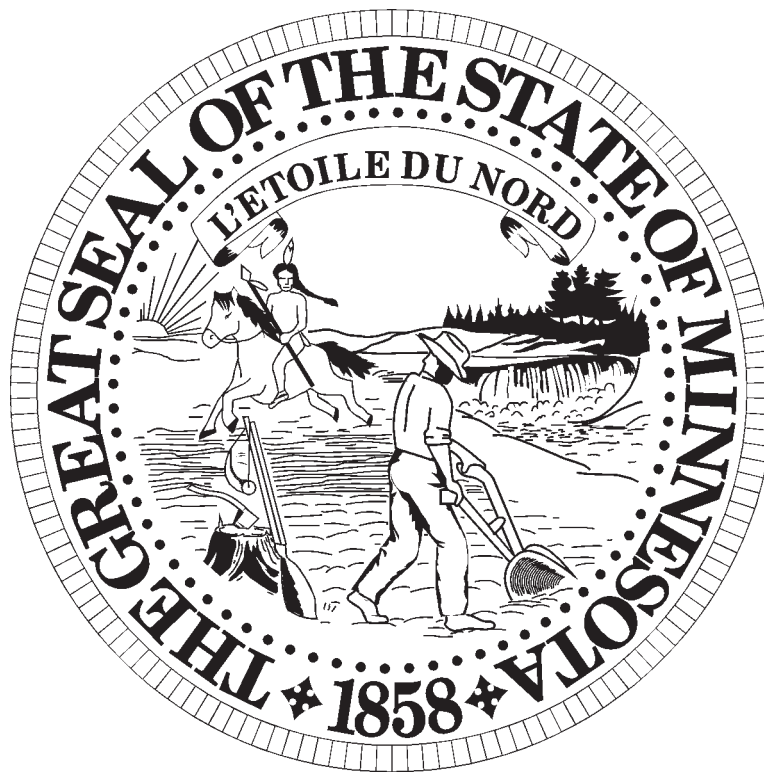


State of Minnesota

# State Register



**Rules and Official Notices Edition**

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# State Register

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- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
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# 30	Monday 23 January	Noon Tuesday 17 January	Noon Wednesday 11 January
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# Minnesota Rules: Amendments and Additions

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

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

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

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

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

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# Proposed Rules

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

**Rules to be Adopted After a Hearing.** After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

**Rules to be Adopted Without a Hearing.** Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

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

## Minnesota Board of Barber and Cosmetologist Examiners

### Proposed Permanent Rules Governing Hair Braiding

**DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing If 25 or More Requests for Hearing Are Received**

**Proposed Amendment to Rules Governing Barbering and Cosmetology and Cosmetology Schools, Minnesota Rules, parts 2100.0100, 2105.0010, 2110.0010, 2110.0100, 2110.0500, and 2110.0680**

**Introduction.** The Board of Barber and Cosmetologist Examiners intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on February 16, 2006, a public hearing will be held in Conference Room A, Fourth Floor, 2829 University Ave. S.E., Minneapolis, Minnesota 55415, starting at 9:00 a.m. on Tuesday, February 28, 2006 and continuing on Wednesday, March 1, 2006, if a second hearing day is necessary. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after February 16, 2006 and before February 28, 2006.

**Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Maureen Tibbetts at the Board of Barber and Cosmetologist Examiners, 2829 University Ave. S.E., Suite 710, Minneapolis, MN 55414, **phone:** (651) 201-2744, **Fax:** (612) 617-2601. **TTY** users may call the Board of Barber and Cosmetologist Examiners at 1-800-627-3529.

**Subject of Rules and Statutory Authority.** The proposed rule amendments would: (1) modify the definitions of barbering and cosmetology to exclude hair braiding, hair braiding services, and hair braiders, as defined in the proposed rule amendments; (2) preempt ordinances by local units of government that prohibit hair braiding, hair braiding services, or hair braiders, as defined in the proposed rule amendments, or regulate any matter relating to licensing, testing, or training of hair braiding, hair braiding services, or hair braiders; and (3) modify the educational requirements for cosmetology students to allow for a maximum of one percent of the total curriculum time in cosmetology schools to be dedicated to the teaching of unregulated services, as defined in the proposed rule amendments. The statutory authority to adopt the rules is *Minnesota Statutes*, section 154.22(f), 154.24, and 155A.05. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. A free copy of the rules is available upon request from the agency contact person listed above.

**Comments.** You have until 4:30 p.m. on Thursday, February 16, 2006, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the



# Proposed Rules

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due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Thursday, February 16, 2006. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

**Modifications.** The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules, unless the procedure under *Minnesota Rules*, part 1400.2110, has been followed. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for February 28, 2006 and March 1, 2006, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 201-2744 after February 16, 2006 to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit valid written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Beverly Jones Heydinger is assigned to conduct the hearing. Judge Heydinger can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 554012138, **telephone:** (612) 341-7606, and **Fax:** (612) 349-2665.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day rebuttal period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

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

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from the agency.

