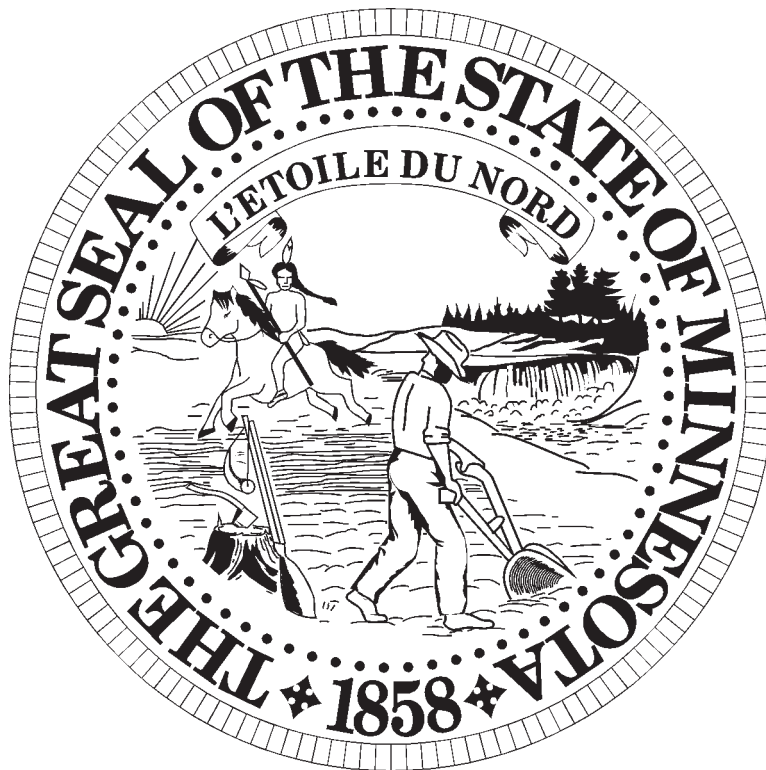


State of Minnesota

State Register



**Rules, Executive Orders, Appointments,
Commissioners' Orders, Revenue Notices, Official Notices, Grants,
State Contracts & Loans, Non-State Bids, Contracts & Grants**

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State Register

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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 Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*.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, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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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.

Pollution Control Agency

Adopted Permanent Rules Relating to Hazardous Waste Manifests

The rules proposed and published at *State Register*, Volume 31, Number 8, pages 233-248, August 21, 2006 (31 SR 233), are adopted as proposed.

Racing Commission

Adopted Permanent Rules Relating to Horse Racing

The rules proposed and published at *State Register*, Volume 31, Number 4, pages 100-112, July 24, 2006 (31 SR 100), are adopted with the following modifications:

7869.0100 DEFINITIONS.

Subp. 51. **Race.** "Race" means a contest among horses for purse, stakes, premium, or wager for money, run in the presence of racing officials of the association and the commission. The following are categories of races:

P. Earlyclosing race means a harness race for a definite purse to which entries close at least six weeks preceding the race. ~~The entrance fee may be on the installment plan or otherwise, and all payments are forfeits.~~

7869.0200 INCORPORATION BY REFERENCE.

For the purposes of chapters 7869 to 7899, Rule 10 and Rule 17, of the Charter, Bylaws, Rules and Regulations of the United States Trotting Association (USTA), (2006), 750 Michigan Avenue, Columbus, Ohio, 43215, are incorporated by reference. The USTA Charter, Bylaws, Rules and Regulations are subject to frequent change and are available to the public free of charge at the State Law Library and at <http://www.ustrotting.com>.

Adopted Rules

7870.0420 PAYMENT OF CLASS A AND B LICENSE FEES.

A Class A or B license does not become effective until the commission receives a certified check or bank draft to the order of the state of Minnesota in the amount of the license fee as prescribed by Minnesota Statutes, section 240.10, ~~and is not refundable.~~ The Class A license fee is not refundable. The Class A and B licenses are void if the license fee is not received within ten days, as computed pursuant to Minnesota Statutes, section 645.15. The commission must refund promptly to the licensee any amount by which the Class B license fee paid exceeds the number of actual days of racing sponsored and managed by the licensee.

7877.0110 PROCEDURE FOR OBTAINING CLASS C LICENSE.

Subp. 4. **Racing officials.** Each association shall submit to the commission for its approval or disapproval the names of all persons whom the association has selected as racing officials, and other employees whose duties relate to the actual running of races. The list shall include, where applicable, the following racing officials:

U. track superintendent.

The list of racing officials' names shall be submitted to the commission in writing at least 30 days prior to the opening of each race meeting.

The association shall be responsible for filing a complete application for a Class C license with respect to each nominee who has not been previously licensed by the commission as a racing official.

The commission may request any person whose name is proposed as a racing official to submit to a physical examination and to forward the results of said examination to the commission. The request shall be made only where there is a reasonable basis for suggesting that the applicant's physical condition would hinder or prevent him or her from performing the duties of a racing official.

The commission shall act on the association's list of officials at a meeting of the commission. If commission staff recommends disapproval of an official, the association shall be notified of that recommendation in advance of the commission's meeting.

Under no circumstances shall an identifier, placing judge, or patrol judge be approved by the commission unless ~~he or she~~ the person has satisfactorily passed an optical examination within 90 days prior to approval evidencing 20/20 vision (corrected) and the ability to distinguish colors.

7877.0130 STANDARDS REQUIRED OF APPLICANTS FOR SPECIFIC LICENSES.

Subp. 8. **Harness driver.** Applicants for a harness driver's license must be at least 16 years old. In addition:

B. If the applicant has never been licensed as a harness driver, the applicant must meet the qualifications of Rule 17 for the current United States Trotting Association (USTA) Charter, Bylaws, Rules and Regulations to qualify for drivers licenses.

(1) If such an applicant successfully completes those prerequisites, ~~he or she~~ the applicant shall be issued a "QF" (qualifying fair) license to compete in qualifying and other nonwagering races only.

(2) The holder of a "P" (provisional) license must drive in at least 12 qualifying or nonwagering races, under supervision of the stewards, before being ~~eligible to be~~ awarded a harness driver's license.

7877.0170 DUTIES AND RESPONSIBILITIES OF CLASS C LICENSEES.

Subp. 2. **Trainers.** Trainers shall have the following responsibilities.

O. A trainer is responsible for having each horse in ~~his or her~~ the trainer's charge that is racing in Minnesota or stabled on the grounds of an association tested for equine infectious anemia (EIA) once every 12 months. The tests shall be performed by a laboratory approved by the United States Department of Agriculture. A copy of each horse's negative EIA test results must be attached to the horse's foal registration certificate on or before the time of entry into a race or the entry must not be accepted. The EIA test certificates must be dated within a 12-month period prior to the date of entry, and must be renewed or replaced on the foal registration certificate no later than 48 hours following the date of expiration.

Subp. 3. **Jockeys and apprentice jockeys.** Jockeys and apprentice jockeys shall have the following responsibilities.

L. A jockey must wear the racing colors provided by the owner of the horse ~~he or she~~ the jockey is to ride, plus solid white riding pants, top boots, and a number on the right shoulder corresponding to the mount's number as shown on the saddle cloth and in the daily program. No symbols, words, or emblems shall be worn which, in the opinion of the commission, are not in keeping with the customs of the turf or are employed for advertising or promotional purposes. Notwithstanding this provision, the Jockey's Guild patch or the jockey's name may be displayed on the solid white pants. The size of the display of the jockey's name on the solid white pants is limited to a maximum of 32 square inches on each thigh of the pants on the outer sides between the hip and the knee, and ten square inches on the rear at the base of the spine.

X. No jockey shall willfully or purposely touch, strike, or jostle another jockey or horse, either with hands or whip, ~~before, during, or after~~ from the time they leave the paddock until after dismounting from a race.

Subp. 4. **Drivers.** In every race a driver shall drive so as to win or to finish as near as possible to first. The driver shall not ease a horse without adequate cause, even if the horse has no apparent chance to earn a portion of the purse.

Adopted Rules

Each driver shall make ~~his or her~~ a best effort to control and guide ~~his or her~~ the horse in such a way so as not to endanger other drivers or horses, and so as not to cause a foul.

A driver shall fulfill a commitment to drive, unless excused by the stewards. A driver unable to fulfill a commitment because of illness or injury must pass a physical examination before resuming race driving.

Each driver shall wear the traditional driver's costume in any prerace warmup, post parade, race, or time trial. The costume shall consist of racing colors, white pants, and a fully padded fiberglass helmet buckled whenever the driver is in a sulky.

A driver reporting to the driver's room must remain there until the driver has fulfilled all of that day's driving engagements. While in the performance of ~~his or her~~ the driver's duties, the driver ~~may~~ must have no contact or communication with any person outside the driver's room, without the permission of the stewards, other than with an owner or trainer for whom ~~he or she~~ the driver is driving that day, or other commission officials.

Subp. 6. **Bloodstock agents.** Every bloodstock agent who participates as an agent in the purchase or sale of a race horse where any warranty of soundness, condition, or racing ability is expressed or implied shall file with the commission within five days of the date of sale a memorandum report of warranty which shall set forth all warranties expressed or implied. In the absence of any such filing it shall be presumed that no warranties were expressed or implied by the seller. A memorandum report of warranty shall be signed by both seller and purchaser or by the bloodstock agent acting in their behalf.

Every bloodstock agent who participates as an agent in the purchase or sale of any race horse eligible to race in Minnesota, where any condition of such purchase or sale includes any lien upon such horse by the seller or other person, shall file a memorandum report of conditional sale with the commission within five days of the date of sale.

Any warranty or condition of sale set forth in any sale catalog, printed offer of sale, or sales agreement shall be considered as a memorandum of warranty or condition of sale, whether or not filed with the commission.

