

State of Minnesota

State Register



**Proposed, Adopted, & Expedited Rules; Executive Orders; Appointments;
Commissioners' Orders; Revenue Notices; Official Notices;
State Grants & Loans; State Contracts; Non-State Public Bids, Contracts & Grants**
Published every Monday (Tuesday when Monday is a holiday)

**Monday 5 November 2012
Volume 37, Number 19
Pages 693 - 744**

State Register

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

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

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoed Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-state Public Bids, Contracts and Grants

| Printing Schedule and Submission Deadlines | | | | | | | | | |
|--|---|----------------------------|----------|--|----|----------|---|----|----------|
| Vol. 37 Issue Number | PUBLISH DATE (BOLDFACE shows altered publish date) | | | Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts | | | Deadline for Proposed, Adopted and Exempt RULES | | |
| | # 20 | TUESDAY 13 NOVEMBER | | Noon Tuesday | 6 | November | Noon Wednesday | 31 | October |
| # 21 | Monday | 19 | November | Noon Tuesday | 13 | November | Noon Wednesday | 7 | November |
| # 22 | Monday | 26 | November | Noon Tuesday | 20 | November | Noon Wednesday | 14 | November |
| # 23 | Monday | 3 | December | Noon Tuesday | 27 | November | Noon Wednesday | 21 | November |

PUBLISHING NOTICES: We need to receive your submission **ELECTRONICALLY in Microsoft WORD format**. Submit ONE COPY of your notice via e-mail to: robin.panlener@state.mn.us. State agency submissions must include a "State Register Printing Order" form, and, with contracts, a "Certification/Internal Contract Negotiation" form. Non-State Agencies should submit ONE COPY, with a letter on your letterhead stationery requesting publication and date to be published. Costs are \$10.20 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page = 4/10s of a page in the *State Register*, or \$40.80. About 2-1/2 pages typed, double-spaced, on 8-1/2"x11" paper = one typeset page in the *State Register*. Contact editor if you have questions (651) 297-7963, or **e-mail:** robin.panlener@state.mn.us.

SUBSCRIPTION SERVICES: Copies are available at Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. **NO REFUNDS.** E-mail subscriptions are available by contacting (651) 297-8777. Send address changes to Minnesota's Bookstore, 660 Olive Street, St. Paul, Minnesota 55155.

SEE THE *State Register* free at website: <http://www.minnesotasbookstore.com>

- **State Register: On-line subscription** – \$180, includes LINKS, INDEX, special section "CONTRACTS & GRANTS," with Sidebar Table of Contents, Early View after 4:30 pm Friday (instead of waiting for early Monday), and it's sent to you via **E-mail**.
- **Single issues** are available for a limited time: *State Register* \$5.00.
- **"Affidavit of Publication"** includes a notarized "Affidavit" and a copy of the issue: \$15.00.
- **Research Services** - will look up, photocopy, and fax or send copies from past issues at \$1.00 per page.

| | | |
|--|--|--|
| Governor: Mark Dayton (651) 296-3391 | Administration Commissioner: Spencer R. Cronk (651) 201-2555 | Editor: Robin PanLener (651) 297-7963, robin.panlener@state.mn.us |
| Lieutenant Governor: Yvonne Prettner Solon (651) 296-3391 | Plant Management Division: Christopher A. Guevin (651) 201-2350 | Assistant editor: John Mikes (651) 297-4616, john.mikes@state.mn.us |
| Attorney General: Lori Swanson (651)296-6196 | Minnesota's Bookstore: Mary Mikes (651) 297-3979 | Subscriptions Manager: Loretta J. Diaz (651) 297-8777, loretta.diaz@state.mn.us |
| Auditor: Rebecca Otto (651) 296-2551 | | |
| Secretary of State: Mark Ritchie (651) 296-2803 | | |

Copyright © 2012 Plant Management Division, Department of Administration, State of Minnesota.

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

THE STATE REGISTER IS PUBLISHED by Plant Management Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available at main branch county libraries in Minnesota and all "State Depository Libraries:" State University and Community College libraries; University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; Legislative Reference Library; State Law Library; Minnesota Historical Society Library; and Library Development Service at the State Department of Education.

Minnesota Legislative Information

Senate Public Information Office (651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
Website: www.senate.mn

House Public Information Services (651) 296-2146
State Office Building, Room 175,
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
Website: www.house.leg.state.mn.us/hinfo/hinfo.htm

Minnesota State Court System

Court Information Office (651) 296-6043
MN Judicial Center, Rm. 135,
25 Rev. Dr. Martin Luther King Jr Blvd.,
St. Paul, MN 55155 **Website:** www.mncourts.gov

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office – Fax: (202) 512-1262
Website: http://www.access.gpo.gov/su_docs/aces/aces140.html

Minnesota Rules: Amendments & Additions

Rules Index: Volume 37, #14-19: 1 Oct - 5 November 2012..... 696

Adopted Rules

Natural Resources Department (DNR)

Adopted Repeal of Obsolete Rules: Boat and Water Rules..... 697

Exempt Rules

Transportation Department (Mn/DOT)

Exempt Adopted Rules Relating to Local State-Aid Route Standards; Financing..... 697

Revenue Notices

Department of Revenue

Modification of Revenue Notice # 03-15:

Sales and Use Tax – Taxation of Incentive Items..... 709

Official Notices

Subscribers' Services..... 711

Labor and Industry Department (DLI)

Construction Codes and Licensing Division:

Request for Comments on Possible Amendment to Rules Governing:

- Administration of the State Building Code, and Rules Governing Minnesota Provisions of the State Building Code..... 712
- Radon Mitigation Control in Residential Buildings..... 713
- Adoption of the International Building Code..... 714
- Elevators and Related Devices..... 715
- Adoption of the International Residential Code..... 717
- Adoption of the International Existing Building Code..... 718
 - Adoption of Residential Provisions of the International Energy Conservation Code..... 719
- Adoption of Commercial Provisions of the International Energy Conservation Code..... 720
- Adoption of the International Mechanical and Fuel Gas Codes..... 722
- Adoption of the International Fire Code..... 723
- Workers' Compensation Rules of Practice Related to Electronic Filing of First Reports of Injury..... 724

Metropolitan Council

Public Meeting on the 2013 Unified Operating Budget, 2013 Unified Capital Program and 2012, Payable 2013, Levies..... 725

Pollution Control Agency (MPCA)

Watershed Division:

Availability of Draft Bluff Creek Watershed Turbidity and Fish Bioassessment Impairments Total Maximum Daily Load (TMDL) Report and Request for Comment..... 726

Availability of Draft Osakis, Faille, Smith Lakes Upper Mississippi River Basin, Minnesota TMDL Report and Request for Comment..... 728

Transportation Department (Mn/DOT)

Engineering Services Division,

Office of Construction and Innovative Contracting:

Notices of Suspension and Debarment..... 730

State Grants & Loans

Grant Funds and Loans..... 731

Board on Aging

Request for Proposals for Resident and Family Advisory Council Education..... 731

Pollution Control Agency (MPCA)

Request for Information (RFI) for Provision of Paperless Point-of-Sale or e-Receipt Systems and Related Services..... 732

Request for Proposal (RFP) for Use of Formaldehyde in Minnesota..... 732

State Contracts

On-going State Contracts..... 733

Administration Department (Admin)

Minnesota Multistate Contracting Alliance for Pharmacy:

Request for Proposals for Contract(s) for Prescription Filling/Mail Order Services..... 733

State Designer Selection Board Project No. 12-16:

Availability of Request for Proposal (RFP) for New Building 17 South - Minnesota Veterans Home, Minneapolis, MN..... 734

Colleges and Universities, Minnesota State (MnSCU)

Anoka-Ramsey Community College:

Request proposals for the Public Art Work for Music Building..... 734

Lake Superior College:

Request for Proposal for Helicopter Flight Training Services for Student Instruction..... 735

Human Services Department (DHS)

Health Care Administration, Purchasing and Service Delivery Division:

Request for Proposals for a Qualified Contractor to Perform Medical Services Authorizations..... 735

Judicial Branch

Request for Proposal for Implementation, Configuration and Migration Services of VNX 5500 and 5300 Implementation with VPLEX and RecoverPoint Services..... 736

Minnesota State Lottery

Request for Proposals for Sponsorship Agreements..... 737

Natural Resources Department (DNR)

Availability of Contract for the Walnut Lake Bridge Replacement..... 738

Notice of State Gravel Lease Sale for State Lands in Pine County..... 738

State Retirement System (MSRS)

Availability of Contract for Record Keeping and Custodial Services for Defined Contribution Plans..... 739

Transportation Department (Mn/DOT)

Engineering Services Division:

Contracting Opportunities for a Variety of Highway Related Technical Activities ("Consultant Pre-Qualification Program")..... 739

Professional/Technical Contract Opportunities and Taxpayers' Transportation Accountability Act Notices..... 740

Minnesota Zoo

Request for Proposals for Design Services for the New Minnesota Zoo Crossroads Park Area..... 740

Non-State Public Bids, Contracts & Grants

Vendors Sought for these Projects..... 741

Dakota County

Request for Proposals to Provide Nursing Services for the Dakota County Jail and the Juvenile Services Center..... 741

Metropolitan Airports Commission (MAC)

Request for Proposals for the MSP Airport Vending Concessions Opportunity..... 741

Request for Qualifications for Mystery Shopping Services at MSP..... 742

Minnesota's Bookstore

..... 742

Contract information is available from the Materials Management (MMD) Helpline (651) 296-2600, or Web site: www.mmd.admin.state.mn.us

State Register information is available from Minnesota's Bookstore (651) 297-3000, or (800) 657-3757, Web site: www.minnesotasbookstore.com

Minnesota Rules: Amendments and Additions

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

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

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

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

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive (issue #26 cumulative for issues #1-26); issues #27-38 inclusive (issue #39, cumulative for issues #1-39); issues #40-52 inclusive, with final index (#1-52, or 53 in some years). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757. TTY relay service phone number: (800) 627-3529.

Minnesota Rules

appearing in Volume 37, #14-19

Monday 1 October - Monday 5 November 2012

Commerce Department

| | |
|---|-----|
| 2711.0200; .0210; .0220; .0230; .0240 (proposed)..... | 647 |
| 2711.0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100 (proposed repealer)..... | 647 |

Employment and Economic Development Department

| | |
|--|-----|
| 3321.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300 (proposed)..... | 472 |
| 3321.0700; .0900; 3321.1400 (proposed repealer)..... | 472 |

Education Department

| | |
|---|-----|
| 3501.1300; .1305; .1310; .1315; .1320; .1325; .1330; .1335; .1340; .1345 (proposed)..... | 659 |
|---|-----|

Labor and Industry Department

| | |
|--|-----|
| 5208.1500 (proposed exempt)..... | 557 |
| 5217.0300; .0500; .0600; .0610 (proposed)..... | 672 |
| 5217.0300 s. 4 (proposed repealer)..... | 672 |

Natural Resources Department (DNR)

| | |
|--|-----|
| 6110.2000 (adopted repealer)..... | 697 |
| 6234.1000; .2200; .2400; .2700 (adopted expedited emergency)..... | 621 |
| 6234.1000; .2200; .2400; .2700, published in the <i>State Register</i> , volume 35, page 1915, June 6, 2011 (expedited emergency repealer)..... | 621 |
| 6234.2105 (adopted expedited emergency)..... | 675 |
| 6234.2105 (adopted expedited emergency)..... | 587 |
| 6262.0575 (adopted expedited emergency)..... | 675 |
| 6264.0400 (adopted expedited emergency)..... | 619 |
| 6264.0400 s. 59, published in the <i>State Register</i> , volume 35, page 1649, April 25, 2011 (expedited emergency repealer)..... | 619 |

Pollution Control Agency

| | |
|--------------------------|-----|
| 7082.0050 (adopted)..... | 483 |
|--------------------------|-----|

Transportation Department (Mn/DOT)

| | |
|--|-----|
| 8820.0100; .9920; .9926; .9936; .9941; .9946; .9951 (adopted exempt)..... | 697 |
|--|-----|

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 Natural Resources (DNR) Adopted Repeal of Obsolete Rules: Boat and Water Rules

The rules proposed and published at *State Register*, Volume 36, Number 44, pages 1405-1406, May 21, 2012 (36 SR 1405), 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.

Department of Transportation (Mn/DOT) Exempt Adopted Rules Relating to Local State-Aid Route Standards; Financing

8820.0100 DEFINITIONS.

[For text of subs 1 to 22, see M.R.]

Subp. 23. **AASHTO**. "AASHTO" means the American Association of State Highway and Transportation Officials, 444 North Capitol Street Northwest, Suite 249, Washington, D.C. 20001.

Subp. 24. **Bicycle lane**. "Bicycle lane" has the meaning given it in *Minnesota Statutes*, section 169.011, subdivision 5.

Exempt Rules

Subp. 25. **Level of service.** “Level of service” has the meaning given in the Highway Capacity Manual, Special Report 209, as revised and published by the Transportation Research Board of the National Research Council, Washington, D.C. The definition is incorporated by reference, is not subject to frequent change, and is located at the Minnesota State Law Library, 25 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, Minnesota 55155.

Subp. 26. **Paved shoulder.** “Paved shoulder” means a part of a highway which is contiguous to the regularly traveled portion of the highway and is on the same level as the highway.

Subp. 27. **Shared lane.** “Shared lane” means any roadway or travel lane upon which a separate bicycle lane is not designated and which bicycles may legally use, whether or not such facility is specifically designated as a bikeway or bicycle route.

Subp. 28. **Shared use path.** “Shared use path” means a bikeway that is physically separated from a roadway or shoulder by the use of an open space buffer or physical barrier. A shared use path can also be used by a variety of nonmotorized users such as pedestrians, joggers, skaters, and wheelchair users.

Subp. 29. **Wide outside lane.** “Wide outside lane” means outside lanes which accommodate bicycles and motorists in the same lane with a lane width of 14 to 16 feet. For accommodating bicyclists, the wide outside lane dimension shall be to the face of curb.

8820.9920 MINIMUM DESIGN STANDARDS; RURAL AND SUBURBAN UNDIVIDED; NEW OR RECONSTRUCTION PROJECTS.

When the road authority has determined that the roadway will be specifically designed to include on-road bicycle facilities, and only if the roadway surface is paved, the appropriate design criteria in the current MnDOT Bikeway Facility Design Manual are recommended for design purposes.