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

**Adoption Procedure if No Hearing.** If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules,

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# Proposed Rules

or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

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

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

Dated: December 20, 2005

Susan Schaefer, Chairman  
Board of Barber and Cosmetologist Examiners

## 2100.0100 DEFINITIONS.

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

Subp. 1a. **Barbering.** The practice of barbering as defined in *Minnesota Statutes*, section 154.02, means the services described in that section when performed on a living person and includes those services when performed in conjunction with the selling of hair pieces, wigs, or an artificial hair

application. The definition of "barbering" in *Minnesota Statutes*, section 154.02, must be construed to not prohibit or regulate hair braiding, hair braiding services, and hair braiders, as defined in subparts 4 to 6. Ordinances by local units of government that prohibit hair braiding, hair braiding services, or hair braiders, as defined in subparts 4 to 6, or regulate any matter relating to licensing, testing, or training of hair braiding, hair braiding services, or hair braiders are preempted by this part.

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

Subp. 4. **Hair braiding.** "Hair braiding" means a natural form of hair manipulation that results in tension on hair strands by beading, braiding, cornrowing, extending, lacing, locking, sewing, twisting, weaving, or wrapping human hair, natural fibers, synthetic fibers, and/or hair extensions into a variety of shapes, patterns, and textures (predominantly by hand and/or by simple braiding devices), and maintenance thereof. Hair braiding includes what is commonly known as "African-style hair braiding" or "natural hair care" but is not limited to any particular cultural, ethnic, racial, or religious forms of hair styles. Hair braiding includes the making of customized wigs from natural hair, natural fibers, synthetic fibers, and/or hair extensions. Hair braiding includes the use of topical agents such as conditioners, gels, moisturizers, oils, pomades, and shampoos. Hair braiding does not involve the use of penetrating chemical hair treatments, chemical hair coloring agents, chemical hair straightening agents, chemical hair joining agents, permanent wave styles, or chemical hair bleaching agents applied to growing human hair.

Subp. 5. **Hair braiding services.** "Hair braiding services" means offering to perform or performing hair braiding, as defined in part 2105.0010, subpart 10a, as a service to members of the public for a fee or other consideration.

Subp. 6. **Hair braider.** "Hair braider" means a person who offers to perform or performs hair braiding or hair braiding services as defined in part 2105.0010, subparts 10a to 10c.

Subp. 7. **Simple braiding devices.** "Simple braiding devices" include clips, combs, curlers, curling irons, hairpins, rollers, scissors, needles, and thread.

## 2105.0010 DEFINITIONS.

[For text of subs 1 to 10, see M.R.]

Subp. 10a. **Hair braiding.** "Hair braiding" means a natural form of hair manipulation that results in tension on hair strands by beading, braiding, cornrowing, extending, lacing, locking, sewing, twisting, weaving, or wrapping human hair, natural fibers, synthetic fibers, and/or hair extensions into a variety of shapes, patterns, and textures (predominantly by hand and/or by simple braiding devices), and maintenance thereof. Hair braiding includes what is commonly known as "African-style hair braiding" or "natural hair care" but is not limited to any particular cultural, ethnic, racial, or religious forms of hair styles. Hair braiding includes the making of customized wigs from natural hair, natural fibers, synthetic fibers, and/or hair extensions. Hair braiding includes the use of topical agents such as conditioners, gels, moisturizers, oils, pomades, and shampoos. Hair braiding does not involve the use of penetrating chemical hair treatments, chemical hair coloring agents, chemical hair straightening agents, chemical hair joining agents, permanent wave styles, or chemical hair bleaching agents applied to growing human hair.

Subp. 10b. **Hair braiding services.** "Hair braiding services" means offering to perform or performing hair braiding, as defined in subpart 10a, as a service to members of the public for a fee or other consideration.

Subp. 10c. **Hair braider.** "Hair braider" means a person who offers to perform or performs hair braiding or hair braiding services as

# Proposed Rules

defined in subparts 10a and 10b.

Subp. 11. **Licensed services.** “Licensed services” means those services defined as the practice of cosmetology under *Minnesota Statutes*, section 155A.03, subdivision 2 and includes the fitting of wigs and hair pieces on the head and the dressing of wigs and hair pieces while on the head. The definition of “cosmetology” in *Minnesota Statutes*, section 155A.03, subdivision 2, must be construed to not prohibit or regulate hair braiding, hair braiding services, and hair braiders, as defined in subparts 10a to 10c.

Subp. 11a. **Simple braiding devices.** “Simple braiding devices” include clips, combs, curlers, curling irons, hairpins, rollers, scissors, needles, and thread.

[For text of subp 12, see M.R.]