No bloodstock agent shall misrepresent any material fact, nor knowingly withhold any material fact from any person connected with the sale of a horse, nor misrepresent ~~his or her~~ the agent's personal interest in any horse. All bloodstock agents licensed pursuant to part 7877.0130, subpart 15, must file with the stewards and commission security personnel by the 30th of each month a report of their activities for the previous month. Failure to provide these reports by the 30th of each month shall result in disciplinary action by the stewards. All bloodstock agents must make available to the stewards and commission security personnel upon request all documents necessary to verify and evaluate the licensee's business activity as a bloodstock agent. If in the opinion of the stewards pursuant to part 7879.0200, subpart 1, it is determined that the licensee's conduct and business activity as a bloodstock agent can be questioned, the stewards shall take appropriate disciplinary action.

Subp. 9. **Veterinarians.** The following shall apply to veterinarians licensed by the commission:

C. ~~All drugs administered, dispensed, prescribed, or carried by a veterinarian on the grounds of an association must be FDA approved.~~ A veterinarian may possess substances that are FDA approved, but not specifically for use on the horse, only by providing prior notice to the commission's veterinarian and the Board of Stewards. Veterinarians shall not possess medications or substances without a specific manufacturer's name, lot number, and expiration date.

Subp. 10. **Pony riders.** The following applies to pony riders licensed by the commission:

C. Anyone bringing any pony horse onto the grounds of the association must provide to stable gate personnel the accurate name of the animal. Each pony horse must be accompanied by an original health certificate completed by an accredited veterinarian and issued not more than ten days prior to arrival. The health certificate must be surrendered to stable gate personnel for immediate transmittal to the commission veterinarian. A pony horse which leaves the grounds for a period of ~~eight~~ 72 hours or less does not have to be accompanied by a new health certificate upon its return.

7877.0175 DUTIES AND RESPONSIBILITIES OF RACING OFFICIALS.

Subp. 5. **Identifier.** The identifier shall have the responsibilities in items A and B.

B. ~~Each association shall employ a person in the paddock who~~ The identifier shall be responsible to the paddock judge for maintaining a card that will list all equipment worn, including shoes, and the tattoo or freeze brand number for each horse racing at the meeting. ~~This person~~ The identifier shall compare the equipment actually being used on the horse with the approved equipment listed on the card.

Subp. 7. **Claims clerk (thoroughbred, quarterhorse, and arabian only).** The claims clerk shall ensure that the claim slip for a horse is deposited in the claim box in accordance with part 7883.0140.

The claims clerk shall open the claim box, search for claim envelopes according to designated race numbers, open any envelopes found, and examine the claim slip inside no sooner than ten minutes before post time for each race.

The claims clerk shall ascertain whether:

C. the claimant has the amount of the claim to ~~his or her~~ the claimant's credit; and

7877.0180 CONFLICTS.

Subpart 1. **Racing officials.** No racing official, other than a general manager, shall own any interest in a privately held Minnesota

Adopted Rules

racetrack at which ~~he or she~~ the person is serving as an official. In the case of a publicly held corporation, no racing official, other than a general manager, shall own more than five percent of the outstanding shares of stock. No racing official shall own any interest in a horse eligible to race at a meeting at which ~~he or she~~ the person serves as an official.

No racing official shall buy or sell ~~for himself or herself~~ on the official's own behalf, or as an agent for anyone else, any horse eligible to race at a meeting at which ~~he or she~~ the person serves as an official.

No racing official shall hold any interest in the contract of a jockey or apprentice jockey riding at a meeting at which the official serves.

No racing official shall buy or sell for another person any right to a contract of any jockey or apprentice jockey riding at a meeting at which the racing official serves.

~~No racing official shall be permitted to compete as a jockey, or in the case of standardbred racing, as a driver, in any race at a licensed racetrack in Minnesota during the term of employment.~~

No racing official shall wager money or anything of value on any race in Minnesota during ~~his or her~~ the person's term of employment.

No racing official, detention barn employee, commission staff, assistant starter, claims clerk, outrider, association veterinarian, or track superintendent shall request or accept any remuneration or honorarium in payment or kind from any owner, trainer, or other person licensed by the commission.

7883.0160 POST TO FINISH.

Subpart 1. ~~Horse must be tattooed or freeze branded.~~ No horse shall be permitted to start unless it has been tattooed ~~or freeze branded~~ and fully identified.

~~Subp. 1a. Horses must have current EIA certificate.~~ No horse shall be permitted to start unless it has a current EIA test certificate.

7884.0140 COUPLED ENTRIES.

Subpart 1. **Horses to be coupled as an entry.** Horses shall be coupled as an entry if:

A. one person, stable, or partnership is the owner or trainer of two or more horses in a race; provided, however, that when a trainer enters two or more horses in a stakes race, early closing, or other special events under bona fide separate ownerships the said horses ~~may~~ must, at the request of the association and with the approval of the stewards, be permitted to race as separate betting entries. The fact that such horses are trained by the same person shall be indicated prominently by the association in the program. If the race is split in two or more divisions, horses in an entry shall be seeded insofar as possible, first by owners, then by trainers, then by stables, but the divisions in which they compete and their post positions shall be drawn by lot. The provisions in this item also apply to elimination heats;

7890.0100 DEFINITIONS.

Subp. 13. **Medication.** "Medication" is a substance, compound, or element, or combination thereof, which is or can be administered to a horse for the purpose of preventing, curing, or alleviating the effects of any disease, condition, ailment, or infirmity, or symptom thereof, or for altering in any way the behavior, attitude, temperament, or performance of a horse, including athletic performance. The term medication includes all analgesics, anesthetics, depressants, narcotics, stimulants, tranquilizers, and other classifications of medications. Nothing herein shall be deemed to include:

B. Furosemide, provided, however, that it is administered pursuant to the provisions of part 7890.0140, subpart 7a, and further provided that: the specific gravity of the post-race urine sample is not below 1.010 or, if the specific gravity is below 1.010 or a urine sample is unavailable for testing, the concentration of Furosemide ~~may~~ must not exceed 100 nanograms per milliliter of serum or plasma in the post-race blood sample.

7890.0160 RESPONSIBILITY OF VETERINARIAN.

No veterinarian may administer a medication or substance foreign to the natural horse to any horse that is scheduled to race within 48 hours, except for a nasogastric tube or as permitted in part 7890.0100, subpart 13, or in the case of a medical emergency requiring immediate treatment, without the prior permission of the commission veterinarian. No veterinarian may place a nasogastric tube in a horse that is scheduled to race within ~~48~~ 24 hours, except in the case of a medical emergency requiring immediate treatment. No veterinarian may enter the stall of or otherwise handle a horse that is scheduled to race within four hours, except in the case of a medical emergency requiring immediate treatment without the prior permission of the commission veterinarian. In emergency cases it is the responsibility of the attending veterinarian to notify the commission veterinarian of the nature of the emergency and the exact treatment provided. The notification must be made as soon as practical (within one-half hour of an emergency that occurs during training or racing hours or by 8:00 a.m. on the morning following an emergency which occurred during evening or night hours) and on a form prescribed by the commission. At the request of the commission veterinarian, the veterinarian must provide radiographs, laboratory tests, and results of other diagnostic procedures within 24 hours.

Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

Office of the Governor

Emergency Executive Order # 07-04: Providing for Relief from Regulations to Certain Motor Carriers and Drivers Operating in Minnesota

I, **TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA**, by virtue of the authority vested in me by the Constitution and applicable laws do hereby issue this emergency executive order:

WHEREAS, extreme weather conditions and lack of snow cover have created freezing of septic systems over much of Minnesota; and

WHEREAS, it is urgent that immediate action be taken to prevent danger to public health and to avoid further damage to septic systems; and

WHEREAS, the seasonal load restrictions as described in *Minnesota Statutes*, Sections 169.87 (2006) are scheduled to go into effect in the south, southwestern, metro and central frost regions and will go into effect in the northern portion of the state in the near future; and

WHEREAS, these seasonal load restrictions will impair the removal of sewage from septic systems and increase the harm caused by leakage and rupture of septic systems.

NOW, THEREFORE, I hereby order that a state of emergency exists and order that vehicles used to pump sewage from septic systems or used to transport sewage from septic systems be exempted from the seasonal load restrictions on local and state highways and streets imposed in *Minnesota Statutes*, Section 169.87 (2006).

Pursuant to *Minnesota Statutes* 2006, Section 4.035, Subdivision 2, this Order is effective immediately and shall remain in effect until June 1, 2007.

IN TESTIMONY WHEREOF, I have set my hand this 9th day of March, 2007.

Signed: **CAROL MOLNAU**
Lieutenant Governor

Filed According to Law:

Signed: **MARK RITCHIE**
Secretary of State

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 Designation of Areas on State Forest Lands With Limitations on Off-Trail and Non-Designated Trail Use in Hubbard County, Minnesota Effective Date: December 31, 2007

NOTICE IS HEREBY GIVEN that pursuant to *Minnesota Statutes 2006*, section 84.926, subdivision 5, the areas with limitations on off-trail and non-designated trail use described herein are designated pursuant to Minnesota Statutes, Chapter 84.926, Subd.5.

WHEREAS:

1. *Minnesota Statutes 2006*, section 84.926, subdivisions 2 and 4 allow some hunting- and trapping-related motor vehicle uses on state forest lands classified as 'limited' or 'managed' with respect to motor vehicle use.
2. State forest lands in Hubbard County were classified as 'limited' with respect to motor vehicle use by Commissioner's Orders published in the *State Register* on April 10, 2006 (30 SR 1086, 30 SR 1087, and 30 SR 1098).
3. Section 84.926, subdivision 5 authorizes the commissioner to designate areas on state forest lands that are not subject to the exceptions provided in subdivisions 2 and 4. Subdivision 5 also establishes procedures to be used to designate such areas.
4. The commissioner proposed designation of five such areas in the public review draft of the plan for *Proposed Non-Motorized Areas and Trail Designations for DNR- and County-Administered Forest Lands in Hubbard County* published on November 11, 2006.
5. All public notice and public meeting requirements of subdivision 5 have been met.