New or reconstruction projects for rural and suburban undivided roadways must meet or exceed the minimum dimensions indicated in the following design chart.

| Projected ADT (a) | Lane Width | Shoulder Width | In-slope (b) | Clear Zone (c) | Design Speed (d) | Surfacing | Structural Design Strength | Bridges to Remain (e) Width Curb to Curb |
|-------------------|------------|----------------|--------------|----------------|------------------|----------------|--------------------------------|--|
| | feet | feet | rise: run | feet | mph | | tons | feet |
| 0-49 | 11 | 1 | 1:3 | 7 | 30-60 | Agg. | | 22 |
| 50-149 | 11 | 3 | 1:4 | 9 | 40-60 | Agg. | | 22 |
| 150-299 | 12 | 4 | 1:4 | 15 | 40-60 | Agg./ Paved | 7-ton/ 10-ton Staged (g) | 28 |
| 300-749 | 12 | 4 | 1:4 | 15 | 40-60 | Paved | 10-ton Staged (g) | 28 |
| 750-1499 | 12 | 4 | 1:4 | 25 | 40-60 | Paved | 10-ton Staged (g) | 28 |
| 1500 and over | 12 | 6(f) | 1:4 | 30 | 40-60 | Paved | 10 | 30 |

Exempt Rules

Engineering judgment ~~may~~ should be used to choose a lane-width, on-road bicycle facility, or shoulder-width dimension other than the widths indicated in the chart for roadways. Factors to consider ~~may be~~ include safety, speed, population/land use, benefit/cost analysis, traffic mix, peak hourly traffic, farm equipment, environmental impacts, terrain limitations, bicycle traffic, pedestrian traffic, on-street parking, intersection and driveway spacing, rights-of-way constraints, vehicle turn lane configuration, sight distance, sight lines, bus routes, other nonmotorized uses, functional classification, or other factors. ~~Widths~~ Dimensions less than those indicated in the chart require a variance in accordance with parts 8820.3300 and 8820.3400.

For rural divided roadways, use the geometric design standards of the Mn/DOT Road Design Manual, with a minimum ten tons structural design and minimum 40 mph design speed.

(a) Use the existing traffic for highways not on the state-aid system.

(b) Applies to slope within the clear zone only.

(c) Culverts with less than 30-inch vertical height allowed without protection in the clear zone.

Guardrail is required to be installed at all bridges where the design speed exceeds 40 mph, and either the existing ADT exceeds 400 or the bridge clear width is less than the sum of the lane and shoulder widths.

Mailbox supports must be in accordance with chapter 8818.

For roadways in suburban areas as defined in part 8820.0100, the clear zone may be reduced to a width of ten feet for projected ADT under 1,000 and to 20 feet for projected ADT of 1,000 or over. Wherever the legal posted speed limit is 40 mph or less, the clear zone may be reduced to a width of ten feet.

(d) Subject to terrain. In suburban areas, the minimum design speed may be equal to the current legal posted speed where the legal posted speed is 30 mph or greater.

(e) Inventory rating of H 15 is required. A bridge narrower than these widths may remain in place if the bridge is not deficient structurally or hydraulically.

(f) Shoulders are required to be a minimum width of eight feet for highways classified as minor arterials and principal arterials with greater than 1,500 ADT projected, at least two feet of which must be paved. If the roadway is designated as a bicycle facility by the road authority, at least four feet of the shoulder shall be paved.

(g) Except within municipal corporate limits, ten-ton staged structural design must be able to carry ten-ton axle loads except during spring load-restriction periods, or year-round if needed for system continuity. Roadbed width must accommodate ultimate ten-ton pavement overlay thickness and ultimate 1:4 sideslope. Within municipal corporate limits, minimum structural design must support nine-ton axle strength.

Approach sideslopes must be 1:4 or flatter when the ADT exceeds 400.

HS 25 loading with AASHTO Standard Specifications or HL-93 loading with load and resistance factor design (LRFD) is required for new or reconstructed bridges. HS 18 loading is required for all rehabilitated bridges. The curb-to-curb minimum width for new or reconstructed bridges must be no less than either the minimum required lane plus shoulder widths or the proposed lane plus shoulder widths, whichever is greater, but in no case less than the minimum lane widths plus four feet, and in no case less than required per *Minnesota Statutes*, section 165.04.

~~For roundabout design, the design criteria of the current edition of the Minnesota State Aid Roundabout Guide are recommended.~~

Vehicle roadway bridge and underpass structures when two-way bicycle traffic is accommodated: on bridge or underpass sidewalks, the sidewalk clear width shall be no less than eight feet, but preferably ten feet. Whenever practicable, the shoulder/clear zone of an off-road shared use path should be carried across bridges and through underpasses and the minimum structure clear width must be 12 feet. When the full width of the approach shared use path (surface width plus shoulder/clear zone) is greater than the proposed clear width of the structure, then lead-in bicycle safety railing is required at each end of the bridge or underpass. As an alternative to lead-in bicycle safety

Exempt Rules

railing, the surface width of the approach shared use path may be narrowed at a 1:50 taper while maintaining minimum surface width and shoulder/clear zone through the structure.

8820.9926 MINIMUM DESIGN STANDARDS: RURAL AND SUBURBAN UNDIVIDED; RECONDITIONING PROJECTS.

Subpart 1. **Minimum reconditioning standards.** Reconditioning projects for rural or suburban undivided roadways must meet or exceed the minimum dimensions indicated in the following design chart. See part 8820.0100, subpart 13b, for the description of activities allowed.

| Existing ADT | Statutory or Regulatory Posted Speed | Lane Width (Paved) | Combined Lane (Paved) and Shoulder Width |
|--------------|--------------------------------------|--------------------|--|
| 1-749 | Under 50 mph | 10 feet | 11 feet |
| 1-749 | 50 mph or over | 10 feet | 12 feet |
| 750 and over | Under 50 mph | 10 feet | 12 feet |
| 750 and over | 50 mph & over | 11 feet | 14 feet |

When the road authority has determined that the roadway will be specifically designed to include on-road bicycle facilities, and only if the roadway surface is paved, the appropriate design criteria in the current MnDOT Bikeway Facility Design Manual are recommended for design purposes.

Engineering judgment ~~may~~ should be used to choose a lane-width, on-road bicycle facility, or shoulder width dimension other than the widths indicated in the chart ~~for roadways~~. Factors to consider include safety, speed, population/land use, benefit/cost analysis, traffic mix, peak hourly traffic, farm equipment, environmental impacts, terrain limitations, bicycle traffic, pedestrian traffic, on-street parking, intersection and driveway spacing, rights-of-way constraints, vehicle turn lane configuration, sight distance, sight lines, bus routes, other nonmotorized uses, functional classification, or other factors. Widths Dimensions less than those indicated in the chart require a variance in accordance with parts 8820.3300 and 8820.3400.

Widths of bridges to remain in place must equal roadway pavement width. Bridges narrower than these widths may remain in place provided that the bridge does not qualify for federal-aid bridge funds. H 15 inventory rating is required.

Any highway that was previously built to state-aid or state standards, that was granted a variance to standards in effect at the time of construction or reconstruction, or that is a trunk highway turnback, may be reconditioned.

The proposed structural design strength must ~~be~~ accommodate a minimum of seven tons per axle.

For roundabout design, the design criteria of the current edition of the Minnesota State Aid Roundabout Guide are recommended.

Subp. 2. [Repealed, 23 SR 1455]

8820.9936 MINIMUM DESIGN STANDARDS, URBAN; NEW OR RECONSTRUCTION PROJECTS.

New or reconstruction projects for urban roadways must meet or exceed the minimum dimensions indicated in the following design chart.

| Functional Classification and Projected Traffic Volume | Design Speed mph | Lane Width feet | Curb Reaction Distance (a) feet | Parking Lane Width (e) feet |
|--|---------------------|--------------------|---------------------------------------|-----------------------------------|
| Collectors or Locals with ADT < 10000 | 30-40 | (b) 11 | 2 | 8 |
| | over 40 | 12 | 2 | 10 |

Exempt Rules

| | | | | |
|---|---------|--------|-------|--------|
| Collectors or Locals with ADT ≥ 10000 and Arterials | 30-40 | (b) 11 | (c) 4 | 10 |
| | over 40 | 12 | (c) 4 | (d) 10 |

Engineering judgment may be used to choose a lane-width dimension other than the widths indicated in the chart for roadways. Factors to consider ~~may be~~ include safety, speed, population/land use, benefit/cost analysis, traffic mix, peak hourly traffic, farm equipment, environmental impacts, terrain limitations, bicycle traffic, pedestrian traffic, other nonmotorized uses, functional classification, or other factors. Widths less than those indicated in the chart require a variance in accordance with parts 8820.3300 and 8820.3400.

(a) One-way turn lanes must be at least ten feet wide, except 11 feet is required if the design speed is over 40 mph.

(b) Wherever possible, lane widths of 12 feet, rather than 11 feet, should be used.

(c) May be reduced to two feet if there are four or more traffic lanes and on one-way streets.

(d) No parking is allowed for six or more traffic lanes or when the posted speed limit exceeds 45 mph.

(e) Curb reaction must be provided only where parking is not provided.

One-way streets must have at least two through-traffic lanes.

When a median is included in the design of the two-way roadway, a one-foot reaction distance to the median is required on either side of the median. Minimum median width is four feet.

Urban design roadways must be a minimum nine tons structural axle load design.

Roadways not on the state-aid system are not subject to the minimum structural design strength requirements.

The minimum curb-to-curb width of a new bridge must be the required street width, but in no case less than required per *Minnesota Statutes*, section 165.04. HS 25 loading with AASHTO Standard Specifications or HL-93 loading with load and resistance factor design (LRFD) is required for new or reconstructed bridges and a minimum of HS 18 loading is required for all rehabilitated bridges. Where the new bridge approach roadway includes elements for the accommodation of pedestrians or bicycles, the new bridge width must also provide for pedestrians or bicycles unless pedestrians or bicycles are otherwise accommodated.

For ADT less than 150, the widths of bridges to remain must be at least the sum of the lanes. For ADT greater than or equal to 150, the widths of bridges to remain must be at least the sum of the lanes plus half the sum of the shoulders, parking lane, and curb reaction distance.

Clearance of 1.5 feet from the face of the curb to fixed objects must be provided when the posted speed is 40 to 45 mph. A ten-foot clear zone measured from the driving lane must be provided when the posted speed exceeds 45 mph.

For volumes greater than 15,000 projected ADT, at least four through-traffic lanes are required, unless a capacity analysis demonstrates that a different lane configuration achieves level of service D or better.

“Level of service” has the meaning given it in the *Highway Capacity Manual, Special Report 209*, as revised and published by the Transportation Research Board of the National Research Council, Washington, D.C. The definition is incorporated by reference, is not subject to frequent change, and is located at the Minnesota State Law Library, 25 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, Minnesota 55155.

For roundabout design, the design criteria of the current edition of the *Minnesota State Aid Roundabout Guide* are recommended.

8820.9941 MINIMUM DESIGN STANDARDS: ON-ROAD BICYCLE FACILITY FOR URBAN; NEW OR RECONSTRUCTION PROJECTS.

The bicycle facility design standard in this part applies when the road authority has determined that the roadway will be specifically designed to include an on-road bicycle facility and only if the roadway surface is paved.

Exempt Rules

New or reconstruction projects for urban roadways must meet or exceed the dimensions indicated in the following design chart.

| Functional Classification and Projected Traffic Volume | Design Speed | Lane Width (a) | Curb Reaction Distance (d) | Parking Lane Width (f) | Bikeway Design Roadways with Two Travel Lanes Urban Curb and Gutter | | Bikeway Design Roadways with Four or more Travel Lanes Urban Curb and Gutter |
|--|---|----------------|----------------------------|------------------------|---|---------------------|--|
| | (mph) | (feet) | (feet) | (feet) | (ADT) | (feet) | (feet) |
| Collectors or Locals with ADT <2,000 | 25-30 | 10-12 (e) | 2 | 7-10 | <500 | SL | N/A |
| | | | | | 500-2,000 | WOL 14-16 or BL 5-6 | |
| | 35-40 | 11-12 | 2 | 8-10 | <500 | SL | BL 5-6 |
| | | | | | 500-2,000 | WOL 14-16 or BL 5-6 | |
| | over 40 | 12 | 2 | 10 | | BL 5-6 | BL 5-6 |
| | Collectors or Locals With ADT 2,000-5,000 | 25-30 | 10-12 (e) | 2 | 7-10 | | WOL 14-16 or BL 5-6 |
| 35-40 | | 11-12 | 2 | 8-10 | | BL 5-6 | BL 5-6 |
| over 40 | | 12 | 2 | 10 | | BL-6 | BL |
| Collectors or Locals with ADT 5,000-10,000 | 25-30 | 10-12 (e) | 2 | 7-10 | | BL 5-6 | BL 5-6 |
| | 35-40 | 11-12 | 2 | 8-10 | | BL 5-6 | BL 5-6 |
| | over 40 | 12 | 2 | 10 | | BL 6 or PS 8 or SUP | BL 6 or PS 8 or SUP |
| Collectors or Locals with ADT >10,000 and Arterials | 30-40 | 11-12 | 4 (b) | 10 | | BL 6 or PS 8 or SUP | BL 6 or PS 8 or SUP |
| | over 40 | 12 | 4 (b) | 10 (c) | | BL 6 or PS 8 or SUP | PS 8 or SUP |

Exempt Rules

(SL = shared lane; BL = bicycle lane; WOL = wide outside lane; PS = paved shoulder; SUP = shared use path)

Engineering judgment should be used to choose a lane-width, on-road bicycle facility, or shoulder width dimension other than the widths indicated in the chart. Factors to consider include safety, speed, population/land use, benefit/cost analysis, traffic mix, peak hourly traffic, farm equipment, environmental impacts, terrain limitations, bicycle traffic, pedestrian traffic, on-street parking, intersection and driveway spacing, rights-of-way constraints, vehicle turn lane configuration, sight distance, sight lines, bus routes, other nonmotorized uses, functional classification, or other factors. Dimensions less than those indicated in the chart require a variance in accordance with parts 8820.3300 and 8820.3400.

- (a) One-way turn lanes must be at least ten feet wide, except 11 feet is required if the design speed is over 40 mph.
- (b) Curb reaction distance may be reduced to two feet if there are four or more traffic lanes and on one-way streets.
- (c) No parking is allowed on streets with six or more traffic lanes or when the posted speed limit exceeds 45 mph.
- (d) Curb reaction shall be provided unless on-street parking, a bicycle facility, or a wide outside lane are provided adjacent to the curb.

The dimensions for wide outside lanes include the curb reaction distance.

(e) When creating a multimodal design with a combination of vehicle lane, parking lane, and bikeway lane widths, if a vehicle lane width of less than 11 feet is used, the parking and bikeway lanes shall be at least one foot wider than the minimum widths. Engineering judgment should be used to choose a vehicle lane width of less than 11 feet. Additional factors to consider include the types of vehicles (buses, trucks, etc.), peak hour counts, turning movements, population/land use, crash history/analysis, terrain limitations, bicycle traffic, pedestrian traffic, other nonmotorized uses, and snow storage.