Subp. 13. **Unregulated service.** “Unregulated service” means those services not defined as the practice of cosmetology under *Minnesota Statutes*, section 155A.03, subdivision 2, and which are exempt from regulation by the board, and includes ear piercing, body wrapping, permanent depilation, tattooing, artificial tanning of the skin; personal services incidental to performance in theatrical or musical productions or media appearances; any personal services performed incidental to mortuary practice; and massage services; and hair braiding, hair braiding services, and hair braiders, as defined in subparts 10a to 10c. Ordinances by local units of government that prohibit hair braiding, hair braiding services, or hair braiders, as defined in subparts 10a to 10c, or regulate any matter relating to licensing, testing, or training of hair braiding, hair braiding services, or hair braiders are preempted by this part.

## 2110.0010 DEFINITIONS.

[For text of subps 1 to 17, see M.R.]

Subp. 17a. **Hair braiding.** “Hair braiding” means a natural form of hair manipulation that results in tension on hair strands by beading, braiding, cornrowing, extending, lacing, locking, sewing, twisting, weaving, or wrapping human hair, natural fibers, synthetic fibers, and/or hair extensions into a variety of shapes, patterns, and textures (predominantly by hand and/or by simple braiding devices), and maintenance thereof. Hair braiding includes what is commonly known as “African-style hair braiding” or “natural hair care” but is not limited to any particular cultural, ethnic, racial, or religious forms of hair styles. Hair braiding includes the making of customized wigs from natural hair, natural fibers, synthetic fibers, and/or hair extensions. Hair braiding includes the use of topical agents such as conditioners, gels, moisturizers, oils, pomades, and shampoos. Hair braiding does not involve the use of penetrating chemical hair treatments, chemical hair coloring agents, chemical hair straightening agents, chemical hair joining agents, permanent wave styles, or chemical hair bleaching agents applied to growing human hair.

Subp. 17b. **Hair braiding services.** “Hair braiding services” means offering to perform or performing hair braiding, as defined in subpart 17a, as a service to members of the public for a fee or other consideration.

Subp. 17c. **Hair braider.** “Hair braider” means a person who offers to perform or performs hair braiding or hair braiding services as defined in subparts 17a and 17b.

Subp. 18. **Licensed services.** “Licensed services” means those services defined as the practice of cosmetology under *Minnesota Statutes*, section 155A.03, subdivision 2 and includes the fitting of wigs and hair pieces on the head and the dressing of wigs and hair pieces while on the head. The definition of “cosmetology” in *Minnesota Statutes*, section 155A.03, subdivision 2, must be construed to not prohibit or regulate hair braiding, hair braiding services, and hair braiders, as defined in subparts 17a to 17c.

Subp. 18a. **Simple braiding devices.** “Simple braiding devices” include clips, combs, curlers, curling irons, hairpins, rollers, scissors, needles, and thread.

[For text of subp 19, see M.R.]

Subp. 20. **Unregulated service.** “Unregulated service” means those services not defined as the practice of cosmetology under *Minnesota Statutes*, section 155A.03, subdivision 2, and which are exempt from regulation by the board, and includes ear piercing, body wrapping, permanent depilation, tattooing, artificial tanning of the skin; personal services incidental to performance in theatrical or musical productions or media appearances; any personal services performed incidental to mortuary practice; and massage services; and hair braiding, hair braiding services, and hair braiders, as defined in subparts 17a to 17c. Ordinances by local units of government that prohibit hair braiding, hair braiding services, or hair braiders, as defined in subparts 17a to 17c, or regulate any matter relating to licensing, testing, or training of hair braiding, hair braiding services, or hair braiders are preempted by this part.

## 2110.0100 UNREGULATED SERVICES.

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

Subp. 2. **Disclosure of courses.** Each school shall clearly identify those courses and clinical experiences in its curriculum which are not required by the department and which pertain to services not licensed by the state. These courses shall be clearly identified in all recruitment advertising and written material used for the purposes of soliciting prospective students.

Nonrequired courses and unregulated services shall be conspicuously identified in all written material, in type of the same size as the course or service name.

No more than one percent of the total instructional time and clinical experience in unregulated services shall not be included in the



minimum hours of schooling required for licensure.

## **2110.0500 CURRICULUM APPROVAL AND CONTENT.**

Each cosmetology school shall have a curriculum approved by the department to provide instruction, divided into daily lesson plans. The curriculum shall include theory and practical application of skills, including the instruction set forth in parts 2105.0600 and 2110.0510 to 2110.0540. No more than one percent of the total curriculum time may be dedicated to the teaching of unregulated services.

## **2110.0680 CERTIFICATION OF STUDENT HOURS.**

Certification of student hours shall be as follows:

- A. All student hours shall be recorded, on a daily and a monthly basis.
- B. The daily record of hours shall list the number of hours earned by each student and the nature of training received, designating all clinical experiences; shall be signed by the instructor who provided or supervised the training; shall be signed by the student; and shall be based on the hours actually recorded on the student's timecard.

Each student shall register on the timeclock at the beginning and end of each school day and at the beginning and end of lunch breaks. Timecards which are improperly punched or inadvertently altered, or contain any error may be corrected and that correction initialed by the student, the school manager, and the appropriate instructor.