NOW THEREFORE, IT IS ORDERED that state forest lands within the areas described below are designated as areas with limitations on off-trail and non-designated trail use pursuant to *Minnesota Statutes*, Chapter 84.926, subd. 5:

1. Crocus Hill – the Northeast Quarter of the Northwest Quarter of Section 36, Township 140 North, Range 35 West, a 40-acre tract in an area of residential development.
2. Crooked Lakes – the portions of Sections 15, 16, and 22 of Township 141 North, Range 33 West located south of the Crooked Lakes consisting of about 400 acres.
3. Gulch Lakes – bounded by West Gulch Forest Road, Spur 1 Forest Road, Beaver Lakes Trail, Teepee Lakes Forest Road, and Halverson Forest Road and covering approximately 7,200 acres
4. Mantrap Lakes – Section 36 of Township 142 North, Range 34 West with about 405 acres of state forest land.
5. Soaring Eagle – the South Half of the North Half and North Half of the South Half of Section 16, Township 141 North, Range 35 West covering 320 acres of land.

These areas are depicted on the map in *Exhibit A*, attached hereto and incorporated herein. The designation of these limited use areas shall become effective December 31, 2007.

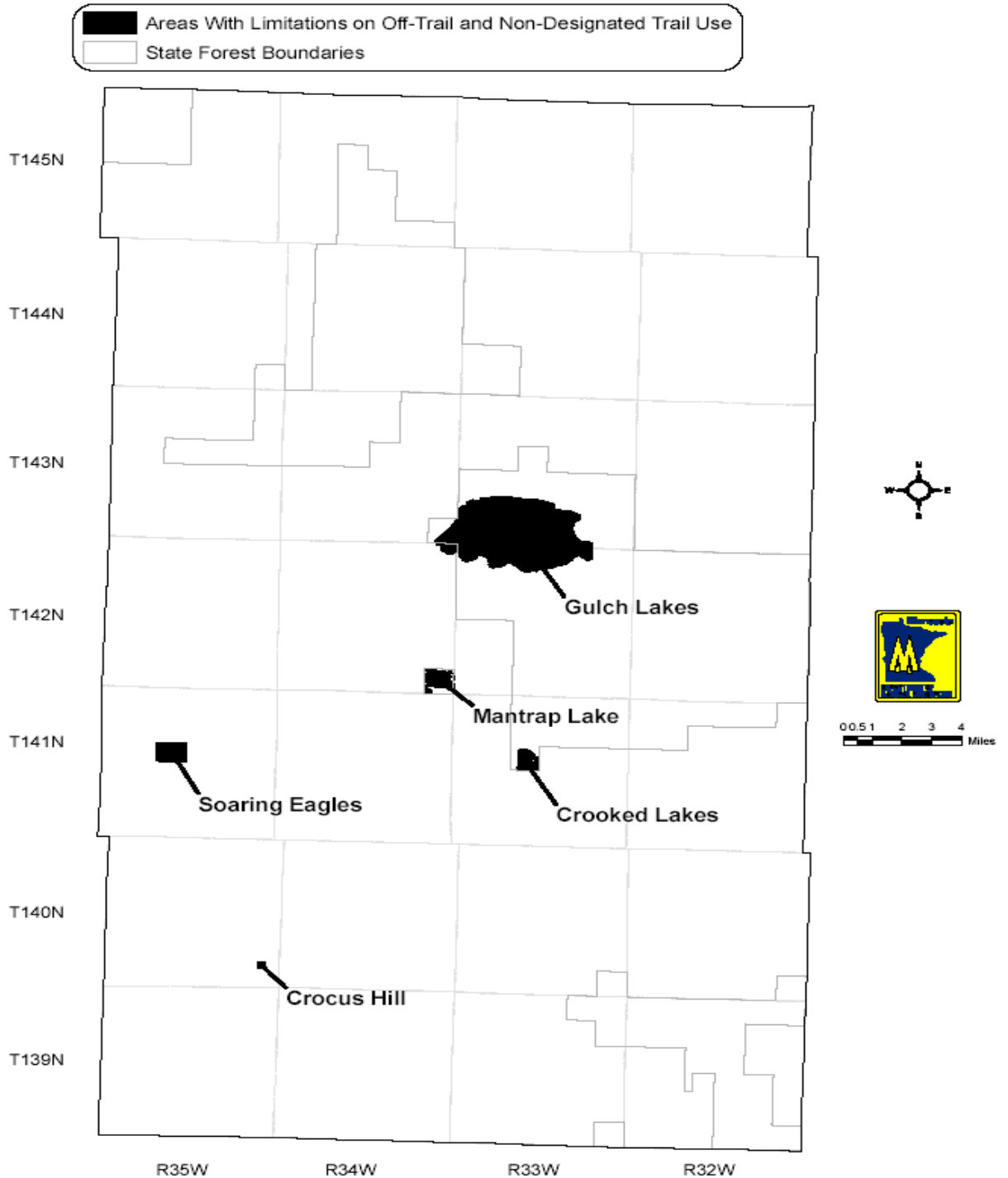
Dated: March 9, 2007

Mark Holsten, Commissioner
Department of Natural Resources

HubNMOrd1.doc
09 Mar 07

Exhibit A

Areas With Limitations on Off-Trail and Non-Designated Trail Use
(as per MS 84.926, Subd5.)
Hubbard County, Minnesota



Commissioners' Orders

Minnesota Department of Natural Resources

Designation of Trails on State Forest Lands in Hubbard County, Minnesota

Effective Date: December 31, 2007

NOTICE IS HEREBY GIVEN that pursuant to *Minnesota Statutes 2006*, section 89.19, subdivision 2, the forest trails described in this order are designated for specified recreational uses.

WHEREAS:

1. *Minnesota Statutes 2006*, section 89.19, subdivision 2 authorizes designation of forest trails by written order and requires public notice and public meetings prior to trail designation.
2. All-terrain vehicle trails, off-highway motorcycle trails, and off-road vehicle trails on state forest lands in Hubbard County were designated by Commissioner's Orders published in the *State Register* on April 10, 2006 (30 SR 1091 and 30 SR 1101).
3. A public review draft of the plan for *Proposed Non-Motorized Areas and Trail Designations for DNR- and County-Administered Forest Lands in Hubbard County* was published by the Department of Natural Resources on November 11, 2006. The draft plan proposed designation of non-motorized trails and unit snowmobile trails.
4. All public notice and public meeting requirements of section 89.19, subd. 2 have been met.

NOW THEREFORE, IT IS ORDERED that the forest trails described below are hereby designated pursuant to authority vested in me by Minnesota law:

1. Hunter Walking Trails – The 68 miles of trails within the Paul Bunyan State Forest depicted on the map in *Exhibit A*, attached hereto and incorporated herein, are designated as hunter walking trails. Sixteen miles of the hunter walking trails are located on routes that are also designated snowmobile trails.
2. Non-motorized Trails - The 18.5 miles of trails in the Paul Bunyan State Forest and 0.5 miles of trail in the Badoura State Forest depicted on the map in *Exhibit B*, attached hereto and incorporated herein, are designated as non-motorized trails. These trails can be used for all forms of non-motorized recreation including but not limited to hiking, biking, walking, hunting, and horseback riding.
3. North Country Trail – The 20 miles of trail within the Paul Bunyan State Forest depicted on the map in *Exhibit C*, attached hereto and incorporated herein, are designated as part of the North Country National Scenic Trail. The North Country Trail is a non-motorized trail used primarily for hiking.
4. Unit Snowmobile Trails – The 63 miles of trails in the Paul Bunyan State Forest depicted on the map in *Exhibit D*, attached hereto and incorporated herein, are designated as snowmobile trails. Sixteen miles of the snowmobile trail are located on routes that are also designated as hunter walking trails.

IT IS FURTHER ORDERED that these trail designations shall become effective December 31, 2007.