(f) In determining the parking lane width, the roadway ADT and the vehicle mix shall be taken into consideration for residential, commercial and/or industrial areas, or for a mixed use thereof.

One-way streets must have at least two through-traffic lanes.

When a raised median is included in the design of the two-way roadway, a one-foot reaction distance to the median is required on either side of the median. Minimum median width is four feet.

Urban design roadways must accommodate a minimum nine tons structural axle load design.

Roadways not on the state-aid system are not subject to the minimum structural design strength requirements.

The minimum curb-to-curb width of a new bridge must be the required street width, but in no case less than required per Minnesota Statutes, section 165.04. HS 25 loading with AASHTO Standards Specifications or HL-93 loading with load and resistance factor design (LRFD) is required for new or reconstructed bridges and a minimum of HS 18 loading is required for all rehabilitated bridges. When the new bridge approach roadway includes elements for the accommodation of pedestrians or bicycles, the new bridge width must also provide for pedestrians or bicycles unless pedestrians or bicycles are otherwise accommodated.

For ADT less than 150, the widths of bridges to remain must be at least the sum of the lanes. For ADT greater than or equal to 150, the widths of bridges to remain must be at least the sum of the lanes plus one-half the sum of the shoulders, parking lane, and curb reaction distance.

Clearance of 1.5 feet from the face of the curb to fixed objects must be provided when the posted speed is 40 to 45 mph. A ten foot clear zone measured from the driving lane must be provided when the posted speed exceeds 45 mph.

For volumes greater than 15,000 projected ADT, at least four through-traffic lanes are required, unless a capacity analysis demonstrates that a different lane configuration achieves level of service D or better.

Structures: Vehicular roadway bridge and underpass structures when two-way bicycle traffic is accommodated: on bridge or underpass sidewalks, the sidewalk clear width shall be no less than eight feet, but preferably ten feet. Whenever practicable, the shoulder/clear zone of an off-road shared use path should be carried across bridges and through underpasses. The minimum structure clear width must be 12

Exempt Rules

feet. When the surface width plus shoulder/clear zone full width of the approach shared use path is greater than the proposed clear width of the structure, a lead-in bicycle safety railing is required at each end of the bridge or underpass. As an alternative to lead-in bicycle safety railing, the surface width of the approach shared use path may be narrowed at a 1:50 taper while maintaining minimum surface width and shoulder/clear zone through the structure.

8820.9946 MINIMUM DESIGN STANDARDS, URBAN; RECONDITIONING PROJECTS.

Subpart 1. **Two-way streets.** In the following design chart, total width is from face-to-face of curbs.

Reconditioning projects for two-way urban roadways must meet or exceed the minimum dimensions indicated in the chart.

| Number of Through Lanes, Functional Class, and Present Traffic Volume | Total Width with No Parking (feet) | Total Width with Parking on One Side (feet) | Total Width with Parking on Both Sides (feet) | Proposed Structural Design Strength (tons) |
|---|---------------------------------------|--|--|---|
| 2-Lane Collector or Local with ADT < 10000 | 26 | 32 | 38 | (b) 9 |
| 4-Lane Collector or Local with ADT < 10000 | 44 | 52 | 60 | (b) 9 |
| 2-Lane Collector or Local with ADT e'' 10000 or 2-Lane Arterial (a) | 26 | 32 | 42 | 9 |
| 4-Lane Collector or Local with ADT e'' 10000 or 4-Lane Arterial | 44 | 54 | 64 | 9 |
| 6-Lane Collectors or Arterials | 66 | (c) | (c) | 9 |

Engineering judgment may be used to choose a lane-width or shoulder-width dimension other than the widths indicated in the chart for roadways. Factors to consider may be include safety, speed, population/land use, benefit/cost analysis, traffic mix, peak hourly traffic, farm equipment, environmental impacts, terrain limitations, bicycle traffic, pedestrian traffic, other nonmotorized uses, functional classification, or other factors. Widths less than those indicated in the chart require a variance in accordance with parts 8820.3300 and 8820.3400.

(a) Permissible for present traffic volumes less than 15,000 ADT.

(b) When ADT is less than 5,000, seven tons is allowable.

(c) No parking is allowed.

When a median is included in the design of the two-way roadway, a one-foot reaction distance to the median is required on either side of the median. Minimum median width is four feet.

For ADT less than 150, the widths of bridges to remain must be at least the sum of the lanes. For ADT greater than or equal to 150, the

Exempt Rules

widths of bridges to remain must be at least the sum of the lanes plus half the sum of the shoulders, parking lane, and curb reaction distance.

~~For roundabout design, the design criteria of the current edition of the Minnesota State Aid Roundabout Guide are recommended.~~

Subp. 2. **One-way streets.** In the following design chart, total width is from face-to-face of curbs.

Reconditioning projects for one-way urban roadways must meet or exceed the minimum dimensions indicated in the chart.

| Number of Through Lanes and Functional Class | Present ADT | Total Width with No Parking (feet) | Total Width with Parking on One Side (feet) | Total Width with Parking on Both Sides (feet) | Proposed Structural Design Strength (tons) |
|---|-------------|---------------------------------------|--|--|--|
| 2-Lane Collector or Local with ADT < 10000 | < 5000 | 21 | 29 | 37 | 7 |
| | 5000-10000 | 23 | 31 | 39 | 9 |
| 2-Lane Collector or Local with ADT ≥ 10000 or 2-lane Arterial | < 15000 | 23 | 31 | 39 | 9 |
| | ≥ 15000 | 24 | 32 | 40 | 9 |
| 3-Lane Arterial or Collector | All | 34 | 42 | 50 | 9 |

For ADT less than 150, the widths of bridges to remain must be at least the sum of the lanes. For ADT greater than or equal to 150, the widths of bridges to remain must be at least the sum of the lanes plus half the sum of the shoulders, parking lane, and curb reaction distance.

~~For roundabout design, the design criteria of the current edition of the Minnesota State Aid Roundabout Guide are recommended.~~

Subp. 3. **Exception.** Any street that was previously built to state-aid or state standards, that was granted a variance to standards in effect at the time of construction or reconstruction, or that is a trunk highway turnback, but does not meet current standards, may be reconditioned regardless of subparts 1 and 2.

8820.9951 MINIMUM DESIGN STANDARDS, ON-ROAD BICYCLE FACILITIES FOR URBAN; RECONDITIONING PROJECTS.

The bicycle facility design standard in this part applies when the road authority has determined that the roadway will be specifically designed to include an on-road bicycle facility, and only if the roadway surface is paved.

Reconditioning projects for urban roadways must meet or exceed the minimum dimensions indicated in the following design chart.

Exempt Rules

| Number of Through Lanes, Functional Class, and Present Traffic Volume | Design Speed | Lane Width | Parking Lane Width (e) | Proposed Structural Design Strength | Bikeway Design | |
|--|--------------|------------|------------------------|-------------------------------------|--------------------|------------------------|
| | (mph) | (feet) | (feet) | (tons) | (ADT) | (feet) |
| Two-Lane Collectors or Locals with ADT <10,000 | 25-30 | 10-12 (d) | 7-10 | 9 (b) | <1,000 | SL |
| | | | | | 1,000-5,000 | WOL 14-16 or BL 5-6 |
| | | | | | 5,000-10,000 | BL 5-6 |
| | 35-40 | 11-12 | 8-10 | 9 (b) | <500 500-10,000 | SL or BL 5-6 BL 5-6 |
| | over 40 | 11-12 | 10 | 9 (b) | <10,000 | BL 5-6 |
| Two-Lane Collectors or Locals With ADT >10,000 or Two-Lane Arterials (a) | 25-30 | 10-12 (d) | 7-10 | 9 | >10,000 | BL 5-6 |
| | 35-40 | 11-12 | 8-10 | 9 | >10,000 | BL 5-6 or PS 8 |
| | over 40 | 11-12 | 10 | 9 | >10,000 | PS 8 or SUP |
| Four-Lane Collectors or Locals with ADT <10,000 | 25-30 | 10-12 (d) | 7-10 | 9 (b) | <10,000 | WOL 14-16 or BL 5-6 |
| | 35-40 | 11-12 | 8-10 | 9 (b) | <10,000 | BL 5-6 |
| | over 40 | 11-12 | 10 | 9 (b) | <10,000 | BL 6 |
| Four-Lane Collectors or Locals with ADT >10,000 | 30-40 | 11-12 | 10 | 9 | >10,000 | BL 6 or PS 8 or SUP |
| | over 40 | 11-12 | 10 | 9 | >10,000 | BL 6 or PS 8 or SUP |
| Six-Lane Collectors or Arterials | | 12 | (c) | 9 | Not Allowed | SUP |

Exempt Rules

(SL = shared lane; BL = bicycle lane; WOL = wide outside lane; PS = paved shoulder; SUP = shared use path)

Engineering judgment should be used to choose a lane-width, on-road bicycle facility, or shoulder width dimension other than the widths indicated in the chart. Factors to consider include safety, speed, population/land use, benefit/cost analysis, traffic mix, peak hourly traffic, farm equipment, environmental impacts, terrain limitations, bicycle traffic, pedestrian traffic, on-street parking, intersection and driveway spacing, rights-of-way constraints, vehicle turn lane configuration, sight distance, sight lines, bus routes, other nonmotorized uses, functional classification, or other factors. Dimensions less than those indicated in the chart require a variance in accordance with parts 8820.3300 and 8820.3400.

(a) A road may be reconditioned under this part if present traffic volumes are less than 15,000 ADT.

(b) When ADT is less than 5,000, seven-ton axle load structural design strength is allowable.

(c) No parking is allowed for six-lane collectors or arterials.

(d) When creating a multimodal design with a combination of vehicle lane, parking lane, and bikeway lane widths, if a vehicle lane width of less than 11 feet is used, the parking and bikeway lanes shall be at least one foot wider than the minimum widths. Engineering judgment should be used to choose a vehicle lane width of less than 11 feet. Additional factors to consider include the types of vehicles (buses, trucks, etc.), peak hour counts, turning movements, population/land use, crash history/analysis, terrain limitations, bicycle traffic, pedestrian traffic, other nonmotorized uses, and snow storage.

(e) In determining the parking lane width, the roadway ADT and the vehicle mix shall be taken into consideration for residential, commercial and/or industrial areas, or for a mixed use thereof.

A minimum curb reaction of one foot shall be provided unless on-street parking, a bicycle facility, or a wide outside lane are provided adjacent to the curb. The dimensions for wide outside lanes include the curb reaction distance. When a raised median is included in the design of the two-way roadway, a one-foot reaction distance to the median is required on either side of the median. Minimum median width is four feet.

For ADT less than 150, the widths of bridges to remain must be at least the sum of the lanes. For ADT greater than or equal to 150, the widths of bridges to remain must be at least the sum of the lanes plus one-half the sum of the shoulders, parking lane, and curb reaction distance.

RENUMBERING INSTRUCTION. The revisor of statutes shall renumber the provisions of *Minnesota Rules*, part 8820.0100, listed in column A to the references listed in column B. The revisor shall also make necessary cross-reference changes in *Minnesota Rules* consistent with the renumbering.

| Column A | Column B |
|--------------------|--------------------|
| Old Subpart Number | New Subpart Number |
| 1 | 1 |
| 1a | 3 |
| 2 | 4 |
| 2a | 5 |
| 2c | 7 |
| 2e | 8 |
| 2f | 9 |
| 3 | 10 |
| 3a | 11 |
| 3b | 12 |
| 3c | 13 |
| 4 | 14 |
| 5 | 15 |
| 6 | 16 |
| 7 | 17 |
| 8 | 18 |
| 9a | 19 |

Exempt Rules

| | |
|------------|----|
| <u>9b</u> | 20 |
| <u>10</u> | 21 |
| <u>10a</u> | 23 |
| <u>11</u> | 24 |
| <u>12</u> | 25 |
| <u>12a</u> | 26 |
| <u>13</u> | 27 |
| <u>13a</u> | 29 |
| <u>13b</u> | 30 |
| <u>13c</u> | 31 |
| <u>14</u> | 32 |
| <u>14a</u> | 35 |
| <u>15</u> | 36 |
| <u>15c</u> | 37 |
| <u>15d</u> | 38 |
| <u>16</u> | 39 |
| <u>17</u> | 40 |
| <u>17b</u> | 41 |
| <u>17c</u> | 42 |
| <u>20</u> | 43 |
| <u>21</u> | 44 |
| <u>22</u> | 45 |
| <u>23</u> | 2 |
| <u>24</u> | 6 |
| <u>25</u> | 22 |
| <u>26</u> | 28 |
| <u>27</u> | 33 |
| <u>28</u> | 34 |
| <u>29</u> | 46 |

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 # 03-15: Sales and Use Tax – Taxation of Incentive Items Purchased with Scrip

Background

The Minnesota Tax Court, in the consolidated cases of *St. Paul Abrasives, Inc., Tri-City Distributing, Inc., Scandia Abrasives & Supplies, Inc., and M & N Supply, Inc. v. Commissioner of Revenue* (Minnesota Tax Court Docket Numbers 6815, 6817, 6816, and 6814, October 12, 1998), found that where customers were able to earn points for products purchased, the redemption of the points for various incentive items was consideration, similar to the use of trading stamps. Therefore, the sale of the incentive items was subject to sales tax based on the value of the redeemed points.

This revenue notice is being issued to set forth the department's position on when the sale of incentive items occurs, and how to calculate the sales price on which the tax is based.

Statutory Authority

Minnesota Statutes, section 297A.62, subdivision 1, provides, in relevant part, that the sales tax is imposed upon the gross receipts from retail sales. *Minnesota Statutes*, section 297A.61, subdivision 8, provides that gross receipts means the total amount received, in money or by barter or exchange, for all sales at retail as measured by the sales price.

Minnesota Statutes, section 297A.61, subdivision 7, paragraph (a) provides, in part, that "sales price" means the measure subject to sales tax, and means the total amount of consideration, including cash, credit, property, and services, for which personal property or services are sold, leased, or rented, valued in money, whether received in money or otherwise.

Minnesota Statutes, section 297A.61, subdivision 4, paragraph (a), provides that "retail sale" means any sale, lease, or rental made in the normal course of business for any purpose other than resale, sublease, or sub rent.

Issues and Positions

The Department of Revenue takes the following positions on the taxation of incentive items. For purposes of this revenue notice, the assumption is that the incentive items are otherwise subject to sales tax:

I. ~~Sale of Merchandise or Services Under Customer Incentive Programs~~ The Sale of an Incentive or Promotional Item Under a Program That Encourages Customers to Purchase Merchandise or Services

A. When the Sale Occurs

Issue: In a sales incentive program that encourages customers to purchase merchandise or services by giving the customer points, trading stamps, box tops or other types of proof of purchase, scrip, etc. (hereafter "scrip") when they purchase the merchandise or services, and the customer may redeem the scrip for an incentive or promotional item (hereafter "incentive item"), when does the sale of the incentive item occur for purposes of applying sales tax?