Original timecards shall be deemed to be the property of the school. A student, within ten days of a request, is entitled to receive copies of his or her timecards from the school. The school may not withhold copies of his or her timecards after a proper request has been made.

C. Each school shall complete and maintain a monthly report for each student, summarizing the hours completed for that month, and signed by the school owner or manager. A copy of the report shall be given to the student within five days of the end of each month.

D. No school or student shall alter the content or the number of hours completed by a student unless because of error and signed by both parties.

E. Except as provided in parts 2110.0100, subpart 2, and 2110.0500, students shall receive credit only for hours spent in training for licensed cosmetology services.

F. No student shall receive credit for more than eight hours of training per calendar day.

G. Each student must be given a morning and afternoon break and at least one half hour for lunch, or one hour for lunch and no breaks.

H. It shall be made clear to the students in materials designed to elicit their enrollment and at the time of enrollment, the circumstances under which Saturday and evening training will be held.

## **Minnesota Department of Labor and Industry Division of Labor Standards and Apprenticeship Apprenticeship Unit**

### **Proposed Permanent Rules Governing Apprentice Wages**

#### **DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing If 25 or More Requests for Hearing Are Received**

#### **Proposed Amendments to Rules Governing Apprenticeship Wages, *Minnesota Rules*, part 5200.0390**

**Introduction.** The Department of Labor and Industry intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on February 16, 2006, a public hearing will be held in the Minnesota Room, Department of Labor and Industry, 443 Lafayette Road North, St. Paul, Minnesota 55155, starting at 9:30 A.M. on Monday, February 27, 2006. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after February 16, 2006 and before February 27, 2006.

**Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Jerry Briggs, Director of Labor Standards and Apprenticeship at the Department of Labor and Industry, 443 Lafayette Road North, St. Paul, Minnesota, 55155, **phone:** (651) 284-5194, **Fax:** (651) 284-5736 and **e-mail:** [jerry.briggs@state.mn.us](mailto:jerry.briggs@state.mn.us). TTY users may call the Department of Labor and Industry at (651) 297-4198.

# Proposed Rules

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**Subject of Rules and Statutory Authority.** The proposed rules are about Apprenticeship Wages. The proposed rule amendments provide an alternative method for the director of labor standards and apprenticeship to make the journeyman wage rate determination called for in *Minnesota Statutes*, § 178.03, subd. 3, in addition to prevailing wage rates and existing apprenticeship agreements for a trade in the area or county. The proposed amendments include a separate journeymen wage rate determination for work other than construction work on public works projects not funded in whole or in part with state funds. The statutory authority to adopt the rules is *Minnesota Statutes*, 2004, sections 175.171 and 178.041. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. A free copy of the rules is available upon request from the agency contact person listed above.

**Comments.** You have until 4:30 p.m. on Thursday, February 16, 2006 to submit written comment in support of or in opposition to the proposed rule amendments or any part or subpart of the rule amendments. Your comments must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Thursday, February 16, 2006. Your written request for a public hearing must include your name and address. It would be helpful and the department requests that you include your email address also. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

**Modifications.** The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules, unless the procedure under *Minnesota Rules*, part 1400.2110, has been followed. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for February 27, 2006, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 284-5194 after February 16, 2006 to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit valid written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Richard C. Luis is assigned to conduct the hearing. Judge Luis can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 349-2542, and **Fax:** (612) 349-2665.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day rebuttal period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

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

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# Proposed Rules

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from the agency.

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

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

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

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

Dated:

M. Scott Brener, Commissioner  
Department of Labor and Industry

## 5200.0390 DETERMINATION OF APPRENTICE WAGES.

Subpart 1. **Procedure.** Determination of the graduated schedule of wages for an apprenticeship agreement will be determined by the percentage rate used in the majority of individual apprenticeship agreements on file with the ~~Division of Voluntary~~ apprenticeship unit in any particular trade. The beginning rate must be at least the federal or state minimum wage rate, whichever is higher.

Subp. 2. **Journeyman wage rate rates.**

A. The journeyman wage rate for work other than construction on public works projects funded in whole or in part by state funds in apprenticeship agreements where no bargaining agreement exists shall be determined by ~~counties; areas~~ for all trades. ~~If there is either a state or federal prevailing wage determination or apprenticeship agreement for a trade, the most current rate of the determination or agreement must be used as the journeyman wage rate. The areas used to make the journeyman wage rate determinations shall be the most current Occupational Employment Statistics (OES) Economic Development Regions utilized by the Department of Employment and Economic Development. In making the determination of the journeyman wage rate the director of labor standards and apprenticeship shall consider existing wage rates in the employer's area for the trade including the current OES all-industry median wage rate, the current prevailing wage rates for the trade in the area certified pursuant to *Minnesota Statutes*, sections 177.41 to 177.44, and existing apprenticeship agreements for the trade in the area. The journeyman wage rate determination by the director shall not alter existing wage rates for apprentices or journeymen in a collective bargaining agreement and shall not have a beginning wage rate for an apprentice that is below the state or federal minimum wage.~~

B. The journeyman wage rate for construction work on public works projects funded in whole or in part by state funds in apprenticeship agreements where no bargaining agreement exists is the prevailing wage base rate pursuant to *Minnesota Statutes*, sections 177.41 to 177.44, for the trade on the project.