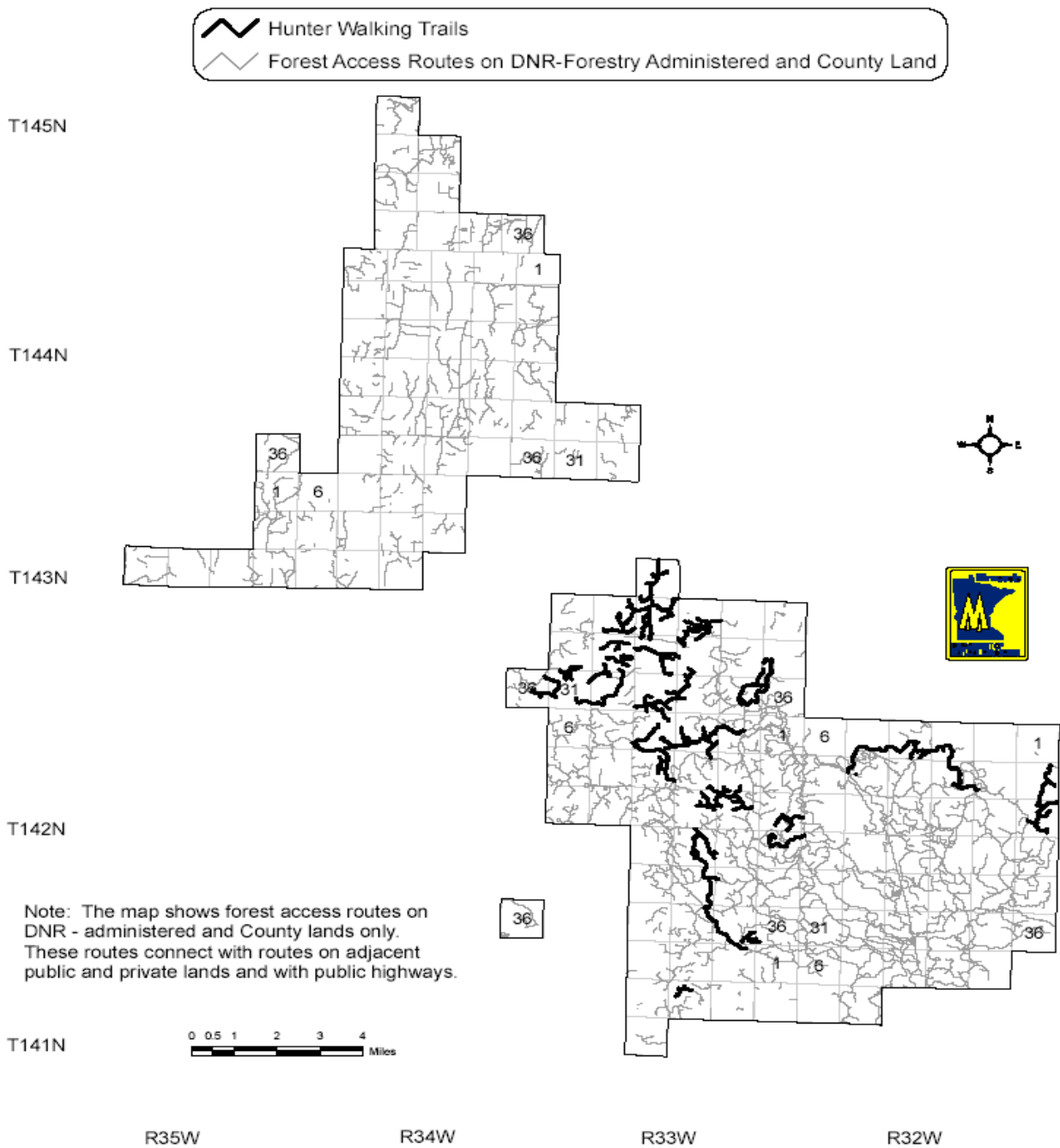
Dated: March 9, 2007

Mark Holsten, Commissioner
Department of Natural Resources

HubNMOrd2.doc
09 Mar 07

Exhibit A

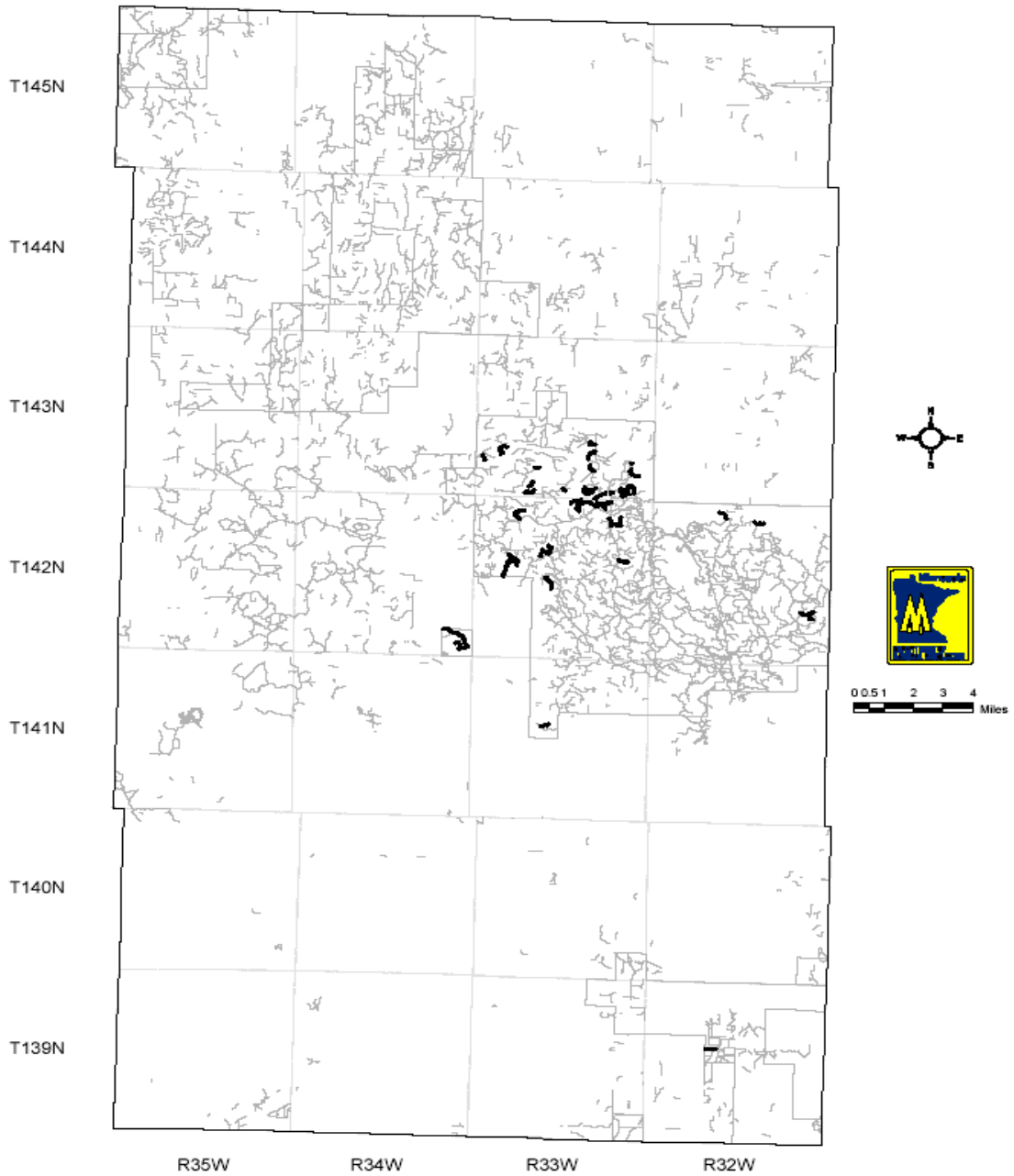
Hunter Walking Trails
Paul Bunyan State Forest
Hubbard County, Minnesota



Commissioners' Orders

Non-Motorized Trails Paul Bunyan and Badoura State Forest Hubbard County, Minnesota

Exhibit B

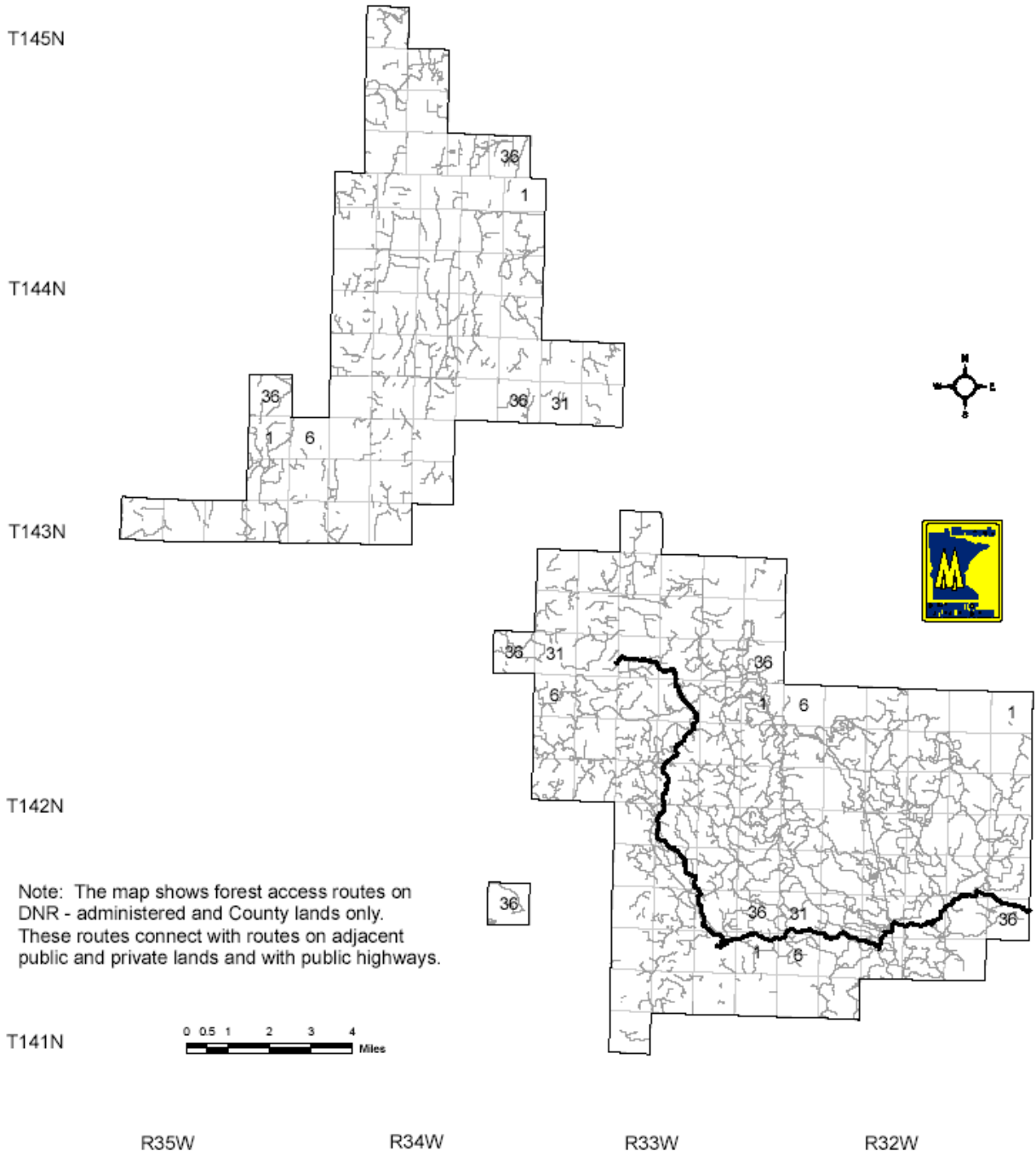


Note: The map shows forest access routes on DNR - administered and County lands only. These routes connect with routes on adjacent public and private lands and with public highways.