Position: Generally, if an incentive item is transferred to a customer in exchange for consideration, it is a sale at retail and consequently is subject to tax. Consideration may be in the form of scrip, and it does not matter whether the scrip is purchased or earned by the customer or is given free to the customer. Incentive items purchased by a retailer to use in this type of sales incentive program are treated as items purchased for resale. At the time the item is transferred to the customer in exchange for scrip, with or without additional cash, sales tax is due.

B. Value of Consideration – Value of Scrip

Revenue Notices

Issue: When the customer redeems scrip in exchange for an incentive item, what is the sales price on which the sales tax is calculated?

Position: “Sales price” is the total amount of consideration, including cash, credit, property, and services, for which personal property or services are sold, leased, or rented, valued in money, whether received in money or otherwise. Scrip should have an assigned value. The sales price, where scrip is exchanged for an incentive item, is determined as follows:

- (a) If the retailer has provided a fixed value for the scrip (for example, \$5 per point), then that is the money value of the scrip, and the consideration is that fixed value plus any additional cash required for the redemption of the incentive item.
- (b) If there is no fixed value per unit of scrip, but a dollar amount is given by which the customer may purchase the item without any scrip, then the sales price is the dollar amount given.
- (c) If neither (a) nor (b) apply, but information is given as to the value in money for the item, then the sales price is the money value given.
- (d) If neither (a), (b), or (c) apply, then the sales price is equal to the cost of the incentive item to the retailer.

II. Transfer or Sale of Merchandise or Services Under Employee Incentive Programs

A. Incentive Item Transfers

Issue: In an incentive program to encourage employees to perform at a certain level, or to reach a goal or sales quota [hereafter “reach a goal”]; whereby an incentive item is transferred to an employee or other company representative upon reaching a goal or on redemption of points that were given when a goal was reached, when does the sale of the incentive item occur for purposes of applying sales tax?

Position: If an incentive item is transferred from a company to its employee or other company representative in recognition of and to encourage certain employee behavior, it is not a sale at retail, and thus no sale or exchange for consideration has taken place. For sales tax purposes, the sale occurs when the company purchases the item for distribution to its employee. This is not an exchange of a service by a customer in consideration for the item being sold by a vendor. Rather, the transaction between the employer and the employee is that of fringe benefit or compensation from the company to its employee for services provided. Even if the value of the incentive item is nominal, such that it would not be reportable for income tax purposes, the transaction is not subject to sales tax as it is not a sale at retail. Incentive items purchased by an employer to use in this type of incentive program are subject to sales tax when purchased. The incentive item may not be purchased exempt for resale by the employer since no further sale occurs.

B. Incentive Purchases Through Authorized Employer Sources

Issue: If an employer structures an employee incentive program so that an employee or other company representative earns credits (either as dollars or points) which the employee or other company representative can use to redeem tangible personal property or services sold through a source authorized by the employer, are the program credits included in the total consideration for which personal property or services are sold, leased or rented?

Position: If an employer structures an employee incentive program so that an employee or other company representative can redeem the earned program credits for tangible personal property or services sold through a source authorized by the employer, the value of the credits used by an employee or other company representative is included in the consideration received by the seller on the sale, and the employee or other company representative must pay sales tax on the full price of the item, including the amount purchased with the program credit. Under these circumstances, the seller should have purchased the incentive item exempt for resale.

For example, an employee receives bonus points for every dollar of sales that the employee makes in a given month that exceeds the predetermined quota. The points accumulated by the employee can be redeemed on purchases of tangible personal property sold through the employer-authorized catalog or website. The allowance for the earned points on the sale to the employee is included in the consideration received by the seller on the sale. An employee redeeming \$50 in points towards the purchase of a \$200 taxable item must pay tax on the full selling price of \$200.

C. Employee Discounts

Revenue Notices

Issue: Are employee discounts, which are available to all employees by virtue of their employment, and which are taken by the employee, but not reimbursed by a third party, subject to sales tax?

Position: No. Employee discounts which are available to all employees by virtue of their employment, and which are not reimbursed by a third party, are discounts that are excluded from the sales price of the merchandise purchased by the employee, and thus the discount amount is not subject to sales tax.

For example, a retailer offers all of its employees a 20 percent discount on regularly priced merchandise it sells and a 10 percent discount on sale merchandise. One of the employees purchases a television from the retailer, on sale for \$800, for the price of \$720 after applying the 10 percent discount. There is no third party reimbursement by the television manufacturer to the seller on the 10 percent discount applied to the television. The employee must pay sales tax on the discounted sales price of the television which is \$720.

The modifications in parts II. A. and II. B. of this Revenue Notice regarding the sales tax treatment of points earned in an employee incentive program, and redeemed by the employee to pay for part or all of the purchase price of an item as part of the program, reflect a change in policy and therefore are effective for purchases made by employees after the date of publication.

Publication Date: October 27, 2003

Raymond R. Krause
Assistant Commissioner

Publication Date: November 5, 2012

SUSAN VON MOSCH,
Assistant Commissioner for Tax Policy
Department of Revenue

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.

Subscribers' Services

Only subscribers can view all Official Notices, including the current volume as it grows, are indexed. Open the *State Register* and click on the Bookmarks icon in the upper left corner. You will see the growing index, and have fast access to all the online indices to the *State Register*. You also receive a summarized "Contracts & Grants" section showing bids and grants still open.

- E-mailed to you on Friday
- Indexes to Vol. 27 - Vol. 33
- All Contracts & Grants Open for Bid
- Access to *State Register* Archives
- LINKS
- WORD SEARCH Capability

Subscribe today. Subscriptions cost \$180 a year (an \$80 savings). You will receive the *State Register* via **e-mail** at the end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** loretta.diaz@state.mn.us

Official Notices

Minnesota Department of Labor and Industry (DLI)

Construction Codes and Licensing Division

REQUEST FOR COMMENTS on Possible Amendment to Rules Governing the Administration of the State Building Code, *Minnesota Rules*, Chapter 1300, and Rules Governing Minnesota Provisions of the State Building Code, *Minnesota Rules*, Chapter 1303

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its possible amendment to rules governing the administration of the State Building Code. The Department is considering rule amendments that incorporate relevant changes made to the administrative chapters of various International Code Council Construction Codes that are adopted into the Minnesota State Building Code, and other amendments necessary to administer the State Building Code in Minnesota.

The Department is also considering rule amendments that incorporate a change to the exception from frost protection requirements, and an update to the simplified wind load provisions. The Department is considering a repeal of the provision regarding radial ice on towers because the provision regarding radial ice on towers is now incorporated into the model code.

Persons Affected. The amendment to the rules would likely affect municipal building officials, building inspectors, building contractors, architects, engineers, material suppliers, installers, building owners and managers, and the general public.

Statutory Authority. *Minnesota Statutes*, section 326B.02, subdivision 5, authorizes, in part, the commissioner of the Department to adopt, amend, suspend, and repeal rules relating to the commissioner's responsibilities under Chapter 326B, except for rules for which the rulemaking authority is expressly transferred to the Plumbing Board, the Board of Electricity, or the Board of High Pressure Piping.

Minnesota Statutes, section 326B.101 requires, in part, that the commissioner of the Department administer and amend a state code of building construction which will provide basic and uniform performance standards, establish reasonable safeguards for health, safety, welfare, comfort, and security of the residents of this state and provide for the use of modern methods, devices, materials, and techniques which will in part tend to lower construction costs.

Minnesota Statutes, section 326B.106, requires, in part, that the commissioner shall by rule and in consultation with the Construction Codes Advisory Council establish a code of standards for the construction, reconstruction, alteration, and repair of buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety, including design and construction standards regarding heat loss control, illumination, and climate control. That statutory provision also requires that the code include duties and responsibilities for code administration, including procedures for administrative action, penalties, and suspension and revocation of certification.

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

If you believe that the possible rule amendments would require your local unit of government to adopt or amend an ordinance or other local regulation to comply with the proposed rules, the Department requests that you provide information about the ordinance or regulation to the Agency Contact person listed below. Additionally, the agency requests any information pertaining to the cumulative effect of this rule with other federal and state regulations related to the specific purpose of the rule. Cumulative effect means the impact that results from incremental impact of the proposed rule in addition to other rules, regardless of what state or federal agency has adopted the other rules.

Rules Drafts. The Department does not anticipate that a draft of the rule amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to: Colleen Clayton at the Department of Labor and Industry, 443 Lafayette Road N. St. Paul, MN 55155, **phone:** (651) 284-5867, **fax:**

(651) 284-5749, and e-mail to: colleen.chirhart@state.mn.us. TTY users may call the Department at (651) 297-4198.

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

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

Dated: 29 October 2012

Ken B. Peterson, Commissioner
Department of Labor and Industry

Minnesota Department of Labor and Industry (DLI) Construction Codes and Licensing Division REQUEST FOR COMMENTS on Possible New Rules Governing Radon Mitigation Control in Residential Buildings

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its possible rules governing radon mitigation control. The Department is considering rules that provide new code requirements that control radon in all new residential buildings using the 2012 edition of the *International Residential Code* appendix as model language, with necessary amendments, and other rules to administer and enforce the code requirements for radon mitigation control.

Persons Affected. The rules would likely affect municipal building officials, building inspectors, building contractors, architects, engineers, building owners and managers, and homeowners.

Statutory Authority. *Minnesota Statutes*, section 326B.02, subdivision 5, authorizes, in part, the commissioner of the Department to adopt, amend, suspend, and repeal rules relating to the commissioner's responsibilities under Chapter 326B, except for rules for which the rulemaking authority is expressly transferred to the Plumbing Board, the Board of Electricity, or the Board of High Pressure Piping.

Minnesota Statutes, section 326B.101 requires, in part, that the commissioner of the Department administer and amend a state code of building construction which will provide basic and uniform performance standards, establish reasonable safeguards for health, safety, welfare, comfort, and security of the residents of this state and provide for the use of modern methods, devices, materials, and techniques which will in part tend to lower construction costs.

Minnesota Statutes, section 326B.106, subdivision 1, requires, in part, that the commissioner shall by rule and in consultation with the Construction Codes Advisory Council establish a code of standards for the construction, reconstruction, alteration, and repair of buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety, including design and construction standards regarding heat loss control, illumination, and climate control. That statutory provision also requires that the code include duties and responsibilities for code administration, including procedures for administrative action, penalties, and suspension and revocation of certification.

Minnesota Statutes, section 326B.106, subdivision 6, requires the commissioner to adopt rules for radon control as part of the State Building Code for all new residential buildings. These rules shall incorporate the radon control methods found in the *International Residential Code* appendix as the model language, with necessary amendments to coordinate with the other adopted construction codes in Minnesota.

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

Official Notices

If you believe that the possible rules would require your local unit of government to adopt or amend an ordinance or other local regulation to comply with the proposed rules, the Department requests that you provide information about the ordinance or regulation to the Agency Contact person listed below. Additionally, the agency requests any information pertaining to the cumulative effect of these possible rules with other federal and state regulations related to the specific purpose of the rules. Cumulative effect means the impact that results from incremental impact of the proposed rules in addition to the other rules, regardless of what state or federal agency has adopted the other rules.

Rules Drafts. The Department does not anticipate that a draft of the rules will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to: Colleen Clayton at the Department of Labor and Industry, 443 Lafayette Road N., St. Paul, MN 55128, **phone:** (651) 284-5867, fax: (651) 284-5749, or by **e-mail to:** colleen.chirhart@state.mn.us. **TTY** users may call the Department at (651) 297-4198.

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

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

Dated: 29 October 2012

Ken B. Peterson, Commissioner
Department of Labor and Industry

Minnesota Department of Labor and Industry (DLI) Construction Codes and Licensing Division REQUEST FOR COMMENTS on Possible Amendment to Rules Governing the Adoption of the *International Building Code, Minnesota Rules, Chapter 1305*

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its possible amendment to rules governing the adoption of the *International Building Code*. The Department is considering rule amendments that incorporate relevant changes made to the 2012 edition of the *International Building Code* and other amendments necessary to administer and enforce the code requirements for non-residential construction.

Persons Affected. The amendment to the rules would likely affect municipal building officials, fire officials, building inspectors, fire inspectors, building contractors, architects, engineers, building owners and managers, and the general public.

Statutory Authority. *Minnesota Statutes*, section 326B.02, subdivision 5, authorizes, in part, the commissioner of the Department to adopt, amend, suspend, and repeal rules relating to the commissioner's responsibilities under Chapter 326B, except for rules for which the rulemaking authority is expressly transferred to the Plumbing Board, the Board of Electricity, or the Board of High Pressure Piping.

Minnesota Statutes, section 326B.101 requires, in part, that the commissioner of the Department administer and amend a state code of building construction which will provide basic and uniform performance standards, establish reasonable safeguards for health, safety, welfare, comfort, and security of the residents of this state and provide for the use of modern methods, devices, materials, and techniques which will in part tend to lower construction costs.

Minnesota Statutes, section 326B.106, subdivision 1, requires, in part, that the commissioner shall by rule and in consultation with the Construction Codes Advisory Council establish a code of standards for the construction, reconstruction, alteration, and repair of buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety, including design and construction standards regarding heat loss control, illumination, and climate control. That statutory provision also requires that the code

include duties and responsibilities for code administration, including procedures for administrative action, penalties, and suspension and revocation of certification.

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

If you believe that the possible rule amendments would require your local unit of government to adopt or amend an ordinance or other local regulation to comply with the proposed rules, the Department requests that you provide information about the ordinance or regulation to the Agency Contact person listed below. Additionally, the agency requests any information pertaining to the cumulative effect of this rule with other federal and state regulations related to the specific purpose of the rule. Cumulative effect means the impact that results from incremental impact of the proposed rule in addition to other rules, regardless of what state or federal agency has adopted the other rules.

Rules Drafts. The Department does not anticipate that a draft of the rule amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to: Colleen Clayton at the Department of Labor and Industry, 443 Lafayette Road N., St. Paul, MN 55155, **phone:** (651) 284-5867, **fax:** (651) 284-5749, and **e-mail to:** colleen.chirhart@state.mn.us. **TTY** users may call the Department at (651) 297-4198.

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

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

Dated: 29 October 2012

Ken B. Peterson, Commissioner
Department of Labor and Industry

Minnesota Department of Labor and Industry (DLI) Construction Codes and Licensing Division REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Elevators and Related Devices, *Minnesota Rules*, Chapter 1307

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its possible amendment to rules governing elevators and related devices. The Department is considering rule amendments that incorporate relevant changes made to several standards published by the American Society of Mechanical Engineers (“ASME”) that are incorporated by reference. The rule amendments also incorporate relevant changes made to chapter 30 of the 2012 edition of the *International Building Code*, and any other amendments that are necessary to administer and enforce the Minnesota Elevator Code.