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

# Commissioners' Orders

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

## Public Utilities Commission

### Notice of Filings and Prehearing Conference in the Matters of the Applications of Otter Tail Power Company and Others for Need and Routing Certification of Transmission Facilities in Western Minnesota

#### Public Utilities Commission Docket Nos. ET-6131, ET-2, ET-6130, ET-10, ET-6444, E-017, ET-9/CN-05-619 and TR-05-1275

On October 3, 2005, Otter Tail Power Company; Central Minnesota Municipal Power Agency; Great River Energy; Heartland Consumers Power District; Montana-Dakota Utilities Co.; Southern Minnesota Municipal Power Agency; and Western Minnesota Municipal Power Agency (collectively, the "Applicants") filed a certificate of need application for a proposed transmission project in western Minnesota. According to the Applicants, the proposed facilities are needed to provide transmission outlet capacity for a new coal-fired unit at the Big Stone Power Plant in South Dakota and to strengthen the regional power grid.

On December 9, 2005, the Applicants filed an application for a route permit in Minnesota for the same transmission facilities.

The proposed transmission facilities fall under the definition of "large energy facility" in *Minnesota Statutes* § 216B.2421, subd. 2 (2). Therefore, in accordance with *Minnesota Statutes* § 216B.243, subd. 2, the facility cannot be constructed or sited in Minnesota unless the Commission issues a certificate of need to the Applicants.

The proposed Project includes the following components:

- a new 230-kilovolt (kV) line from the Big Stone Power Plant to Ortonville, of which 2 miles would be in Minnesota;
- a rebuild of an existing 115-kV line to 230 kV from Ortonville to Morris, approximately 16 miles long;
- a new line designed and capable of operating at 345 kV from the Big Stone Power Plant south to the Canby area, approximately 51 miles long, the majority of which is likely to be proposed for construction in South Dakota; and
- the conversion of an existing 115-kV line from Canby to Granite Falls to a line designed for and capable of operating at 345 kV, approximately 39 miles long.

The Applicants have identified a line from Ortonville to Willmar as a possible system alternative to the second line segment listed above.

Also, the Applicants indicated that the Granite Falls line would be operated at 230 kV until the line could connect with a planned 345 kV line extending from the Buffalo Ridge area to the Twin Cities area.

Routing considerations and proceedings in Minnesota and South Dakota could alter some of the line lengths indicated above.

Both applications have now been accepted by the Commission.

The applicable certificate of need rules are *Minnesota Rules*, parts 7849.0010 to 7849.0400. The applicable routing rules are *Minnesota Rules*, parts 4400.0200 to 4400.8000.

Administrative Law Judge Steve M. Mihalchick has been assigned to conduct the hearings in these proceedings. His address and telephone number are as follows: Office of Administrative Hearings, Suite 1700, 100 Washington Square, Minneapolis, Minnesota 55401-2138, (612) 349-2544.

A prehearing conference will be held for these applications at 9:00 a.m. on February 8, 2006 in the Small Hearing Room, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, MN 55101-2147. Persons wishing to participate in either of these dockets as an official party should attend this conference. Among the issues to be discussed are times and places for public hearings, the extent to which the evidentiary hearings for the two processes will be joined, dates for prefilings of testimony, and discovery procedures.

Questions regarding this project and these dockets may be directed to Commission staff members David Jacobson at (651) 201-2238, [david.jacobson@state.mn.us](mailto:david.jacobson@state.mn.us) and Bob Cupit at (651) 201-2255, [bob.cupit@state.mn.us](mailto:bob.cupit@state.mn.us).

## Official Notices

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

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

### Department of Administration State Designer Selection Board

#### Notice of Meetings

The State Designer Selection Board (SDSB) meets every Tuesday starting at 8:30 a.m. in the John Retzer Conference Room located in the State Architect's Office, Suite 301, in the Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155. Changes to the schedule will be posted on the SDSB website: [www.sao.admin.state.mn.us/sdsb/index.asp](http://www.sao.admin.state.mn.us/sdsb/index.asp). Any questions should be directed to the executive secretary at (651) 201-2399.

### Governor's Office Council on Faith and Community Service Initiatives

#### Notice of Meeting

**NOTICE IS HEREBY GIVEN** that the Council on Faith and Community Service Initiatives will meet at 3:00 p.m. on Friday, January 27, 2006, at the Department of Administration Building, 50 Sherburne Avenue, Room 116C, St. Paul, MN to make recommendations on how to level the playing field for faith and community organizations and increase access to public and private funding opportunities.