Exhibit C

North Country Trail
Paul Bunyan State Forest
Hubbard County, Minnesota



 North Country Trail
 Forest Access Routes on DNR-Forestry Administered and County Land

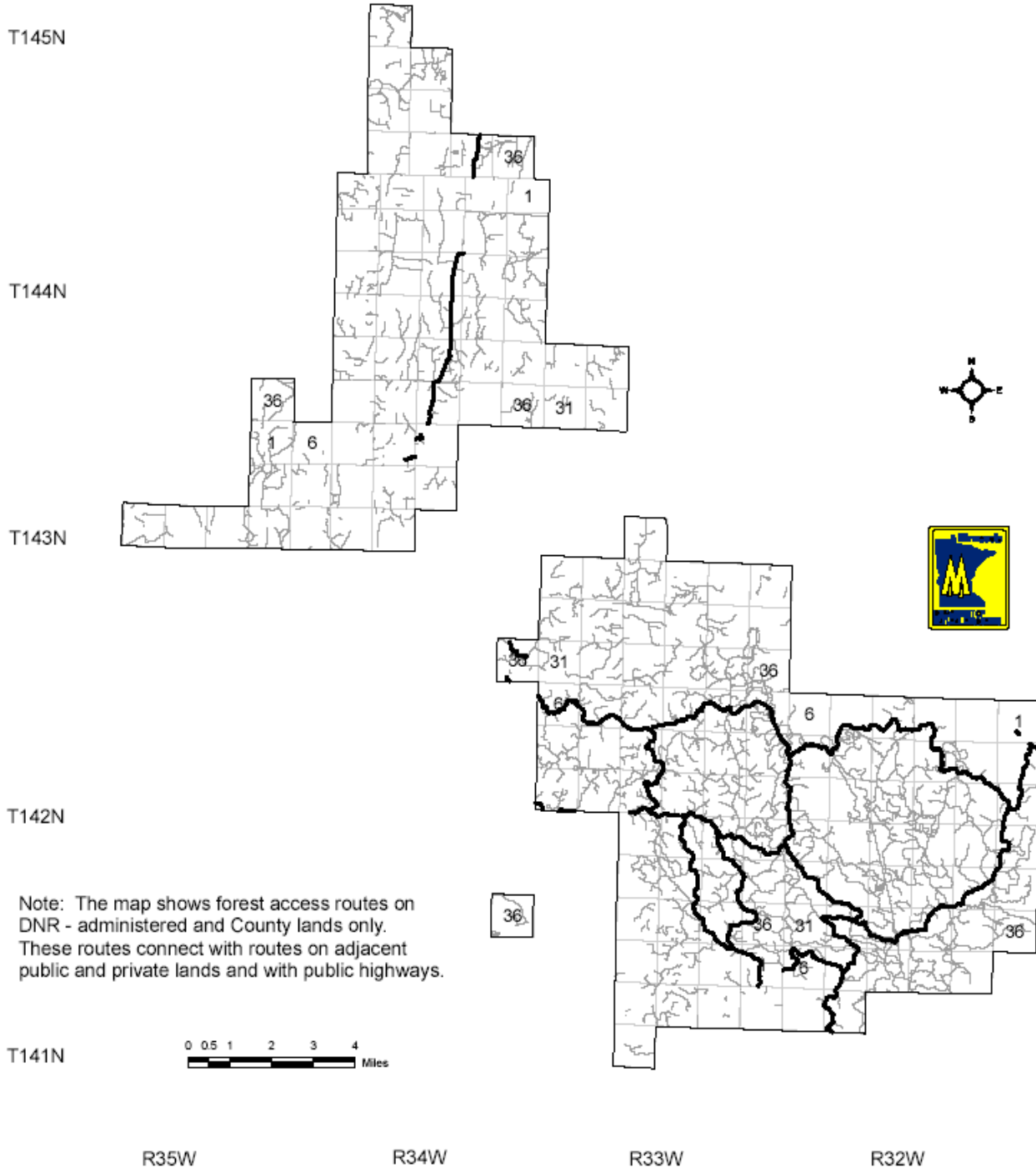


Commissioners' Orders

Exhibit D

Unit Snowmobile Trails Paul Bunyan State Forest Hubbard County, Minnesota

 Unit Snowmobile Trails
 Forest Access Routes on DNR-Forestry Administered and County Land



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.

Department of Revenue

Modification of Revenue Notice # 1993-07: Sales and Use Tax – Meals Served Taxable Food Sold to or by Airlines

General Rule: ~~—~~ The furnishing, preparing, or serving sale and purchase of prepared food, soft drinks, and candy for a consideration of food, meals, or drinks is a sale or purchase subject to Minnesota sales and use tax under the provisions of Minn. Stat. § 297A.01, subd. 3(e) *Minnesota Statutes*, section 297A.61, subdivision 3 (d). For purposes of brevity and convenience, ~~food, meals, or drinks~~ prepared food, soft drinks and candy will be referred to as “meals.” “taxable food.”

Application of Tax to Meals Taxable Food Served by Airlines. If an airline serves ~~meals~~ taxable food as part of its transportation service and no separate charge is made for ~~these meals~~ the food, there is no sale of ~~meals~~ taxable food by the airline within the meaning of the Sales and Use Tax Law. ~~Therefore, the airline may not purchase these meals exempt for resale and Under these circumstances,~~ the sale of these meals the taxable food in Minnesota to the airline are is a taxable retail sales. (See ~~Minnesota Rule, part 8130.0800~~): Persons who ~~furnish meals~~ sell taxable food to an airlines for use in its transportation service and not to be resold by the airline must charge sales tax on the sales price of the ~~meals~~ taxable food.

If an airline purchases taxable food for sale to passengers who are separately charged for the food, the sale to the airline is exempt, for the purpose of resale. The airline needs to provide their supplier with a fully completed certificate of exemption in order to claim the exemption. The sale of the taxable food by the airline to its passengers is taxable. ~~Persons who prepare meals for airlines for use in the airline’s transportation service must charge sales tax on the sales price of the meal preparation service. This is true even if the airline provides the food or other items used in the meal preparation.~~

Sales Price. All charges associated with the ~~furnishing or preparation of the meal~~ sale and purchase of taxable food are included in the sales price and are subject to tax. No deduction is allowed under ~~Minn. Stat. § 297A.01, subd. 8~~ *Minnesota Statutes*, section 297A.61, subdivision 7, for port fees, the cost of materials used, or for labor and services that are part of the sale of ~~a meal~~ the taxable food. This means that the entire amount charged to an airline for ~~meals or meal preparation~~ taxable food is subject to sales tax. If charges for services that are part of ~~meal preparation~~ the sale of the taxable food are separately stated on the bill to the airline ~~customer passenger~~, or separately contracted for with the airline ~~customer passenger~~, they remain taxable and sales tax must be collected by the airline.

Examples. Sterilization or sanitation of food service equipment, dishwashing, storage, handling, delivery of ~~meals~~ taxable food to aircraft, tray set-up, and liquor and beverage set-up are examples of services that are considered part of ~~meal preparation~~ the sale of taxable food. Charges for these and similar services are included in the sales price of ~~meals~~ the taxable food sold to airlines. These charges are taxable regardless of how they are labeled and regardless of how they are contracted for if they are part of the sale of ~~a meal or of meal preparation~~ the taxable food.

Dated: February 22, 1993

Publication Date: March 19, 2007

Michael E. Boekhaus, Director
Appeals, Legal Services & Criminal Investigation Division
JOHN H. MANSUN, Assistant Commissioner
for Tax Policy and External Relations

Revenue Notices

Department of Revenue

Revenue Notice # 07-03: Sales and Use Tax – Industrial Production Exemption – Taxability of Returnable Skids and Pallets

Background

Minnesota Statutes, section 297A.68, subdivision 2, paragraph (a), clause (5), provides that packaging materials, including returnable containers used in packaging food and beverage products, qualify for the exemption for materials used in industrial production.

Minnesota Rules, part 8130.5500, subpart 6, in discussing the statutory reference to packaging materials, provides that if skids and pallets are returnable, they are equipment and are taxable, and defines the term “container” as follows: “ ‘Container’ means the articles in which tangible personal property is placed for shipment and delivery, such as cartons, cans, and bags. *Container does not include items that are used primarily to facilitate loading, unloading, handling, transportation, or storage of products*, such as bakery delivery carts, bread trays, milk carts, and milk crates.” (Emphasis added.)

Issue

The specific issue addressed is whether returnable skids and pallets used for food and beverage products qualify for the industrial production exemption as returnable containers used in packaging food and beverage products.

Department’s Position

Pallets and skids are, by definition, portable platforms for handling, storing, or moving materials and packages (as in warehouses, factories, or vehicles).

Since, by definition and by common business practice, skids and pallets are used primarily for storage and transportation in the industrial production process, the Department of Revenue’s position is that skids and pallets are not containers as defined in the rule and thus do not qualify as exempt packaging materials. Therefore, returnable skids and pallets are subject to sales tax, regardless of whether they are used for food and beverage packaging.

Publication Date: March 19, 2007

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.

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Department of Employment and Economic Development Rehabilitation Services and Disability Determination Services CORRECTION TO: Fee Schedule for Medical Consultative Examinations and Ancillary Testing

Chapter 14: Financial 14 D: Medical/Psychological Fee Schedule Page 14D-8

C.	Completion of Administrative Law Judge (ALJ) medical assessment forms	40.00
	Medical Evidence of Record Review (ALJ exam only)	65/hr 2hour max.
D.	Home, Other Residential, or Off-Site Visit	additional \$50.00 plus mileage @ \$.41 per mile
E.	Workshop Evaluation (DDS)	Negotiated Rate
F.	Facility Evaluation (VR)	Operating Agreement Rate

Dated: Effective March 1, 2007

Minnesota Department of Natural Resources Notice of Proposed Classification of State Forest Lands In Cook County, Minnesota with Respect to Motor Vehicle Use

NOTICE IS HEREBY GIVEN that the Commissioner of the Minnesota Department of Natural Resources (DNR) proposes to classify all State Forest Lands within Cook County, except for a 1,861-acre portion of the Finland State Forest in SW Cook County, with respect to motor vehicle operation. The proposal is to assign all state lands under the authority of the Commissioner, to one of the following classes: (pursuant to *Minnesota Rules* Chapter 6100.1950).

1. "**Managed**", in which forest roads and forest trails are open for motor vehicle use unless posted closed;
2. "**Limited**", in which forest roads are open to motor vehicle use unless posted closed and forest trails are closed to motor vehicle use unless posted open, or

Official Notices

3. “*Closed*”, in which forest roads are open only to motor vehicles licensed for highway use. No OHVs are permitted, except for operation on frozen public waters. Snowmobiles may operate on designated trails only in closed forests.