Persons Affected. The amendment to the rules would likely affect elevator inspectors, elevator contractors, building officials, building inspectors, fire officials, fire inspectors, building owners and managers, and the general public.

Statutory Authority. *Minnesota Statutes*, section 326B.02, subdivision 5, authorizes, in part, the commissioner of the Department to adopt, amend, suspend, and repeal rules relating to the commissioner’s responsibilities under Chapter 326B, except for rules for which the rulemaking authority is expressly transferred to the Plumbing Board, the Board of Electricity, or the Board of High Pressure Piping.

Official Notices

Minnesota Statutes, section 326B.101 requires, in part, that the commissioner of the Department administer and amend a state code of building construction which will provide basic and uniform performance standards, establish reasonable safeguards for health, safety, welfare, comfort, and security of the residents of this state and provide for the use of modern methods, devices, materials, and techniques which will in part tend to lower construction costs.

Minnesota Statutes, section 326B.106, subdivision 1, requires, in part, that the commissioner shall by rule and in consultation with the Construction Codes Advisory Council establish a code of standards for the construction, reconstruction, alteration, and repair of buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety, including design and construction standards regarding heat loss control, illumination, and climate control. That statutory provision also requires that the code include duties and responsibilities for code administration, including procedures for administrative action, penalties, and suspension and revocation of certification.

Minnesota Statutes, section 326B.187, specifically states that the commissioner may adopt rules for the following purposes:

- (1) to establish minimum qualifications for elevator inspectors that must include possession of a current elevator constructor electrician's license issued by the department and proof of successful completion of the national elevator industry education program examination or equivalent experience;
- (2) to establish minimum qualifications for limited elevator inspectors;
- (3) to establish criteria for the qualifications of elevator contractors;
- (4) to establish elevator standards under sections 326B.106, subdivisions 1 and 3, and 326B.13;
- (5) to establish procedures for appeals of decisions of the commissioner under chapter 14 and procedures allowing the commissioner, before issuing a decision, to seek advice from the elevator trade, building owners or managers, and others knowledgeable in the installation, construction, and repair of elevators; and
- (6) to establish requirements for the registration of all elevators.

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

If you believe that the possible rule amendments would require your local unit of government to adopt or amend an ordinance or other local regulation to comply with the proposed rules, the Department requests that you provide information about the ordinance or regulation to the Agency Contact person listed below. Additionally, the agency requests any information pertaining to the cumulative effect of this rule with other federal and state regulations related to the specific purpose of the rule. Cumulative effect means the impact that results from incremental impact of the proposed rule in addition to other rules, regardless of what state or federal agency has adopted the other rules.

Rules Drafts. The Department does not anticipate that a draft of the rule amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to: Colleen Clayton at the Department of Labor and Industry, 443 Lafayette Road N. St. Paul, MN 55155, phone 651-284-5867, FAX 651-284-5749, and *email* to: colleen.chirhart@state.mn.us. TTY users may call the Department at 651-297-4198.

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

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written

comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: 29 October 2012

Ken B. Peterson, Commissioner
Department of Labor and Industry

Minnesota Department of Labor and Industry (DLI) Construction Codes and Licensing Division REQUEST FOR COMMENTS on Possible Amendment to Rules Governing the Adoption of the *International Residential Code, Minnesota Rules, Chapter 1309*

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its possible amendment to rules governing the adoption of the *International Residential Code*. The Department is considering rule amendments that incorporate relevant changes made to the 2012 edition of the *International Residential Code* and any other amendments that are necessary to administer and enforce the code for residential construction.

Persons Affected. The amendment to the rules would likely affect municipal building officials, building inspectors, building contractors, fire protection personnel, architects, engineers, building owners and managers, homeowners, and the general public.

Statutory Authority. *Minnesota Statutes*, section 326B.02, subdivision 5, authorizes, in part, the commissioner of the Department to adopt, amend, suspend, and repeal rules relating to the commissioner's responsibilities under Chapter 326B, except for rules for which the rulemaking authority is expressly transferred to the Plumbing Board, the Board of Electricity, or the Board of High Pressure Piping.

Minnesota Statutes, section 326B.101 requires, in part, that the commissioner of the Department administer and amend a state code of building construction which will provide basic and uniform performance standards, establish reasonable safeguards for health, safety, welfare, comfort, and security of the residents of this state and provide for the use of modern methods, devices, materials, and techniques which will in part tend to lower construction costs.

Minnesota Statutes, section 326B.106, subdivision 1, requires, in part, that the commissioner shall by rule and in consultation with the Construction Codes Advisory Council establish a code of standards for the construction, reconstruction, alteration, and repair of buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety, including design and construction standards regarding heat loss control, illumination, and climate control. That statutory provision also requires that the code include duties and responsibilities for code administration, including procedures for administrative action, penalties, and suspension and revocation of certification.

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

If you believe that the possible rule amendments would require your local unit of government to adopt or amend an ordinance or other local regulation to comply with the proposed rules, the Department requests that you provide information about the ordinance or regulation to the Agency Contact person listed below. Additionally, the agency requests any information pertaining to the cumulative effect of this rule with other federal and state regulations related to the specific purpose of the rule. Cumulative effect means the impact that results from incremental impact of the proposed rule in addition to other rules, regardless of what state or federal agency has adopted the other rules.

Rules Drafts. The Department does not anticipate that a draft of the rule amendments will be available before the publication of the proposed rules.

Official Notices

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to: Colleen Clayton at the Department of Labor and Industry, 443 Lafayette Road N. St. Paul, MN 55155, **phone:** (651) 284-5867, **fax:** (651) 284-5749, and **e-mail to:** *colleen.chirhart@state.mn.us*. **TTY** users may call the Department at (651) 297-4198.

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

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

Dated: 29 October 2012

Ken B. Peterson, Commissioner
Department of Labor and Industry

Minnesota Department of Labor and Industry (DLI) Construction Codes and Licensing Division REQUEST FOR COMMENTS on Possible Amendment to Rules Governing the Adoption of the *International Existing Building Code, Minnesota Rules,* Chapter 1311

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its possible amendment to rules governing the rehabilitation of existing buildings. The Department is considering rule amendments that incorporate by reference the 2012 edition of the *International Existing Building Code* with amendments. The Minnesota State Building Code currently adopts the 2000 edition of the *Guidelines for the Rehabilitation of Existing Buildings* with amendments.

Persons Affected. The amendment to the rules would likely affect municipal building officials, building inspectors, building contractors, architects, engineers, state and local historical societies, building owners and managers, and the general public.

Statutory Authority. *Minnesota Statutes*, section 326B.02, subdivision 5, authorizes, in part, the commissioner of the Department to adopt, amend, suspend, and repeal rules relating to the commissioner's responsibilities under Chapter 326B, except for rules for which the rulemaking authority is expressly transferred to the Plumbing Board, the Board of Electricity, or the Board of High Pressure Piping.

Minnesota Statutes, section 326B.101 requires, in part, that the commissioner of the Department administer and amend a state code of building construction which will provide basic and uniform performance standards, establish reasonable safeguards for health, safety, welfare, comfort, and security of the residents of this state and provide for the use of modern methods, devices, materials, and techniques which will in part tend to lower construction costs.

Minnesota Statutes, section 326B.106, subdivision 1, requires, in part, that the commissioner shall by rule and in consultation with the Construction Codes Advisory Council establish a code of standards for the construction, reconstruction, alteration, and repair of buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety, including design and construction standards regarding heat loss control, illumination, and climate control. That statutory provision also requires that the code include duties and responsibilities for code administration, including procedures for administrative action, penalties, and suspension and revocation of certification. The code must conform insofar as practicable to model buildings codes generally accepted and in use throughout the United States, including a code for building conservation.

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

appointed an advisory committee to comment on the possible rules.

If you believe that the possible rule amendments would require your local unit of government to adopt or amend an ordinance or other local regulation to comply with the proposed rules, the Department requests that you provide information about the ordinance or regulation to the Agency Contact person listed below. Additionally, the agency requests any information pertaining to the cumulative effect of this rule with other federal and state regulations related to the specific purpose of the rule. Cumulative effect means the impact that results from incremental impact of the proposed rule in addition to other rules, regardless of what state or federal agency has adopted the other rules.

Rules Drafts. The Department does not anticipate that a draft of the rule amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to: Colleen Clayton at the Department of Labor and Industry, 443 Lafayette Road N. St. Paul, MN 55155, **phone:** (651) 284-5867, **fax:** (651) 284-5749, and **e-mail to:** colleen.chirhart@state.mn.us. **TTY** users may call the Department at (651) 297-4198.

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

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

Dated: 29 October 2012

Ken B. Peterson, Commissioner
Department of Labor and Industry

Minnesota Department of Labor and Industry (DLI) Construction Codes and Licensing Division REQUEST FOR COMMENTS on Possible Amendment to Rules Governing the Adoption of Residential Provisions of the *International Energy Conservation Code, Minnesota Rules, Chapter 1322*

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its possible amendment to rules governing the adoption of residential provisions of the *International Energy Conservation Code*. The Department is considering rule amendments that incorporate by reference the residential provisions of the 2012 edition of the *International Energy Conservation Code* with necessary amendments and any other amendments necessary to administer and enforce the residential code for energy conservation.

Persons Affected. The amendment to the rules would likely affect building officials, building inspectors, building contractors, architects, engineers, installers, building owners and managers, homeowners, and the general public.

Statutory Authority. *Minnesota Statutes*, section 326B.02, subdivision 5, authorizes, in part, the commissioner of the Department to adopt, amend, suspend, and repeal rules relating to the commissioner's responsibilities under Chapter 326B, except for rules for which the rulemaking authority is expressly transferred to the Plumbing Board, the Board of Electricity, or the Board of High Pressure Piping.

Minnesota Statutes, section 326B.101 requires, in part, that the commissioner of the Department administer and amend a state code of building construction which will provide basic and uniform performance standards, establish reasonable safeguards for health, safety, welfare, comfort, and security of the residents of this state and provide for the use of modern methods, devices, materials, and techniques which will in part tend to lower construction costs.

Official Notices

Minnesota Statutes, section 326B.106, subdivision 1, requires, in part, that the commissioner shall by rule and in consultation with the Construction Codes Advisory Council establish a code of standards for the construction, reconstruction, alteration, and repair of buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety, including design and construction standards regarding heat loss control, illumination, and climate control. That statutory provision also requires that the code include duties and responsibilities for code administration, including procedures for administrative action, penalties, and suspension and revocation of certification.

Minnesota Statutes, section 326B.118 specifically provides that the commissioner, in consultation with the Construction Codes Advisory Council, shall explore and review the availability and appropriateness of any model energy codes related to the construction of single one- and two-family residential buildings. In consultation with the council, the commissioner is required to take steps to adopt the chosen code with all necessary and appropriate amendments.

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

If you believe that the possible rule amendments would require your local unit of government to adopt or amend an ordinance or other local regulation to comply with the proposed rules, the Department requests that you provide information about the ordinance or regulation to the Agency Contact person listed below. Additionally, the agency requests any information pertaining to the cumulative effect of this rule. Cumulative effect means the impact that results from incremental impact of the proposed rule in addition to other rules, regardless of what state or federal agency has adopted the other rules.

Rules Drafts. The Department does not anticipate that a draft of the rules amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to: Colleen Clayton at the Department of Labor and Industry, 443 Lafayette Road N., St. Paul, MN 55155, phone: (651) 284-5867, fax: (651) 284-5749, and **e-mail to:** colleen.chirhart@state.mn.us. **TTY** users may call the Department at (651) 297-4198.

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

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

Dated: 29 October 2012

Ken B. Peterson, Commissioner
Department of Labor and Industry

Minnesota Department of Labor and Industry (DLI)

Construction Codes and Licensing Division

REQUEST FOR COMMENTS on Possible Amendment to Rules Governing the Adoption of Commercial Provisions of the *International Energy Conservation Code, Minnesota Rules, Chapter 1323*

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its possible amendment to rules governing the adoption of commercial provisions of the *International Energy Conservation Code*. The Department is considering rule amendments

that incorporate by reference the commercial provisions of 2012 edition of the *International Energy Conservation Code* with necessary amendments and any other amendments necessary to administer and enforce the code for commercial energy conservation.

Persons Affected. The amendment to the rules would likely affect building officials, building inspectors, building contractors, architects, engineers, installers, building owners and managers, and the general public.

Statutory Authority. *Minnesota Statutes*, section 326B.02, subdivision 5, authorizes, in part, the commissioner of the Department to adopt, amend, suspend, and repeal rules relating to the commissioner's responsibilities under Chapter 326B, except for rules for which the rulemaking authority is expressly transferred to the Plumbing Board, the Board of Electricity, or the Board of High Pressure Piping.

Minnesota Statutes, section 326B.101 requires, in part, that the commissioner of the Department administer and amend a state code of building construction which will provide basic and uniform performance standards, establish reasonable safeguards for health, safety, welfare, comfort, and security of the residents of this state and provide for the use of modern methods, devices, materials, and techniques which will in part tend to lower construction costs.

Minnesota Statutes, section 326B.106, subdivision 1, requires, in part, that the commissioner shall by rule and in consultation with the Construction Codes Advisory Council establish a code of standards for the construction, reconstruction, alteration, and repair of buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety, including design and construction standards regarding heat loss control, illumination, and climate control. That statutory provision also requires that the code include duties and responsibilities for code administration, including procedures for administrative action, penalties, and suspension and revocation of certification. The code must also conform insofar as practicable to model building codes generally accepted and in use throughout the United States, including a code for building conservation.

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

If you believe that the possible rule amendments would require your local unit of government to adopt or amend an ordinance or other local regulation to comply with the proposed rules, the Department requests that you provide information about the ordinance or regulation to the Agency Contact person listed below. Additionally, the agency requests any information pertaining to the cumulative effect of this rule with other federal and state regulations related to the specific purpose of the rule. Cumulative effect means the impact that results from incremental impact of the proposed rule in addition to the other rules, regardless of what state or federal agency has adopted the other rules.

Rules Drafts. The Department does not anticipate that a draft of the rule amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to: Colleen Clayton at the Department of Labor and Industry, 443 Lafayette Road N., St. Paul, MN 55155, **phone:** (651) 284-5867, **fax:** (651) 284-5749, and **e-mail to:** colleen.chirhart@state.mn.us. **TTY** users may call the Department at (651) 297-4198.