For more information contact:

Lee Buckley, Special Advisor on Faith and Community Service  
Office of Governor Tim Pawlenty  
50 Sherburne Avenue, Room 200  
St. Paul, MN 55155  
**Phone:** (651) 201-2567  
**Fax:** (651) 297-7909  
**E-mail:** [Lee.Buckley@state.mn.us](mailto:Lee.Buckley@state.mn.us)

### Department of Labor and Industry Labor Standards Unit

#### Notice of Corrections to Commercial Prevailing Wage Rates for Labor Codes in Isanti and Washington Counties

**Corrections** have been made to the Commercial Prevailing Wage Rates certified 12/27/05, for **Labor Codes 418, 419, 420, 421, 422, 423, 424, 425, 430, 431, and 435 in Hennepin County, Labor Code 420 in Isanti County, Labor Codes 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 430, 431, and 435 in Washington County.**

Copies with the corrected certified wage rates for these Counties may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 284-5091, or accessing our web site at [www.doli.state.mn.us](http://www.doli.state.mn.us). Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

M. Scott Brener, Commissioner  
Department of Labor and Industry



# Official Notices

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## Department of Labor and Industry

### Labor Standards Unit

#### Notice of Correction to Highway/Heavy Prevailing Wage Rates for Heavy Equipment Operators in Region 2, 4, 8 and 10

A **correction** has been made to the Highway/Heavy Prevailing Wage Rates certified 10/17/05, for Heavy Equipment Operators in Group 1, Group 2, Group 3 and Group 4 in **Region 2**, Heavy Equipment Operators in Group 2, Group 3 and Group 4 in **Region 4**, Heavy Equipment Operators in Group 1, Group 2, Group 3 and Group 4 in **Region 8**, Heavy Equipment Operators in Group 1, Group 2, Group 3, Group 4, Group 5 and Group 6 in **Region 10**.

Copies with the correction of the certified wage rates for these Counties may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 284-5091, or accessing our web site at [www.doli.state.mn.us](http://www.doli.state.mn.us). Charges for the cost of copying and mailing are \$.25 per page. Make check or money order payable to the State of Minnesota.

M. Scott Brener, Commissioner  
Department of Labor and Industry

## Public Utilities Commission

### Notice of Route Permit for Eastwood 115 kV-115Kv HVTL

#### RE: PUC Grants a Route Permit to Xcel Energy for a Double-Circuit 115 Kilovolt High Voltage Transmission Line in Blue Earth County (PUC Docket No. E002/TR-05-1192)

The Public Utilities Commission voted unanimously to designate a route and issue a route permit for the proposed double-circuit 115 kV high voltage transmission line from the Summit-Loon Lake line in Lime Township to the Eastwood Substation in Mankato Township in Blue Earth County. The Commission officially issued the Order and Permit on January 4, 2006.

Northern States Power, d/b/a Xcel Energy, was granted a route permit that specifies a new 115 kilovolt-115 kilovolt line approximately 3.5 miles long. The line taps into the Summit-Loon Lake line just south of Mankato Municipal Airport. It runs south along CR 12 and 589th Avenue, runs west along Thompson Ravine Road (CR 3), turns south along Power Drive and terminates at the existing Eastwood Substation.

The proposed transmission line project will require a new right-of-way of 45 feet when paralleling road or other existing rights-of-way and 80 feet when entirely new right-of-way is required. Structures will be single-shaft, steel davit arm poles averaging 85-90 feet in height with an average span length of 650 feet. The proposed transmission line is expected to be in service by the summer of 2006.

The Route Permit for the project contains conditions for site preparation, construction, cleanup, restoration, electrical performance standards, and other restrictions. The Permit and other information about this project may be reviewed on the PUC website:

<http://energyfacilities.puc.state.mn.us/Docket.html?Id=17001>

If you have any questions about this project or would like more information, please contact: David Birkholz, Department of Commerce, Energy Facility Permitting, 85 7th Place East, Suite 500, St. Paul, Minnesota 55101-2198; **telephone:** (651) 296-2878; **Fax:** (651) 297-7891; **TTY:** 1-(800) 657-3794; or **E-mail:** [david.birkholz@state.mn.us](mailto:david.birkholz@state.mn.us).

## Minnesota State Retirement System

### Notice of Regular Meeting of the Board of Directors January 20, 2006

The Board of Directors of the Minnesota State Retirement System (MSRS) is scheduled to meet on Friday, January 20, 2006, at 9:00 a.m. in the Retirement Systems of Minnesota Building, 60 Empire Drive, Suite 117, Saint Paul, Minnesota.

# 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](http://www.mmd.admin.state.mn.us) for informal solicitation announcements.