This proposal covers the Pat Bayle and Grand Portage State Forests, and scattered forest lands under the authority of the Commissioner located **outside** of State Forest boundaries in Cook County. In total, just over 100,000 acres of state forest land, and 175 miles of roads, trails and non-designated routes were evaluated with respect to motor vehicle use. In conjunction with the proposed classification, the DNR has developed a road and trail designation proposal that identifies roads and trails on state forest lands which will remain open to motorized vehicle use.

The DNR will hold a public meetings on the proposed forest classification and road and trail use designations at the Arrowhead Center for the Arts, 51 West 5th Street, Grand Marais, MN on Tuesday, May 22, 2007 from 6:00 to 8:30 PM. The department will present information and receive comments on the proposal at this public meeting. Superior National Forest and Cook County officials will also be present to respond to questions and to offer their views on access planning for public lands in Cook County.

The DNR’s Forest Classification & Route Designation Proposal, supporting maps and other materials, are available at www.dnr.state.mn.us. Copies of the documents may also be viewed at the DNR’s Grand Marais Area Forestry Office located at 1356 East Highway 61, Grand Marais, MN, or are available upon request from:

Brian McCann, Planner
Minnesota Department of Natural Resources
Box 52, 500 Lafayette Road
St. Paul, MN 55155-4052
Phone: (651) 259-5627
E-mail: brian.mccann@dnr.state.mn.us

Written comments on the proposal may be submitted to the above address until 4:30 p.m. on Thursday May 31, 2007.

Laurie H. Martinson, Deputy Commissioner
Minnesota Department of Natural Resources

Minnesota Department of Revenue REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Sales and Use Tax Permits; Reinstatement of Revoked Permits; Minnesota Rules, Part 8130.2700

Subject of Rules. The Minnesota Department of Revenue requests comments on its planned amendment to rules governing Sales and Use Tax Permits; Reinstatement of Revoked Permits. The Department is considering amendments to allow the Department to repay the security deposit, required for reinstating a revoked sales tax permit, prior to the mandatory 2-year holding period when it is no longer necessary or reasonable to keep the funds.

Persons Affected. The amendment to the rules would affect retailers in Minnesota who have had their sales tax permits revoked and reinstated.

Statutory Authority. *Minnesota Statutes*, section 270C.06 authorizes the Department to adopt rules for the administration and enforcement of state tax laws.

Public Comment. Interested persons or groups may submit comments or information on this rule in writing until 4:30 p.m. on Friday, May 18, 2007.

Rules Drafts. The Department is in the initial stages of preparing a draft of the planned rule amendments.

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

Richard Walzer, Attorney
Minnesota Department of Revenue
Appeals & Legal Services Division
600 North Robert Street, Mail Station 2220
St. Paul, Minnesota 55146-2220
Phone: (651) 556-4093
Fax: (651) 296-8229
TTY users may call the Department at 711

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

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge 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.

Dated: March 13, 2007

Ward L. Einess, Commissioner
Department of Revenue

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 Pollution Control Agency Prevention and Assistance Division Notice of Accepting Preliminary Applications for the Solid Waste Processing Facilities Capital Assistance Program

The Solid Waste Processing Facilities Capital Assistance Program (CAP) was established by the Minnesota Legislature to provide financial and technical assistance to local governments to encourage the proper management of solid waste. The objective of the CAP program is to minimize land disposal of municipal solid waste (MSW) through solid waste processing and resource recovery.

The mission of the Minnesota Pollution Control Agency (MPCA) is to work with Minnesotans to protect, conserve and improve the environment and to enhance the quality of life in Minnesota. The CAP grant program is one of many tools to assist us in reaching our goal of achieving a 50 per cent recycling rate and a 35 per cent organics/waste-to-energy rate by 2011.

This notice is issued under authority provided in *Minnesota Rules* Parts 9210.0100 to 9210.0180. The purposes of this notice are to solicit applications for projects that meet the CAP Program objectives and to outline the application process.

Eligible applicants are Minnesota cities, counties, solid waste management districts, and sanitary districts. The applicant, or its county, must have an approved County Solid Waste Management Plan.

Eligible projects are facilities that include resource recovery. The project, inclusive of land, building, and equipment, must be owned by the Applicant. Examples of eligible facilities are waste-to-energy facilities, municipal solid waste composting facilities, organics composting facilities, recycling facilities, and transfer stations that will serve waste processing facilities.

The amount of funding available is subject to bonding during the year 2008 Legislative Session. The deadline for preliminary application submittals is **June 13, 2007**.

Depending on the project type, a project may receive funding of 25 to 50% of the eligible capital cost, up to a maximum of \$2 million. Multi-county projects with an intercounty cooperative agreement may receive 25 to 50% of the eligible capital costs, or up to \$2 million times the number of participating counties, whichever is less. A project to construct a new mixed municipal solid waste transfer station

State Grants & Loans

to serve an existing resource recovery facility that also has an enforceable commitment of at least 10 years, or of sufficient length to retire bonds sold for the facility, may receive grant assistance up to 75% of the capital costs of the project. Transfer stations receiving 75% grant assistance must substantially increase the geographical area served by the resource recovery facility.

Copies of the CAP Procedures Manual and Application Forms, including the statutes and rules applicable to the program, are available by contacting:

Mary L. Baker
Solid Waste Grants Coordinator
Minnesota Pollution Control Agency
520 Lafayette Road No., Second Floor
St. Paul, Minnesota 55155
Phone: (651) 215-0194 or 1-800-657-3864 (toll-free in Minnesota)
E-mail: mary.baker@state.mn.us

MPCA staff is available to meet with interested applicants to discuss the CAP program, the grant process, and proposed projects prior to submission of preliminary grant applications. Preliminary applications can be mailed, e-mailed or hand delivered. The only documents that will be accepted by fax are the Application page and resolutions (those documents requiring a signature). Hard copy submittals should be unbound, single-sided, page numbered, and on 8 1/2" by 11" paper.

Preliminary applications meeting the requirements of Minnesota Statutes 115A.51, 115A.54, and *Minnesota Rules* Parts 9210.0100 to 9210.0180 must be received at the above address by 4:30 p.m., CST, **Wednesday, June 13, 2007**.

State Contracts

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

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

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

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

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

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

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

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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
- Updates to Index to Vol. 31
- Early delivery, on Friday
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- Easy Access to *State Register* Archives
- 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
Phone: (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)**Notice of Request for Information (RFI) for Architectural, Owner's Representative, Real Estate and Other Related Professional and Technical Services for a Master List of Consultants**

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities ("MnSCU"), requests information of Minnesota registered consultants, as appropriate, to assist MnSCU in providing Architectural/Engineering, Owner Representative, Real Estate and other related Professional and Technical services as needed for up to a five-year period. Projects will vary in scope and may involve due diligence services, new construction, remodeling, commissioning, site and utility work, facilities, roads and grounds, and land development.

The Request for Information documents can be found **online** at: www.facilities.mnscu.edu under Solicitation Announcements. Copies of the RFI may also be requested from:

Nancy Marandola
Minnesota State Colleges & Universities
Wells Fargo Place, 30 Seventh Street East, Suite 350

State Contracts

St. Paul, Minnesota 55101-7804
Telephone: (651) 297-7862
E-mail: Nancy.marandola@so.mnscu.edu

An information meeting has been scheduled for March 20, 2007 at 2:00 P.M. CST in the Auditorium (Room 150) at Saint Paul College, 235 Marshall Avenue, Saint Paul, Minnesota 55102.

Proposals must be delivered to:

Minnesota State Colleges & Universities
ATTN: Construction and Support Services
30 Seventh Street East, Suite 350
St. Paul, Minnesota 55101-7804

Proposals must be received **NOT** later than April 13, 2007 at 4:00 P.M. CST; late responses will not be considered.

MnSCU reserves the right to cancel this solicitation if it is considered to be in its best interest. The RFI 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 Master List of Consultants 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) Notice of Request for Proposal (RFP), Consultant Services for Software / Information System Implementation Project Manager

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of the Office of the Chancellor, is soliciting proposals for a Program Management Information System (PMIS) software implementation Project Manager. The successful consultant will manage the process of implementing a software system for the management of Minnesota State Colleges and Universities (MnSCU) design and construction Capital Improvement Program throughout the state.

A full RFP is available on the Minnesota State Colleges and Universities **website:** www.facilities.mnscu.edu, click on "Solicitation Announcements." A **mandatory pre-proposal meeting** will be held at 1:00 PM, March 27, 2007 at 30 7th St. East, Suite 350, St. Paul, MN 55101-7804 (Wells Fargo Place).

RFP DUE DATE and TIME: April 13, 2007, 2:00 PM

Minnesota State Colleges & Universities (MnSCU) Lake Superior College Request for Proposals for Installation of Technology Cabling Infrastructure, Security Systems and A/V Multimedia Systems

Sealed Bids for: Minnesota State Colleges & Universities
Lake Superior College
Academic and Student Services Addition
2101 Trinity Road
Duluth, MN 55811

will be received by: Holly Valentine
Purchasing Office Room 1312
Lake Superior College
2101 Trinity Road
Duluth, MN 55811

Until **2:00 PM, CST, April 5th, 2007** at which time the bids will be opened and publicly read aloud.

Project Scope: In general, the work will include the installation of Technology Cabling Infrastructure, security systems and A/V Multimedia Systems. There will also be fire-stopping needs associated with this project.