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

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

Dated: 29 October 2012

Ken B. Peterson, Commissioner
Department of Labor and Industry

Official Notices

Minnesota Department of Labor and Industry (DLI)

Construction Codes and Licensing Division

REQUEST FOR COMMENTS on Possible Amendment to Rules Governing the Adoption of the *International Mechanical and Fuel Gas Codes, Minnesota Rules, Chapter 1346*

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its possible amendment to rules governing the adoption of the *International Mechanical and Fuel Gas Codes*. The Department is considering rule amendments to incorporate by reference the 2012 editions of the *International Mechanical Code* and the *International Fuel Gas Code* with necessary amendments and any other amendments necessary to administer and enforce Minnesota's mechanical and fuel gas codes.

Persons Affected. The amendment to the rules would likely affect municipal building officials, building inspectors, building and mechanical contractors, architects, engineers, building owners and managers, and the general public.

Statutory Authority. *Minnesota Statutes*, section 326B.02, subdivision 5, authorizes, in part, the commissioner of the Department to adopt, amend, suspend, and repeal rules relating to the commissioner's responsibilities under Chapter 326B, except for rules for which the rulemaking authority is expressly transferred to the Plumbing Board, the Board of Electricity, or the Board of High Pressure Piping.

Minnesota Statutes, section 326B.101 requires, in part, that the commissioner of the Department administer and amend a state code of building construction which will provide basic and uniform performance standards, establish reasonable safeguards for health, safety, welfare, comfort, and security of the residents of this state and provide for the use of modern methods, devices, materials, and techniques which will in part tend to lower construction costs.

Minnesota Statutes, section 326B.106, subdivision 1, requires, in part, that the commissioner shall by rule and in consultation with the Construction Codes Advisory Council establish a code of standards for the construction, reconstruction, alteration, and repair of buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety, including design and construction standards regarding heat loss control, illumination, and climate control. That statutory provision also requires that the code include duties and responsibilities for code administration, including procedures for administrative action, penalties, and suspension and revocation of certification.

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

If you believe that the possible rule amendments would require your local unit of government to adopt or amend an ordinance or other local regulation to comply with the proposed rules, the Department requests that you provide information about the ordinance or regulation to the Agency Contact person listed below. Additionally, the agency requests any information pertaining to the cumulative effect of this rule with other federal and state regulations related to the specific purpose of the rule. Cumulative effect means the impact that results from incremental impact of the proposed rule in addition to the other rules, regardless of what state or federal agency has adopted the other rules.

Rules Drafts. The Department does not anticipate that a draft of the rule amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to: Colleen Clayton at the Department of Labor and Industry, 443 Lafayette Road N., St. Paul, MN 55155, phone 651-284-5867, FAX 651-284-5749, and *email* to: colleen.chirhart@state.mn.us. TTY users may call the Department at 651-297-4198.

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

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the
Page 722 *State Register*, Monday 5 November 2012 (Cite 37 SR 722)

administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: 29 October 2012

Ken B. Peterson, Commissioner
Department of Labor and Industry

Minnesota Department of Labor and Industry (DLI) Construction Codes and Licensing Division (In cooperation with the State Fire Marshal Division, Department of Public Safety) **REQUEST FOR COMMENTS on Possible Amendment to Rules Governing the Adoption of the *International Fire Code, Minnesota Rules, Chapter 7511***

Subject of Rules. The Minnesota Department of Labor and Industry, in cooperation with the State Fire Marshal Division, requests comments on its possible amendment to rules governing the adoption of the *International Fire Code*. The Department is considering rule amendments that incorporate by reference the 2012 edition of the *International Fire Code* with amendments and any other amendments necessary to administer and enforce the fire code in Minnesota.

Persons Affected. The amendment to the rules would likely affect fire inspection personnel, building inspection personnel, fire protection contractors, building contractors, architects, engineers, building owners and managers, homeowners, and the general public.

Statutory Authority. *Minnesota Statutes*, section 326B.02, subdivision 6, requires that the commissioner of labor and industry, consistent with the recommendations of the state fire marshal, shall adopt a State Fire Code and make amendments thereto in accordance with the Administrative Procedure Act in chapter 14. The code and its amendments shall conform insofar as practicable to model fire codes generally accepted and in use throughout the United States, with consideration given to existing statewide specialty codes presently in use in the state of Minnesota. Statewide specialty codes and model codes with necessary modifications may be adopted by reference in accordance with section 14.07, subdivision 4.

Minnesota Statutes, section 299F.011, subdivision 3, requires that the commissioner of public safety shall adopt rules as may be necessary to administer and enforce the code, specifically including but not limited to rules for inspection of buildings and other structures covered by the code and conforming the code to the governmental organization of Minnesota state agencies, political subdivisions and local governments.

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

If you believe that the possible rule amendments would require your local unit of government to adopt or amend an ordinance or other local regulation, the Department requests that you provide information about the ordinance or regulation to the Agency Contact person listed below. Additionally, the agency requests any information pertaining to the cumulative effect of this rule with other federal and state regulations related to the specific purpose of the rule. Cumulative effect means the impact that results from incremental impact of the proposed rule in addition to the other rules, regardless of what state or federal agency has adopted the other rules.

Rules Drafts. The Department does not anticipate that a draft of the rule amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to: Colleen Clayton at the Department of Labor and Industry, 443 Lafayette Road N., St. Paul, MN 55155, phone: (651) 284-5867, fax: (651) 284-5749, and e-mail to: colleen.chirhart@state.mn.us. TTY users may call the Department at (651) 297-4198.

Official Notices

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

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

Dated: 29 October 2012

Ken B. Peterson, Commissioner
Department of Labor and Industry

Dated: 29 October 2012

Robert Dahm
Department of Public Safety

Minnesota Department of Labor and Industry (DLI) REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Workers' Compensation Rules of Practice Related to Electronic Filing of First Reports of Injury; *Minnesota Rules*, 5220.2510 to 5220.2960; Revisor's ID Number: R-4134

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its possible amendment to rules governing the required reporting of workers' compensation injuries. The Department is considering rule amendments that will describe how and what information about a claimed workers' compensation injury is to be reported to the Workers' Compensation Division, including corrections and updates to information originally submitted, and penalties for failure to submit required information. The rules will reflect expanded use of new technology for electronic methods of reporting, including EDI (electronic data interchange) and internet filing by web portal. The information to be reported will also be updated consistent with the EDI Claims Release 3.0 standards developed by the International Association of Industrial Accident Boards and Commissions. Other related matters that come up could be included. Comment including the effects of utilizing the new technologies is sought.

Persons Affected. The amendment to the rules would likely affect self-insured employers and workers' compensation insurers who are required to report injuries to the Department of Labor and Industry. Employees and employers may also be interested in the rule amendments.

Statutory Authority. *Minnesota Statutes*, § 176.83, subd. 5a authorizes the commissioner to adopt rules necessary for reporting of workers' compensation injuries. *Minnesota Statutes*, § 176.83, subd.1 authorizes the commissioner to adopt, amend or repeal rules to implement the provisions of the workers' compensation law. *Minnesota Statutes*, § 176.231, subd. 5, authorizes the commissioner to prescribe forms for use in making the reports required by section 176.231. *Minnesota Statutes*, § 175.171 authorizes the Department of Labor and Industry to adopt rules related to its powers and duties, which includes providing electronic data interchange of public and nonpublic workers' compensation data.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The Department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Department does not plan to appoint an advisory committee to comment on the possible rules, but comment will be sought from the Workers Compensation Insurers' Task Force. The Workers Compensation Advisory Council will also have the opportunity to comment on the possible rules.

Rules Drafts. The Department has not yet drafted the possible rules. If draft rules become available, they will be posted on the Department of Labor and Industry rule docket page for electronic submission of reports of injury at:

<http://www.dli.mn.gov/RulemakingWC.asp>

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests

for more information on these possible rules should be directed to: Kelli Peters at the Department of Labor and Industry, 443 Lafayette Road N., St. Paul, MN 55155, **phone:** (651) 284-5006, **e-mail:** dli.rules@state.mn.us. **TTY** users may call the Department at (651) 297-4198.

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

Dated: October 22, 2012

Kris Eiden, Deputy Commissioner
Department of Labor and Industry

Metropolitan Council

Notice of Public Meeting on the 2013 Unified Operating Budget, 2013 Unified Capital Program and 2012, Payable 2013, Levies

Wednesday, December 12, 2011, 6:00 p.m.
Metropolitan Council, Chambers
390 N. Robert Street
St. Paul, MN 55101

The Metropolitan Council will discuss the 2013 Unified Operating Budget, 2013 Unified Capital Program and 2012, Payable 2013, Levies and the public will be allowed to comment.

The 2013 Unified Operating Budget, which includes Council Levies, and the 2013 Unified Capital Program will be available on November 1, 2012. The documents will be available on the Council's website at: www.metrocouncil.org. Printed copies will be available at no charge from the Council at 390 N. Robert Street, St. Paul. Call (651) 602-1140 or e-mail: public.info@metc.state.mn.us

Upon request, the Council will provide reasonable accommodations to persons with disabilities.

- The procedure for public comment will be as follows:
- Persons will be called to speak in the order in which they have registered. Individuals may register to speak in advance by calling (651) 602-1140.
- Individuals will have 3 minutes each and designated representatives of groups will have 5 minutes. Once all speakers have presented, speakers may request additional time to make further comments.
- The chair shall have discretion in limiting or extending testimony by any person.

Comments will also be accepted prior to December 12th. To be included in the official record, comments must be received before 5:00 p.m., Tuesday, December 11, 2012. You may submit comments for the official record in one of the following ways:

- Mail: Metropolitan Council, Public Information, 390 N. Robert Street, St. Paul, MN 55101
- Public Comment Line: (651) 602-1140
- E-mail: public.info@metc.state.mn.us
- TTY: (651) 291-0904

At the close of the public comment period, the Council will prepare a hearing summary. To request a copy of the hearing summary, call the Metropolitan Council at (651) 602-1140, or (651) 291-0904 (TTY).

Official Notices

Minnesota Pollution Control Agency (MPCA)

Watershed Division

Public Notice of Availability of Draft Bluff Creek Watershed Turbidity and Fish Bioassessment Impairments Total Maximum Daily Load (TMDL) Report and Request for Comment

Public Notice Period Begins:

November 5, 2012

Public Notice Period Ends:

December 5, 2012

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Report for the Bluff Creek Total Maximum Daily Load (TMDL). The draft Report for Bluff Creek is available for review at: <http://www.pca.state.mn.us/enzq99c>.

Following the comments, the MPCA will revise the draft TMDL Report and submit it to the U.S. Environmental Protection Agency (EPA) for approval. Comments must be sent to the MPCA contact person listed below by 4:30 p.m. on December 5, 2012

Required by the federal Clean Water Act, a TMDL is a scientific study that calculates the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. It is a process that identifies all the sources of the pollutant causing an impairment and allocates necessary reductions among them. This multi-year effort results in a pollution reduction plan and engages stakeholders and the general public. An approved TMDL is followed by implementation activities for achieving the necessary reductions.

Bluff Creek is located in the city of Chanhassen in South Central Minnesota. The Creek begins at the headwaters near Trunk Highway 41 and travels for about 7.5 miles before it flows into the Minnesota River floodplain. The watershed's upper reaches are a mix of forested upland and meadow. The middle reach is a mix of land uses and is rapidly urbanizing. The lower reach is surrounded by steep valley walls, is highly sinuous, and lined with trees. Bluff Creek was listed on the 303(d) list of impaired waters by the MPCA for elevated turbidity (sediment) levels in 2002 and for impaired fish populations in 2004. To meet the standard, excess sediment that is coming into Bluff Creek needs to be reduced. Primary sources of sediment are stream bank and bluff erosion, as well as poorly vegetated ravines and gullies. These sources are contributing excess sediment to Bluff Creek, mobilized by stormwater runoff from the watershed under high flow conditions. Implementation actions have been identified to remedy these erosive ravines and stream banks, construct a ramp to allow fish passage in one part of the stream, and encourage the infiltration of stormwater to reduce the high flows that carry sediment to Bluff Creek.

Agency Contact Person: Written or oral comments, petitions, questions, or requests to receive a draft of the TMDL Report, and requests for more information should be directed to:

Barb Peichel
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194
Phone: (651) 757-2646
Minnesota Toll Free: 1-800-657-3864
Fax: (651) 297-8676
E-mail: Barbara.Peichel@state.mn.us

TTY users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

Preliminary Determination on the draft TMDL Report: The MPCA Commissioner has made a preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report is available for review at the MPCA office at the address listed above, and at the MPCA website: <http://www.pca.state.mn.us/0agxa04>.

Suggested changes will be considered before the final TMDL Report is sent to the EPA for approval.

Written Comments: You may submit written comments on the conditions of the draft TMDL Report or on the Commissioner's preliminary determination.

Written comments must include the following:

1. A statement of your interest in the draft TMDL Report;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

Petition for Public Informational Meeting: You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.

Petition for Contested Case Hearing: You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the application or draft TMDL Report; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL Report. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

MPCA Decision: You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board (Board) consider the TMDL Report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL Report and, if so, under what terms will be presented to the Board for decision if:

- (1) the Commissioner grants the petition requesting the matter be presented to the Board;
- (2) one or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL Report; or
- (3) a timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this TMDL Report. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the Board, will make the final decision on the draft TMDL Report.

Dated: November 2012

Official Notices

Minnesota Pollution Control Agency (MPCA)

Watershed Division

Public Notice of Availability of Draft Osakis, Faille, Smith Lakes Upper Mississippi River Basin, Minnesota TMDL Report and Request for Comment

Public Comment Period Begins:

November 5, 2012

Public Comment Period Ends:

December 5, 2012

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Report for the Osakis, Faille, Smith Lakes Nutrient Total Maximum Daily Load (TMDL). The draft TMDL Report is available for review at:

http://www.pca.state.mn.us/index.php?option=com_k2&id=804&Itemid=&menuid=&lang=en&layout=item&view=item&redirect=1

Following the comments, the MPCA will revise the draft TMDL Report and submit it to the U.S. Environmental Protection Agency (EPA) for approval. Comments must be sent to the MPCA contact person listed below by 4:30pm on December 5, 2012

Required by the federal Clean Water Act, a TMDL is a scientific study that calculates the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. It is a process that identifies all the sources of the pollutant causing an impairment and allocates necessary reductions among them. This multi-year effort results in a pollution reduction plan and engages stakeholders and the general public. An approved TMDL is followed by implementation activities for achieving the necessary reductions.

This TMDL study addresses nutrient impairments for Smith Lake (DNR # 21-0016), Faille Lake (DNR # 77-0195) and Lake Osakis (DNR Lake # 77-0215) located near the headwaters of the Sauk River (07010202) in the Upper Mississippi River Basin in Todd and Douglas Counties, Minnesota. The goal of this TMDL is to quantify the pollutant reductions needed to meet state water quality standards for nutrients. The numeric water quality standards for Smith and Osakis Lake, both deep lakes, are a summer average total phosphorus concentration of 40 µg/L, the numeric water quality standards for Faille Lake, a shallow lake, are a summer average total phosphorus concentration of 60 µg/L.