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

## Department of Administration Business Assistance

You get so much more with a subscription to the *State Register*. It brings you almost \$3 billion a year in state government business and contracts. It's all in an easy to use format, with helpful LINKS, a simple special contracts section to review, and indices for handy reference. Subscriptions cost \$180 a year (normal cost \$260), or about \$3.50 per issue. Here's what you receive:

- **Contracts & Grants Open for Bid**
- **Indexes to Vols. 29, 28 and 27**
- **Early delivery, on Friday**
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- **LINKS, LINKS, LINKS**
- **Index to Vol. 30**
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It's all E-mailed to you, on Friday, instead of waiting for Monday's issue. Contact Jessie Rahmeyer, our subscriptions manager, at (651) 297-8774, or Fax: (651) 297-8260, or E-mail: [jessie.rahmeyer@state.mn.us](mailto:jessie.rahmeyer@state.mn.us)

## Colleges and Universities, Minnesota State (MnSCU) St. Cloud Technical College ADVERTISEMENT FOR BIDS for Remodeling Two Labs

Sealed Bids for: **Rooms 306 & 308 Remodel**  
St. Cloud Technical College  
1540 Northway Drive  
St. Cloud, MN 56303

will be received by: **Beth Althaus**  
St. Cloud Technical College  
Room 1-102  
**St. Cloud, MN 56301**

Until **2:00, February 09, 2006** at which time the bids will be opened and publicly read aloud.

**Project Scope:** Remodel (2) labs, approximately 1,800 square feet to be an Echocardiography/Sonography lab and an Invasive Cardiovascular Training lab.

A pre-bid meeting will be held at **10:00 Am, January 31, 2006**, in Room **1-308**, St. Cloud Technical College. The Architect/Engineer and Owner Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

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

- 1.) above named Project Architect/Engineer.
- 2.) following Builders Exchanges: **St. Cloud, Minneapolis and Fargo**
- 3.) Reed Construction Data
- 4.) Dodge Reports/McGraw Hill
- 5.) National Association of Minority Contractors of Upper Midwest

# State Contracts

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Complete sets only of bid forms and Drawings and Specifications for use by Bidders in submitting a bid may be obtained from the Architect.

A deposit of **\$15.00** required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable payment (check made out to the Architect) for **\$5.00** per set for shipping & handling (in addition to the **\$15.00** deposit) to the Architect. Such deposits and payments may be sent prior to **February 2, 2006**. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

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

Prevailing wages will be required.

## Minnesota Department of Corrections Notice of Request for Proposals for Temporary Registered and Licensed Nursing and Other Direct Care Health Care Services

The Minnesota Department of Corrections (DOC) is seeking proposals to provide temporary registered and licensed nursing and other direct care health care services. Other direct care health care services may include mental health, physical therapy, occupational therapy, speech therapy, personal care attendant services, certified medication assistant services, laboratory technician services, x-ray technician services, nurse aide services and other direct care health care services as needed.

Temporary nursing/health care services may be needed at any one or all of the ten Minnesota Correctional Facilities (MCF) located at Stillwater, Oak Park Heights, Lino Lakes, Rush City, Willow River/Moose Lake, St. Cloud, Faribault, Red Wing, Shakopee, and Togo. All of the DOC MCFs and the central office, located in St. Paul, are participants in this request for proposal (RFP). The DOC anticipates awarding more than one contract to ensure availability and continuity of staffing at all MCF locations.

The contract period is from July 1, 2006, through June 30, 2008, with the option to extend for three one-year periods, at the discretion of the DOC and mutual agreement between the DOC and the contractor. The contract cost for all facilities/locations and all services is estimated not to exceed \$2,000,000 for the two-year contract period; however this proposal does not obligate the DOC to spend the estimated dollar amount. Contractor travel expenses will not be paid in the awarded contracts.

Request the full RFP, which will be sent free-of-charge, by writing, e-mailing, or faxing the contact person listed below. Proposals must be submitted to the same contact person. Other personnel of the DOC are NOT allowed to discuss the RFP with anyone, including responders, before the submission deadline. Proposals must be received by the contact person listed below no later than 2:30 p.m. CT, March 10, 2006.

Patricia J. Larsen, Administrative Manager  
Minnesota Department of Corrections  
Health Services Unit  
1450 Energy Park Drive, Suite 200  
St. Paul, Minnesota 55108-5219  
**Phone:** (651) 603-6767  
**Fax:** (651) 523-7139  
**E-mail:** [plarsen@co.doc.state.mn.us](mailto:plarsen@co.doc.state.mn.us)

## Minnesota Department of Corrections Notice of Request for Proposals (RFP) for Transitional Support and Accountability Services for Sex Offenders

The Minnesota Department of Corrections (DOC) is seeking proposals to provide transitional support and accountability services to offenders prior to and following release from DOC adult correctional facilities. The target population is adult male and female sex offenders with current or past felony sex offense commitments to the DOC who have not successfully completed sex offender programming during confinement. This target population will consist of offenders released from DOC adult correctional facilities during the contract period of March 1, 2006, through June 30, 2007. There is a possibility of three additional one-year terms contingent upon funding and satisfactory contractor performance.

Total funding for these services may not exceed \$180,000, and this RFP may result in multiple contract awards. Respondents must offer services to offenders released to the specific geographic area of Minneapolis, Minnesota.

Request the full RFP, which will be sent free-of-charge, by writing, e-mailing, or faxing the contact person listed below. Proposals must be submitted to the same contact person. Other personnel are NOT allowed to discuss the RFP with anyone, including responders, before the proposal submission deadline. Proposals must be received by the contact person listed below no later than 12:00 p.m. CT, February 7, 2006.