A **Mandatory Pre-Bid Meeting** will be held at 10:00 AM, March 29th, 2007 in Room W2580, at Lake Superior College in Duluth, MN. The Project consultant and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding documents as prepared by the Project consultant, **Elert & Associates** are on file at the offices of the:

- 1.) Elert & Associates Technology Consultants.
- 2.) following Builders Exchanges: **Duluth, Minneapolis & St. Paul**
- 3.) McGraw Hill Construction Plan Room
- 4.) Reed Construction Data Plan Room
- 5.) MEDA Minority Contractors Plan Room
- 6.) National Association of Minority Contractors of Upper Midwest

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

Tony Chojnowski, RCDD
Elert & Associates Technology Consultants
140 3rd Street South
Stillwater, MN 55082
Phone: (651) 430-2772

A deposit of \$50.00 is required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable payment (check made out to the Consultant) for [\$30.00] per set for shipping & handling (in addition to the \$50.00 deposit) to the Architect. Such deposits and payments may be sent prior to **March 29th, 2007**. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid which totals over \$15,000.00 shall be accompanied by a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than 5% of the total base bid; or a corporate surety bond of a surety company duly authorized to do business in the state of Minnesota in the same amount; which is submitted as bid security, conditioned upon the Bidder entering into a contract with Minnesota State Colleges and Universities in accordance with the terms of the bid.

Minnesota State Colleges and Universities (MnSCU) Metropolitan State University

Request for Proposals for a Market, Alumni and Donor Research Project

NOTICE IS HEARBY GIVEN that Metropolitan State University will receive proposals for completing the preparation, analysis, delivery and recommendations for actions to be taken based on the research results.

For additional information or to request a copy of the Request for Proposal contact:

John Hendrickson, Communications and Marketing Director
Metropolitan State University
700 East Seventh Street
Founders Hall, Suite 215
Saint Paul, MN 55106-5000
Telephone: (651) 793-1818
Fax: (651) 793-1819
E-mail: *John.Hendrickson@metrostate.edu*

Proposals are due at the above-referenced office by 5:00 p.m., CDT, Monday, April 23, 2007.

This notice and the Request for Proposal do not obligate the State of Minnesota, the Minnesota State Colleges and Universities system or Metropolitan State University to award a contract and each reserves its right to withdraw from the RFP if it is considered to be in its best interest.

State Contracts

Minnesota State Colleges and Universities (MnSCU)

Minneapolis Community & Technical College

NOTICE OF INTENT to Solicit Bids to Purchase Exhibition Panels to Be Used for Display of Student Projects and Work

Description: Twelve (12) sets of portable 6-panel accordion-fold presentation panels with gray Berber covering on two sides. Each set includes a top section and a bottom section which connect together securely to create a 6-panel wide display where each vertical panel is 22 inches wide x 7 feet high. Also include stabilizer channels, an appropriate number of wheeled plastic shipping containers and product delivery.

Required delivery: April 13, 2007

Deadline for Bids: 1:00 p.m. – Friday March 30, 2007

Contact: Michael Noble-Olson – Purchasing Manager
Minneapolis Community & Technical College
1501 Hennepin Avenue – Business Office
Minneapolis, MN 55403
Telephone: (612) 659-6866
E-mail: michael.noble-olson@minneapolis.edu

Minnesota State Colleges and Universities (MnSCU)

Minneapolis Community & Technical College

NOTICE OF INTENT to Request Bids for Health Sciences Renovation

Project Scope: Renovation of approx. 80,100 SF 3-story (plus basement) 1301 Hennepin Avenue Building referred to as Building “A”; removal of approx. 6,115 SF of adjacent 31,100 SF 1-story building referred to as Building “B” and renovation of approx. 6,000 SF of this building; remodel of five (5) science laboratories in Kopp Hall (K-Building); mechanical utility work in existing T-Building.

Pre-bid meeting: **Mandatory pre-bid meeting on Tuesday, March 27, 2007 at 10:00am.** Interested parties shall convene at the building entrance at 1300 Harmon Place, Minneapolis, MN 55403. The Architects, Engineers, and/or College Representatives will review the bidding procedures, Bidding Documents, other conditions, and answer questions.

Sealed Proposals to be submitted to:

Mary Prozeller
Minneapolis Community & Tech. College
T-Building, Room T.0600
Minneapolis, MN 55403
Telephone: 612-659-6800

Due Date & Time: Public opening will take place **Tuesday, April 10, 2007 at 2:00 pm.** Proposals must be received prior to opening.

Bid Documents: Bid documents as prepared by the Project Architect/Engineer, Architectural Alliance are on file at the following offices:

- 1) Architectural Alliance
- 2) Minneapolis and St. Paul Builders’ Exchanges
- 3) McGraw Hill Construction Plan Room
- 4) Reed Construction Data Plan Room
- 5) MEDA Minority Contractors Plan Room
- 6) National Association of Minority Contractors/Upper Midwest

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

Architectural Alliance
400 Clifton Avenue South
Minneapolis, MN 55403
Telephone: (612) 871-5703
Fax: (612) 871-7212

A refundable deposit of \$200.00 is required for each set.

Prospective Bidders requesting Bidding Documents (complete sets only) by mail may send a separate non-refundable payment (check made out to the Architect) for **\$50.00 per set for shipping & handling** (in addition to the \$200.00 refundable deposit) to the Architect. Such deposits and payments may be sent prior to **March 29, 2007**. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid totaling over \$15,000.00 shall be accompanied by a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than 5% of the total base bid; or a corporate surety bond of a surety company duly authorized to do business in the state of Minnesota in the same amount; which is submitted as bid security, conditioned upon the Bidder entering into a contract with Minnesota State Colleges and Universities in accordance with the terms of the bid.

Minnesota State Colleges and Universities (MnSCU) Minnesota State College Southeast Technical – Red Wing Campus Notice of Request for Bids for Remodeling & Entry Addition

RESPONSE TO THIS SOLICITATION IS DUE NO LATER THAN APRIL 5, 2007 AT 2:00 P.M. CDT. Deliver bids to Minnesota State College Southeast Technical – Red Wing Campus at 308 Pioneer Road, Red Wing, Minnesota 55066 in Room 1-122.

PRE-BID MEETING DATE: March 27, 2007 at 10:30 A.M. CDT

PRE-BID MEETING DETAILS: Pre-bid meeting to be held at Southeast Technical – Red Wing Campus, 308 Pioneer Road, Red Wing, Minnesota 55066, in (Room 1-122).

SCOPE: Building remodeling of approx. 38,000 sq ft and a building addition of 1,600 sq ft.

ARCHITECT: Partners & Sirny Architects, 212 West Franklin Avenue, Minneapolis, MN 55404

CONTACT PERSON: Tom Marcella

CONTACT PHONE: (612) 341-1070

FAX NUMBER: (612) 341-2124

LOCATION OF WORK: Minnesota State College Southeast Technical – Red Wing Campus

DEPOSIT: \$100.00

SCOPE DESCRIPTION: Building remodeling of approximately 38,000 gross square feet and a building addition of 1,600 gross square feet. The Work includes but is not limited to: demolition; site and finish landscaping work; concrete foundation and slab on grade; masonry cavity walls; structural steel framing; built up roofing; aluminum doors; curtain wall; interior metal stud and drywall partitions; suspended ceiling system; hollow metal frames; wood doors; floor and wall finishes. Mechanical & electrical systems include power, lighting, plumbing, piping, HVAC and fire protection.

FURTHER DESCRIPTION: Complete sets only of drawings and specifications for use by Bidders in submitting a Bid will be available through Partners & Sirny Architects.

Bidders must hold their bid for sixty (60) days.

State Contracts

Minnesota State Colleges and Universities (MnSCU)

St. Cloud Technical College

Request for Bids for General Remodeling of the Health Science Area at the Technical College

Sealed Bids for: HEALTH SCIENCE REMODELING
ST. CLOUD TECHNICAL COLLEGE
ST. CLOUD, MINNESOTA

will be received by: Paula Andrist, Purchasing Director
Room # 1-401H
St. Cloud Technical College
1540 Northway Drive
St. Cloud, Minnesota 56303

Until **1:00 PM**, local time, **Thursday, April 5, 2007** at which time the bids will be opened and publicly read aloud in Room 1-452.

Project Scope: General Remodeling of the Health Science Area at the Technical College, including classrooms, offices, chemistry lab, etc. comprising approximately 14, 500 sf of remodeled area.

A Pre-Bid Meeting will be held at 1:00PM, Tuesday, March 27, 2007 in Room 1-197, St. Cloud Technical Collge, St. Cloud, Minnesota. All interested bidders, and subbidders are urged to attend. The above meeting is not mandatory, but is highly recommended for all serious bidders.

The Architect and Owner's representatives will review the bidding procedures, Bidding Documents, and other conditions. This meeting will also allow the contractors, to conduct an investigative pre-bid walkthrough.

Bidding Documents as prepared by the Project Architect/Engineer; **Foss Architecture and Interior, PO Box 306, Moorhead, Minnesota 56560 ; 218- 236- 1202, Fax 218-236-4945**, are on file at the offices of the:

- 1) above named Project Architect/Engineer.
- 2) following Builders' Exchanges: St. Paul, Minneapolis, Duluth, & St. Cloud Minnesota; Fargo, ND - McGraw Hill
Construction Plan Room
- 4) Reed Construction Data Plan Room
- 5) MEDA Minority Contractors Plan Room
- 6) National Association of Minority Contractors of Upper Midwest

Deposit: Copies of Bidding Documents are available for the **Prime General Contractors**, and the **Mechanical and Electrical Sub-bidders only**. Other sub-bidders and material suppliers must use the Builders Exchange, or make other arrangements for reviewing the project. No deposit is required or cost charged for one set provided it is returned promptly and complete, including Addenda. Those requesting Bidding Documents will have the sets mailed to them. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Drawings and Specifications must be returned to the Architect in **good condition** within fifteen (15) days after the opening of bids. Planholders, not returning their set, or returning their set in damaged condition will be charged a non-refundable fee of \$250.00.

Partial sets of Bidding Documents may be obtained from Architect, but only if specific sheets and section numbers desired are included with request. Charges for partial sets will be \$6.50 for each Drawing sheet and 65¢ for each Specification sheet, plus sales tax and postage. No refund will be made for partial sets of Bidding Documents. Completeness and adequacy of the list of documents requested shall be the responsibility of person making request. Addenda will not be submitted to those receiving partial sets of Bidding Documents.