Agency Contact Person: Written or oral comments, petitions, questions, or requests to receive a draft of the TMDL Reports, and requests for more information should be directed to:

Greg Van Eeckhout
MPCA Regional Watershed
7678 College Rd Suite 105
Brainerd, MN 56425

Phone: (218) 316-3896

Minnesota Toll Free: 1-800-657-3864

Fax: (218) 828-2594

E-mail: greg.vaneekhout@state.mn.us

TTY users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

Preliminary Determination on the Draft TMDL Report: The MPCA Commissioner has made a preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report and fact sheet are available for review at the MPCA office at the address listed above, and at the MPCA website:

http://www.pca.state.mn.us/index.php?option=com_k2&id=804&Itemid=&menuid=&lang=en&layout=item&view=item&redirect=1

Suggested changes will be considered before the final TMDL Report is sent to the EPA for approval.

Written Comments: You may submit written comments on the conditions of the draft TMDL Report or on the Commissioner's preliminary determination. Written comments must include the following:

1. A statement of your interest in the draft TMDL Report;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

Petition for Public Informational Meeting: You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.

Petition for Contested Case Hearing: You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that:

1. There is a material issue of fact in dispute concerning the application or draft TMDL Report;
2. The MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and
3. There is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL Report. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

MPCA Decision: You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board (Board) consider the TMDL Report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL Report and, if so, under what terms will be presented to the Board for decision if:

1. The Commissioner grants the petition requesting the matter be presented to the Board;
2. One or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL Report; or
3. A timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this TMDL Report.

Dated: November 2012

Official Notices

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

NOTICE OF SUSPENSION

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be suspended for a period of sixty (60) days, effective October 3, 2012 until December 2, 2012:

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

NOTICE OF DEBARMENT

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

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

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

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

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

- 1) any contract under which a debarred or suspended person will serve as a subcontractor or material supplier,
- 2) any business or affiliate which the debarred or suspended person exercises substantial influence or control, and
- 3) any business or entity, which is sold or transferred by a debarred person to a relative or any other party over whose actions the debarred person exercises substantial influence or control, remains ineligible during the duration of the seller’s or transfer’s debarment.

State 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.

Grant Funds and Loans

The *State Register* is one of the best ways to advertise your grants - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$10.20 per 1/10 of a page you cannot go wrong.

Check up on all the "active" state grants in the "Contracts & Grants" section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of all the current rules, a growing index, and previous years' indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings). Here's what you receive via e-mail:

- 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. 31, 30, 29, 28 and 27

It's all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** loretta.diaz@state.mn.us

Minnesota Board on Aging Notice of Request for Proposals for Resident and Family Advisory Council Education

NOTICE IS HEREBY GIVEN that the Minnesota Board on Aging is requesting proposals to provide statewide Resident and Family Advisory Council Education services.

Work is proposed to start January 1, 2013. For more information, or to obtain a copy of the Request for Proposal, contact:

Deb Holtz, State Long-Term Care Ombudsman
Office of Ombudsman for Long-Term Care
Minnesota Board on Aging
P.O. Box 64971
St. Paul, MN 55164-0971
Phone: (651) 431-2604
E-mail: Deb.a.holtz@state.mn.us

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to the Request for Proposals must be received at the address above no later than **4:00 PM, Central Time, Friday, November 30, 2012. Late proposals will NOT be considered.** Faxed or e-mailed proposals will **NOT** be considered.

The RFP can be viewed by visiting the Minnesota Board on Aging web site: <http://www.mnaging.net/>

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 expensed incurred in responding to this notice are solely the responsibility of the responder.

State Grants & Loans

Minnesota Pollution Control Agency (MPCA)

Notice of Request for Information (RFI) for Provision of Paperless Point-of-Sale or e-Receipt Systems and Related Services

The Minnesota Pollution Control Agency (MPCA) is seeking to identify providers of paperless point-of-sale systems, digital receipt software, hardware or applications and related systems that may be used in a variety of hospitality settings, such as restaurants, lodging, cafeterias, and theme parks, to provide customers a digital receipt instead of a paper receipt for services or goods rendered.

The MPCA, through a grant from the U.S. Environmental Protection Agency (EPA), is undertaking a project to reduce Bisphenol A (BPA) exposure by consumers and hospitality employees and to reduce overall paper use by promoting use and distribution of digital receipts in the hospitality sector. As part of this project, the MPCA seeks to identify those vendors who provide some or all of the necessary technological systems (hardware and/or software or software applications) which would allow customers of hospitality businesses to receive digital receipts instead of paper receipts.

Responders to this RFI, confirmed by the MPCA as providing relevant services or products, will be placed on a vendor list to be used by the MPCA as a resource list of potential vendors for the hospitality entities partnering with the MPCA to reduce the use of BPA-laden thermal receipt paper.

Issuance of this RFI does not obligate the MPCA to partner with any Responder. No state funding or other financial assistance is associated with this RFI.

The complete RFI, application materials, and additional information are published on the MPCA website at
<http://www.pca.state.mn.us/wfhy149b>

Questions about this RFI and required electronic submittal of applications should be directed to *Phyllis.strong@state.mn.us* (Subject line: "CR 5791 RFI"). Submittals are due Monday, **December 3, 2012**, by 2:00 p.m. Central Time. It is the Responder's sole responsibility to ensure that their electronic submittal is received by the deadline.

Minnesota Pollution Control Agency (MPCA)

Notice of Request for Proposal (RFP) for Use of Formaldehyde in Minnesota

The Minnesota Pollution Control Agency (MPCA) is requesting proposals from qualified Responders to work with the MPCA to assess the presence and use of formaldehyde and other Priority Chemicals in Minnesota's composite and fabricated wood building and furnishing products by manufacturers, architects, engineers and contractors (the value chain).

The MPCA has approximately \$10,000 for a contract with the Responder selected as best meeting the evaluation criteria stated in the RFP. The primary goal of this project is to obtain information on the presence and use of formaldehyde in Minnesota building products and related chemicals/preparations industry so that MPCA has reliable information for its future decisions on conducting outreach and assistance and providing support and evaluation to Minnesota manufacturers on formaldehyde in the products they make and use. The project is intended to generate information not only for those components and products made by Minnesota companies, but for the components they receive from suppliers upstream in the value chain.

The complete RFP, application materials, and additional information are published on the MPCA website at:
<http://www.pca.state.mn.us/nwqh149a>

Questions about this RFP should be directed to *contracts.pca@state.mn.us* (Subject line: "CR 5794 Formaldehyde"). Proposals are due Monday, **December 3, 2012**, by 2:00 p.m. Central Time and must be electronically submitted to *contracts.pca@state.mn.us* (Subject line: "CR 5794 Formaldehyde"). It is the Responder's sole responsibility to ensure that their electronic submittal is received by the deadline.

State Contracts

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

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

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

- \$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600
- \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days;
- \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and
- anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days.

On-going State Contracts

The state spends \$2-3 billion a year on contracts. The *State Register* is one of the best ways to advertise your contracts - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$10.20 each 1/10 of a page, you cannot go wrong.

Subscribers receive a list of **all current contracts and grants**, as well as LINKS to the *State Register*; Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. To view, open the *State Register* and click on BOOKMARKS in the left hand corner. Here's what you receive via e-mail:

- **Word Search Capability**
- **LINKS, LINKS, LINKS**
- **Updates to Index to Vol. 31**
- **"Contracts & Grants" Open for Bid**
- **E-mailed to you, on Friday**
- **Easy Access to *State Register* Archives**

Subscriptions cost \$180 a year (an \$80 savings). It's all E-MAILED to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** loretta.diaz@state.mn.us.

Department of Administration (Admin) Minnesota Multistate Contracting Alliance for Pharmacy Notice of Request for Proposals for Contract(s) for Prescription Filling/Mail Order Services

The Department of Administration, on behalf of the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP), is requesting proposals for Prescription Filling/Mail Order Services.

MMCAP is a voluntary group purchasing organization made up of governmental entities which contracts for pharmaceuticals. MMCAP members currently purchase over \$1 billion per year. For more information, go to www.mmcap.org.

To request a copy of the RFP, send an e-mail to: mn.multistate@state.mn.us

Or write to:

MMCAP Prescription Filling/Mail Order Services RFP
c/o Minnesota Department of Administration
50 Sherburne Avenue, Suite 112
St. Paul, MN 55155

Proposals submitted in response to the Request for Proposals in this notice must be received at the address specified in the Request for Proposals no later than December 3, 2012. **Late proposals will NOT be considered.**

State Contracts

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 Administration (Admin) State Designer Selection Board Project No. 12-16 Notice of Availability of Request for Proposal (RFP) for New Building 17 South - Minnesota Veterans Home, Minneapolis, MN

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

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

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

A pre-proposal meeting is scheduled for 2:00 p.m., CT, November 7, 2012 at the Minnesota Veterans Home, Minneapolis, in the Auditorium, 5101 Minnehaha Avenue South, Minneapolis, MN 55417-1699. Project questions shall be referred to the appropriate person(s) as listed in the Request for Proposal.

Proposals must be delivered to Kathy Grochowski, Executive Secretary, State Designer Selection Board, 309 Administration Building, 50 Sherburne Ave., St. Paul, MN 55155, **phone:** (651) 201-2389, not later than 12:00 noon C.T., Monday, November 19, 2012. Late responses will not be considered.

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

Minnesota State Colleges and Universities (MnSCU) Anoka-Ramsey Community College Request proposals for the Public Art Work for Music Building

NOTICE IS HEREBY GIVEN that Anoka-Ramsey Community College will receive proposals for public art work for the newly remodeled Music Building located at the Coon Rapids Campus of Anoka-Ramsey Community College. Specifications are available on the website: *<http://www.anokaramsey.edu/IT/proposal.cfm>*.

Copies of the specifications can also be obtained from Mirela Gluhic at (763) 433-1338 or *mirela.gluhic@anokaramsey.edu*. Sealed proposals must be received by the Business Office of Anoka-Ramsey Community College, 11200 Mississippi Blvd., Coon Rapids, MN 55433 by 4:00 p.m. on December 21, 2012.

Anoka-Ramsey Community College reserves the right to reject any or all proposals, or portions thereof, or to waive any irregularities or informalities, in proposals received.

**Minnesota State College and Universities (MnSCU)
Lake Superior College****Notice of Request for Proposal for Helicopter Flight Training Services for Student Instruction**

To receive a copy of the RFP, free of charge, send an e-mail to purchasing@lsc.edu or fax your request to (218) 733-5977.

Proposals are due back by Monday, November 19, 2012, 4:00 p.m. CT and are to be addressed to Joyce Clock, Lake Superior College, 2101 Trinity Rd, Duluth, MN 55811 with "Helicopter Proposal" clearly written on the outside.

Faxes are not acceptable. Late responses will not be considered. Any questions should be directed to Joyce Clock: purchasing@lsc.edu

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

Department of Human Services (DHS)**Health Care Administration,****Purchasing and Service Delivery Division****Notice of Request for Proposals for a Qualified Contractor to Perform Medical Services Authorizations**

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services Health Care Administration, Purchasing and Service Delivery Division (DHS), is seeking Proposals from qualified responders to provide professional and technical services as a Medical Review Agent for the Medical Assistance and MinnesotaCare programs, collectively known as Minnesota Health Care Programs (MHCP). Specifically, the successful Responder will recommend to DHS a determination of the medical necessity of services and eligibility for payment under the fee-for-service portion of MHCP.

The Contractor's review duties will be limited to the review for possible authorization of the following:

1. Various medical procedures, treatments and health services (including children's mental health services and adult mental health services);
2. Inpatient hospital admissions to long term care hospitals and Medicare rehabilitation distinct parts or units, out-of-state inpatient admissions, and to state-contracted community based extended psychiatric hospital beds;
3. Screening and authorization of psychiatric and neurobehavioral services at Minnesota's state-owned psychiatric hospitals and non-state-owned hospitals, including screening and authorization of inpatient psychiatric services provided to persons under age 21 in an Institution for Mental Disease, and
4. Skilled nurse and home care services.

Pharmacy authorization review services are NOT included in this solicitation. DHS currently contracts with another vendor for those services separately. In addition, DHS maintains a separate contract with another Vendor for the following review services:

1. For eligibility for payment, concurrent and retrospective medical record review of inpatient admissions and readmissions, short stays, long stays and state-contracted community based extended psychiatric hospital beds, including determination of medical necessity of the service, and determination of whether all medically necessary services were rendered;
2. Diagnosis validation of inpatient hospital admissions;
3. Medical record reviews for the state's Surveillance and Integrity Review Section and the Inpatient Hospital Payment Policy Unit to determine medical necessity of services, the adequacy of documentation to support billings and the appropriateness of services rendered.

The Contract awarded under this procurement will NOT include these responsibilities.

State Contracts

A “qualified responder” must be certified by the Centers for Medicare and Medicaid Services (CMS) as a Quality Improvement Organization (QIO), or a “QIO-like Entity” by December 7, 2012. QIOs are established under the Peer Review Improvement Act of 1982 (Title I, subtitle C of Public Law 97-248). Sections 1152 and 1153 of the Act define the types of organizations eligible to become QIOs, and establish certain limitations and priorities regarding QIO contracting.

Any resulting Contract is anticipated to have an effective date of approximately January 1, 2013, with a termination date of December 31, 2015. The initial period of January 1, 2013 to February 28, 2013 is to allow the Vendor to conduct all of its implementation and set-up activities so that the Vendor’s services can commence on March 1, 2013. The State and the Contractor would have an option to extend for up to one additional 2-year term, for a total contract term not to exceed five years. For more information, the Request for Proposals can be viewed by visiting the DHS website, http://www.dhs.state.mn.us/main/id_000102 or by contacting:

Thomas Fields
Minnesota Department of Human Services
Health Services and Medical Management Division
P.O. Box 64984
St. Paul, MN 55164-0984
Phone: (651) 431-2487
Fax: (651) 431-7420
E-mail: tom.fields@state.mn.us

Proposals must be received at DHS no later than **12:00 p.m. Central Time, December 3, 2012. Late proposals will NOT be considered.** Faxed or emailed proposals will **NOT** be considered.

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

Minnesota Judicial Branch

Request for Proposal for Implementation, Configuration and Migration Services of VNX 5500 and 5300 Implementation with VPLEX and RecoverPoint Services

The Minnesota Judicial Branch, State Court Administrator’s Office, (State) is using a competitive selection process to select the vendor responsible for implementation and configuration of EMC Storage Area Network SAN VNX 5500 with VPLEX and RecoverPoint. VPLEX is intended to provide real-time data replication between SAN VNX(5500 & 5300) while VNX RecoverPoint is to provide local and remote disaster recovery with point-in-time recovery. This is a request for proposals that could become the basis for negotiations leading to a contract with one or more vendors to provide the supplemental analyst staff as described in this document.

Timeline

| | |
|-------------------------------|-------------------|
| Posting Date: | November 5, 2012 |
| Questions Due: | November 16, 2012 |
| Answers to Questions posted: | November 27, 2012 |
| Proposal Submission Deadline: | November 30, 2012 |

Your proposal must be submitted in writing in a sealed envelope to:

Eltayeb Elhassan, Information Technology Division
State Court Administration
25 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

The complete Request for Proposal can be found on the State Court website: www.mncourts.gov under Public Notices.

Minnesota State Lottery

Request for Proposals for Sponsorship Agreements

Description of Opportunity

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

Proposal Content

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

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

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

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

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

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

Questions

Questions concerning this Solicitation should be directed to:

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

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

Response Delivery

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

State Contracts

Department of Natural Resources (DNR)

Notice of Availability of Contract for the Walnut Lake Bridge Replacement

CERTIFICATION NUMBER: # 31663

The Minnesota Department of Natural Resources is requesting proposals for the purpose of Engineering Services for the removal and replacement of the existing 125th Street Brush Creek Township bridge and upstream sheet pile weir near Wells, Minnesota, includes hazmat testing, geotechnical evaluation, design, and construction testing and administration.

Work is proposed to start after January 2, 2013.

A Request for Proposals will be available by email from this office through November 16th, 2012. **A written request email is required to receive the Request for Proposal.**

The Request for Proposal can be obtained from:

Deb Johnson
Department of Natural Resources
500 Lafayette Road N.
St. Paul, MN 55155
E-mail: *Debra.a.johnson@state.mn.us*

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 3:00 p.m. Central Standard Time, Wednesday, November 21, 2012. **Late proposals will NOT be considered.** Fax or emailed proposals will **NOT** be considered.

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

Minnesota Department of Natural Resources (DNR)

Notice of State Gravel Lease Sale for State Lands in Pine County

NOTICE IS HEREBY GIVEN that state lands located in Pine County, as described below, are hereby offered for earth material lease sale by the Commissioner of Natural Resources. The land will be leased at public auction as authorized by Minnesota Statutes, Sec. 92.50.

Bidders must obtain a bid packet which contains bid instructions and form, and be familiar with the property, prices, and terms and conditions of the lease sale prior to submitting a sealed bid. To obtain a bid packet, call (651) 259-5391, 1-888-MINNDNR or **e-mail:** *Jodi.M.Dehn@state.mn.us*. Please specify the earth material lease sale – Wildlife Road. The bid form, instructions, sample contract, and other information documents are also available online at: http://www.dnr.state.mn.us/staging/lands_minerals/aggregate_lease.html

Sealed Bid Auction on Tuesday, December 11, 2012: Sealed bids must be received at Department of Natural Resources, 500 Lafayette Road, St. Paul, MN 55155-4045 by 4:30 p.m. on Monday, December 10, 2012. The bid openings will begin at 1:00 p.m. on Tuesday, December, 11, 2012 at the Department of Natural Resources Central Office 4th floor Conference Room, 500 Lafayette Road, St. Paul, MN 55155-4045. The Earth Material lease area to be offered at this event is described as follows and provided in greater detail in the bid packet:

Those parts of NWNE and SWNE of Section 16, Township 45 North, Range 20 West, containing
16 acres more or less in Pine County Minnesota.

General Statement of Terms of Sale: The bid form and instructions detail the comprehensive terms and conditions of sale. The successful bidder must pay the 1st year advance of \$2000 plus timber damages prior to the effective date of lease. Any bid for less than the minimum bid will be rejected.

Kathy A. Lewis, Assistant Director
MINNESOTA DNR / Lands & Minerals

Minnesota State Retirement System (MSRS)**Notice of Availability of Contract for Record Keeping and Custodial Services for Defined Contribution Plans**

The Minnesota State Retirement System is requesting proposals for the purpose of engaging a single vendor to provide record keeping and custodial services for all MSRS defined contribution plans (Custodial services may be sub-contracted). The term of this contract is 72 months, commencing July 1, 2013 and ending June 30, 2019. Transitional services are required for the period July 1, 2013 ending June 30, 2014. On-going services are provided for the remainder of the contract period. The vendor awarded the resulting contract will offer administrative support and provide the database system.

An electronic Request for Proposal will be available by contacting: *sue.willinger@msrs.us* .

Sue Willinger
MSRS Contract Administration
60 Empire Drive, Suite 300
St. Paul, MN 55103

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than January 15, 2013. **Late proposals will NOT be considered.** Faxed or emailed proposals will **NOT** be considered.

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

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

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

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop the Consultant Pre-Qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects.

Nothing in this solicitation requires Mn/DOT to use the Consultant Pre-Qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT’s Consultant Services web site, indicated below, to see which highway related professional/technical services are available for application. Applications are accepted on a continual basis. All expenses are incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and applications forms are available on Mn/DOT’s Consultant Services web site at: *http://www.dot.state.mn.us/consult*.

Send completed application material to:

Kelly Arneson
Consultant Services

State Contracts

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

Minnesota Department of Transportation (Mn/DOT) Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities and Taxpayers' Transportation Accountability Act Notices

NOTICE TO ALL: The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: www.dot.state.mn.us/consult

New Public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice. Mn/DOT is also posting notices as required by the Taxpayers' Transportation Accountability Act on the above referenced website.

Minnesota Zoo Notice of Request for Proposals for Design Services for the New Minnesota Zoo Crossroads Park Area

The Minnesota Zoo requests proposals for Design Services as they relate to the new Crossroads Park area. This site is currently being investigated for development to include Zoo Themed Play Structures as well as a new Zoo Themed Carousel as part of the Facility Master Plan.

The Minnesota Zoo's Facility Master Plan, currently pending approval, has identified Crossroads Park as an area for redevelopment. This area will be a launching pad for future expansion and a phased approach has been proposed to bring some long requested visitor amenities and revenue generating opportunities to an area overlooked in recent years, while still maintaining existing services until such time as we can realize the full plan.

Details are included in the complete Request for Proposals which is available by e-mailing Derik Otten, Minnesota Zoo Project Manager at derik.otten@state.mn.us. The deadline for submitting a proposal is 11:00AM., CST, November 13th, 2012.

This Request for Proposals does not obligate the State of Minnesota or the Minnesota Zoo to complete the work contemplated in this notice and the State reserves the right to cancel this solicitation. All expenses incurred in response to this notice are solely the responsibility of the responder.

Non-State Public Bids, Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Vendors Sought for these Projects

Check up on all the “active” state grants in the “Contracts & Grants” section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of all the current rules, a growing index, and previous years’ indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings).

Dakota County

Notice of Request for Proposals to Provide Nursing Services for the Dakota County Jail and the Juvenile Services Center

Dakota County is seeking proposals from responsible contractors to provide nursing services for the Dakota County Jail and the Dakota County Juvenile Services Center located at 1580 and 1600 Hwy 55, Hastings, MN 55033, commencing February 1, 2013 through December 31, 2015, with option to extend for up to 2 additional one-year terms.

Proposals are due November 13, 2012 by 4:00 p.m. Attn: Commander John Grant, phone: (651) 438-4700, Dakota County Sheriff’s Office, 1580 Highway 55, Hastings, MN 55033.

Potential proposers are encouraged to attend a walk through and meeting on October 30, 2012 @ 1:00 p.m. at the Dakota County Sheriff’s Office.

The entire RFP is posted at the Dakota County website: www.co.dakota.mn.us, click “Doing Business” and then “Request for Bid, Proposals & Information”.

Metropolitan Airports Commission (MAC)

Public Notice of Request for Proposals for the MSP Airport Vending Concessions Opportunity

The Metropolitan Airports Commission (“MAC”) is requesting proposals from qualified firms interested in operating the Vending Concessions Program at the Minneapolis - St. Paul International Airport and on the MAC campus.

To obtain a copy of the Request for Proposal, please go to the following website:

<http://www.metroairports.org/business/solicitations/default.aspx>

and look under Request for Proposal. The RFP is to be released on or about November 9th, 2012. Airport Contact for the RFP is Matt Grimm at (612) 794-4510 or e-mail: matt.grimm@mspmac.org. A mandatory Pre-Proposal Conference will be held November 16th, 2012 at 9:00 am CT at the Airport Conference Center which is located within Terminal 1-Lindbergh. Questions regarding the RFP are due to MAC no later than 4:00 p.m. CST on November 30th, 2012. The proposals are due on or before 3:00 p.m. CST on December 20th, 2012.

Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Public Notice of Request for Qualifications for Mystery Shopping Services at MSP

The Metropolitan Airports Commission ("MAC") is requesting qualifications statements from firms interested in performing mystery shopping services at Minneapolis - St. Paul International Airport.

To obtain a copy of the Request for Qualifications, please go to the following website:

<http://www.metroairports.org/business/solicitations/default.aspx>

and select "Request for Qualifications" from the dropdown menu. The airport contact for questions about the RFQ is John Greer at (612) 713-8746, or e-mail: john.greer@mspmac.org.

Questions regarding the RFP will not be answered after Nov. 12, 2012. Qualifications statements are due on or before 4:00 p.m. Central Time on Nov. 26, 2012.

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.)

FREE PARKING

Phone: (651) 297-3000; Fax: (651) 215-5733

E-mail: <http://www.minnesotasbookstore.com>

Order Online at www.minnesotasbookstore.com

History & Biography

| | | |
|--------------------------------------|--------------------|---------|
| <i>Historic Photos of Minnesota</i> | Stock Number 841 | \$39.95 |
| <i>Tales of the Road: Highway 61</i> | Stock Number 13668 | \$24.95 |
| <i>Minnesota in 3D</i> | Stock Number 13865 | \$19.99 |
| <i>Hard-Water World</i> | Stock Number 766 | \$24.95 |
| <i>It Happened in Minnesota</i> | Stock Number 916 | \$12.95 |
| <i>Lost in the Woods</i> | Stock Number 1099 | \$19.95 |
| <i>Historic Photos of St. Paul</i> | Stock Number 13660 | \$39.95 |
| <i>State Fair</i> | Stock Number 13667 | \$24.95 |

State Capitol Mementos

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

Cooking & Cookbooks

| | | |
|---|--------------------|---------|
| <i>Road to the Blue Ribbon Baking</i> | Stock Number 13612 | \$29.95 |
| <i>Recipes of Our Ancestors</i> | Stock Number 13963 | \$37.50 |
| <i>Minnesota Homegrown Cookbook</i> | Stock Number 13716 | \$29.95 |
| <i>Baking with the St. Paul Bread Club: Recipes, Tips & Stories</i> | Stock Number 1027 | \$24.95 |
| <i>Cooking with Wild Berries & Fruit</i> | Stock Number 13712 | \$12.95 |
| Hot Dish Heaven: Classic Casseroles From Midwest Kitchens | Stock Number 1034 | \$16.95 |
| Potluck Paradize | Stock Number 767 | \$16.95 |
| The Seasonal Cabin Cookbook | Stock Number 1059 | \$16.95 |

Genealogy, Cemeteries, and Historical Names

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

Minneapolis & St. Paul History

| | | |
|---|-------------------|---------|
| The Street Where You Live | Stock Number 927 | \$19.95 |
| St. Paul's Architecture | Stock Number 928 | \$24.95 |
| Minnesota State Capitol: The Art and Politics of a Public Building | Stock Number 945 | \$16.95 |
| St. Paul's Historic Summit Avenue | Stock Number 939 | \$15.95 |
| Lost Twin Cities | Stock Number 906 | \$23.95 |
| Celebrate St. Paul | Stock Number 937 | \$49.95 |
| Twin Cities Then and Now | Stock Number 911 | \$19.95 |
| Lake Street USA | Stock Number 1090 | \$12.80 |

Minnesota History

| | | |
|--|-------------------|---------|
| Six Feet Under: A Graveyard's Guide to Minnesota | Stock Number 922 | \$14.95 |
| Great Little Museums of the Midwest | Stock Number 1120 | \$18.95 |
| Minnesota Place Names: A Geographical Encyclopedia | Stock Number 905 | \$49.95 |
| Minnesota State Capitol: The Art & Politics of a Public Building, | Stock Number 945 | \$16.95 |
| The M-Files: True Reports About Minnesota's Unexplained Phenomena | Stock Number 1082 | \$14.95 |
| Ghost Stories of Minnesota | Stock Number 1009 | \$10.95 |
| Minnesota Memories & Images | Stock Number 1108 | \$11.95 |



Several convenient ways to order:

- ♦ **Retail store** Open 8 a.m. - 5 p.m. Monday - Friday, 660 Olive Street, St. Paul
- ♦ **Phone** (credit cards): 8 a.m. - 5 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)
- ♦ **On-line orders:** www.minnesotasbookstore.com
- ♦ **Minnesota Relay Service:** 8 a.m. - 5 p.m. Monday - Friday, 1.800.627.3529 (nationwide toll-free)
- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
- ♦ **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

PREPAYMENT REQUIRED. Prices and availability subject to change.

Fax and phone orders: Credit card purchases ONLY (American Express/Discover/MasterCard/VISA). Please allow 1-2 weeks for delivery. **Mail orders:** Complete order blank and send to address above. Enclose check or include credit card information. Please allow 4-6 weeks for delivery. Please make checks payable to "Minnesota's Bookstore." A \$20.00 fee will be charged for returned checks.

| Stock No. | Title | Quantity | Unit Price | Total |
|-----------|-------|----------|------------|-------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Send my order to:

Company _____

Name _____

Street Address (Not deliverable to P.O. boxes) _____

City () State Zip _____

Daytime phone (In case we have a question about your order) _____

Credit card number: _____

Expiration date: _____ Signature: _____

Shipping Charges

| <i>If Product</i> | <i>Please</i> |
|---|---------------|
| <i>Subtotal is:</i> | <i>Add:</i> |
| Up to \$15.00 | \$ 5.00 |
| \$15.01-\$25.00 | \$ 6.00 |
| \$25.01-\$50.00 | \$ 9.00 |
| \$50.01-\$100.00 | \$ 14.00 |
| \$100.01-\$1,000 | \$ 17.00* |
| *\$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges. | |
| More than \$1,000 | Call |

Product Subtotal _____

Shipping _____

Subtotal _____

Sales tax _____

(6.875% sales tax if shipped to MN address, 7.625% if shipped to St. Paul address. 7.125% MN transit tax or other local sales tax if applicable)

TOTAL _____

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