Each bid shall be accompanied by a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than 5% of the total base bid; or a corporate surety bond of a surety company duly authorized to do business in the state of Minnesota in the same amount; which is submitted as bid security, conditioned upon the Bidder entering into a contract with Minnesota State Colleges and Universities in accordance with the terms of the bid.

Minnesota Department of Corrections MINNCOR Industries

Notice of Request for Proposals for Graphic Design Services

The Department of Corrections' (DOC) MINNCOR Industries is seeking graphic design services for a variety of public and state information products. The need for the services is on an "as needed" basis and this Request for Proposals (RFP) will result in multiple contract awards. Awarded contractors will provide consultation, creation, production, and delivery of various creative graphic services. Awarded contractors will provide staffing, materials, production facilities, equipment, and pick-up and delivery.

The contract(s) period is May 1, 2007 – April 30, 2009, with the option to extend for three one-year periods at the discretion of the DOC and mutual agreement between the DOC and the contractor.

The full RFP will be sent free-of-charge in response to written, e-mailed, or faxed requests to the contact person listed below. Proposals must be submitted to the DOC contact person. Other personnel are NOT allowed to discuss the RFP with anyone, including responders, before the proposal submission deadline. Proposals must be received by the contact person listed below no later than April 9, 2007, 2:30 p.m. central time.

Dale A. Peterson, MINNCOR Industries
Department of Corrections
1450 Energy Park Drive Suite 110
St. Paul, Minnesota 55108-5219
Telephone: (651) 361-7503
Fax: (651) 523-7139
E-mail: dapeterson@minncor.com

Minnesota Office of Higher Education Request for Proposals for Design Work

The Office of Higher Education is requesting proposals from qualified professionals to provide design work for print, the Web and presentations. Projects require creative design work, print pre-production and some writing and editing. The contract would begin July 1, 2007 and the work is cyclical. Proposals must be submitted no later than 4 p.m. Central time, Thursday April 11, 2007.

The Request for Proposals (RFP) does not obligate the Office of Higher Education to complete this project, and the Office of Higher Education reserves the right to cancel the solicitation if it is considered to be in its best interest.

The State estimates the costs of these services for the 2008-2009 biennium will not exceed \$300,000.

Copies of the RFP are available at: www.ohe.state.mn.us/mPg.cfm?pageID=1314 or by contacting:

Karen Buehre
Minnesota Office of Higher Education
1450 Energy Park Drive, Suite 350
St. Paul, MN 55108-5227
Phone: (651) 259-3901
E-mail: karen.buehre@state.mn.us

Minnesota Historical Society

Notice of Request for Bids for Preservation of the Folsom House Historic Site, Phase II - Taylors Falls, Minnesota

The Minnesota Historical Society is seeking bids from qualified firms to provide all labor, materials, equipment, and supplies to complete preservation work at the Folsom House Historic Site, 272 West Government Street, Taylors Falls, Minnesota 55084 (herein-after called **the Site**). The project requires electrical and general construction services, including exterior carpentry repair, painting, gutters and downspouts, masonry foundation wall re-pointing, and site drainage work.

There will be a **MANDATORY pre-bid meeting** for all interested parties on Thursday, April 5, 2007 at 11:00 a.m. Local Time at the Site.

The Request for Bids and other front-end documents are available by contacting Mary Green-Toussaint, Purchasing Coordinator, Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, Minnesota 55102, **telephone:** (651) 259-3175 or **e-mail:** mary.green-toussaint@mnhs.org.

State Contracts

All bids must be received no later than **2:00 P. M. Local Time, Tuesday, April 17, 2007**. A public bid opening will be conducted at that time. Late bids will not be considered.

Dated: March 19, 2007

Department of Human Services

Disabilities Services Division

Quality, Services and Safeguards Section

Notice of Request for Proposals to Conduct a Statewide Review and Make Recommendations for a New Payment Structure Model for Day Services

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services (DHS), Disabilities Service Division (DSD), is seeking to enter into a contract via a Request for Proposals (RFP) from a qualified party to conduct a statewide review and make recommendations for a new payment structure model for day services and supports across all Disability Home and Community-Based Service (HCBS) waivers programs, for people who reside in an Intermediate Care Facilities for Persons with Mental Retardation or Related Conditions (ICF/MR) and the same type of day services and supports when funded through county agencies. DHS intends to award one professional contract as a result of this RFP.

It is the goal of this project is to develop a new payment structure for day services and supports that promotes choice and flexibility based on individual assessed needs in supported employment and non-work environments. This new payment structure is premised on the primary principles of service choices, program effectiveness, economic efficiency and must be implementable in MN.

The Successful Respondent will gather information regarding promising payment structure models used in states that have a similar state supervised county administered structure. It is expected the analysis will take into account the roles of counties, state government, federal government (Centers for Medicare & Medicaid Services), providers of day services, and individuals and their representative perspectives.

The term of any resulting contract is anticipated to be for eighteen months, from July 1, 2007 until December 31, 2008. The department has estimated that the cost of this contract should not exceed \$400,000.

A complete copy of the RFP can be obtained by contacting:

Minnesota Department of Human Services
Attn: Deb Schauffert
Disabilities Services Division
540 Cedar Street
St. Paul, MN 55164-0967

All proposals must be received not later than **4:00 p.m., Central Time, May 4, 2007** as indicated by a notation made by the Receptionist, Information Desk, Elmer L Andersen Human Services Building, 540 Cedar Street, St. Paul, MN 55155. **Late, faxed and e-mail responses proposals will not be considered.** All costs incurred in responding to this RFP will be borne by the responder.

Submit eight copies of the proposal and one set of work samples. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address written on the outside. It is anticipated that the selection process will be completed by May 31, 2007.

Department of Public Safety

Office of Traffic Safety

Notice of Request for Proposals for Motorcycle Safety Foundation Certified RiderCoach Trainer Services

The Minnesota Department of Public Safety utilizes Motorcycle Safety Foundation (MSF) rider training curriculums. The contractor must currently be a MSF certified RiderCoach Trainer. The contractor's responsibilities for state fiscal year 2008 (July 1, 2007 through June 30, 2008) will include training of new Rider Coaches for the state's motorcycle rider training program; auditing existing Rider Coaches; and documenting that all of the state's training ranges meet current MSF standards to maintain the state's status as a MSF recognized rider education program. Details are contained in a Request for Proposals which may be obtained by contacting:

Bill Shaffer
Minnesota Department of Public Safety

Office of Traffic Safety
444 Cedar Street, Suite 150
Saint Paul, MN 55101-5150
Telephone: (651) 201-7075
Fax: (651) 297-4844
TTY: (651) 282-6555
E-mail: *william.shaffer@state.mn.us*

All questions concerning this RFP should be in writing and e-mailed or faxed to the above address no later than 2:30 PM, Central Standard Time (CST) on Friday, March 23, 2007. All answers to questions will be in writing and sent to all entities requesting a complete RFP. Final date for submitting proposals is 2:30 PM, CST on Friday, April 6, 2007. The estimated total value of this one-year contract is \$60,000.00. The Department of Public Safety will retain an option to extend the contract for four additional one-year periods. 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.

Minnesota Supreme Court Fourth Judicial District Notice of Request for Proposal for MS Exchange Adaptor

NOTICE IS HEREBY GIVEN that the 4th Judicial District Court is seeking proposals from qualified vendors to build an adaptor to transfer hearing notifications in XML format from the State Court MQ series message broker to the State Court MS Exchange email/calendaring system. The Request for Proposal may become the basis for negotiation of a contract with a designated vendor for system design and programming services.

The Court is not obligated to respond to any proposal submitted nor is it legally bound in any manner whatsoever by the submission of a proposal. The Court reserves the right to cancel or withdraw the RFP at any time if it is considered to be in its best interest. In the event the RFP is cancelled or withdrawn for any reason, the Court shall not have any liability to any proposing party for any costs or expenses incurred in connection with the RFP or otherwise. The Court also reserves the right to reject any or all proposals, or parts of proposals, to waive any informalities therein and to extend proposal due dates.

For a copy of the full Request for Proposal, or more information, contact:

Jim Wehri
Fourth Judicial District
A-1720 Government Center
300 South 6th Street
Minneapolis, MN 55487
E-mail: *james.wehri@courts.state.mn.us*

All vendor questions and responses thereto will be posted on:

<http://www.mncourts.gov/district/4/>

Deadline for proposals is 4:00 p.m. CST on Tuesday, April 13, 2007. No late proposals will be considered.

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 (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

State Contracts

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 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.

Metropolitan Council - Metro Transit Sealed Bids Sought for Magnetic Fare Cards

Metro Transit, a service of the Metropolitan Council, is soliciting sealed bids for Magnetic Fare Cards. There will be no Pre-Bid Meeting. Bids are due at **2:00 PM** on April 12, 2007. Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
Attn: Candace Osiecki
515 N. Cleveland Avenue
St. Paul, MN 55114
Phone: (612) 349-5070
E-mail: candace.osiecki@metc.state.mn.us

Metropolitan Council - Metro Transit Metro Transit HLRT Operations and Maintenance Facility Floor Replacement

Metro Transit a division of the Metropolitan Council is soliciting sealed bids for Floor Replacement at the Hiawatha Light Rail Transit Operations and Maintenance Facility. Bids are due at 2:00 PM on April 5, 2007. Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
Attn: Candace Osiecki
515 N. Cleveland Avenue
St. Paul, MN 55114
Phone: (612) 349-5070
E-mail: candace.osiecki@metc.state.mn.us

Metropolitan Council - Metro Transit Metro Transit HLRT Operations and Maintenance Facility Floor Replacement

Metro Transit a division of the Metropolitan Council is soliciting sealed bids to install an additional monitoring well, second pumping station system, and provide quarterly monitoring and reporting for a period of 24-months at Metro Transit's East Metro Transit Facility located at 800 Mississippi Street, St. Paul, Minnesota. Bids are due at 2:00 PM on April 10, 2007. Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
Attn: Candace Osiecki
515 N. Cleveland Avenue
St. Paul, MN 55114
Phone: (612) 349-5070
E-mail: candace.osiecki@metc.state.mn.us

Non-State Bids, Contracts & Grants

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.

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