Lynda Davis, Grants & Subsidies Unit  
Minnesota Department of Corrections  
1450 Energy Park Drive, Suite 200  
St. Paul, MN 55108-5219  
**Telephone:** (651) 643-2533  
**E-mail:** [ldavis@co.doc.state.mn.us](mailto:ldavis@co.doc.state.mn.us)

## Minnesota Historical Society

### Notice of Request for Bids for James J. Hill House Roof & Soffit Restoration, St. Paul, Minnesota

The Minnesota Historical Society is seeking bids from qualified firms to provide all labor, materials, equipment, and supplies to complete the restoration of the roof and soffit at the James J. Hill House, 240 Summit Avenue, St. Paul, Minnesota 55102. The work consists of the removal and replacement of the existing slate roofing to facilitate the installation of new sheathing, flashing, new roof insulation, and the restoration of copper gutters and soffits. The Work also includes the restoration of gallery glazing systems and all other related work.

The Request for Bids and other front-end documents are available by contacting Mary Green Toussaint, Contracting and Purchasing Assistant, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102-1906. Telephone (651) 297-7007; e-mail: [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org).

The project plans and specifications are available from Miller Dunwiddie Architecture, 123 North Third Street, Suite 104, Minneapolis, MN 55401-1657. Telephone (612) 337-0000; FAX (612) 337-0031. A refundable plan deposit of \$50.00 will be required for one set. Deposits will be returned to all parties returning plans and specifications in good condition.

There will be a **MANDATORY pre-bid meeting** for all interested parties at **2:00 P. M. Central Time on Tuesday, January 31, 2006** at the Site.

All bids must be received by Kathryn Ludwig, Contracting Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102-1906 or an authorized agent (Society staff at the 1<sup>st</sup> floor Information Desk of the Minnesota History Center) no later than **2:00 P. M. Central Time, Tuesday, February 14, 2006**. A public bid opening will be conducted at that time.

Dated: January 17, 2006

## Minnesota Historical Society

### Notice of Request for Bids for Printing/Binding/Mailing of Minnesota History

The Minnesota Historical Society is seeking bids from qualified firms to provide printing, binding, and mailing of *Minnesota History*, the Society's quarterly journal. This bid is to cover eight issues of the journal, with the first issue being published in April 2006, and subsequent issues to be published every three months through the duration of the contract.

The Request for Bids is available by contacting Mary Green Toussaint, Contracting and Purchasing Assistant, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102-1906. Telephone (651) 297-7007; e-mail: [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org).

All bids must be received by Kathryn Ludwig, Contracting Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102-1906 or an authorized agent (Society staff at the 1<sup>st</sup> floor Information Desk of the Minnesota History Center) no later than **2:00 P. M. Central Time, Tuesday, February 7, 2006**. **Late bids will not be considered**. A public bid opening will be conducted at that time.

Dated: January 17, 2006

# State Contracts

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## Minnesota Department of Public Safety

### Office of Traffic Safety

#### Notice of Request for Proposals for Analysis of Safety Belt Observation Survey Data

The Minnesota Department of Public Safety, Office of Traffic Safety (OTS) requests proposals from contractors experienced at analyzing data and complying reports to analyze data collected by the OTS pertaining to shoulder belt use and cell phone use by front seat occupants of motor vehicles and motorcycle helmet use on Minnesota roadways and to provide written reports to the OTS on the results. Details are contained in a complete Request for Proposals (RFP) which may be obtained by calling or writing:

Contact: Kathleen Haney  
Address: Department of Public Safety  
Office of Traffic Safety  
444 Cedar Street, Suite 150  
St. Paul, Minnesota 55101-5150  
**Telephone:** (651) 215-9091  
**Fax:** (651) 297-4844  
**E-mail:** *kathleen.haney@state.mn.us*

This is the only person designated to answer questions regarding this RFP. Anticipated start date of this contract is March 13, 2006 with a completion date of September 29, 2006. Estimated total cost of the contract is \$16,000. However, OTS will retain the option to extend the contract for up to four additional one-year periods, not exceeding a total of five years. The value of the contract for subsequent years may be adjusted. Final date for submitting proposals is February 7, 2006, by 2:00 p.m. Central Standard Time. All expenses incurred in responding to this notice shall be borne by the responder.

## Department of Transportation (Mn/DOT)

### Engineering Services Division

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

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

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

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

All expenses incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

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

Send completed application material to:

Ron Bisek  
Consultant Services  
Office of Technical Support  
Minnesota Department of Transportation  
Consultant Services



395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680  
St. Paul, MN 55155

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

## Department of Transportation (Mn/DOT) Engineering Services Division

### Notice Concerning Professional/Technical Contract Opportunities

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

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

## Non-State Contracts & Grants

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

## Metropolitan Council

### Notice of Invitation for Bids (IFB) for Bus Shelter Maintenance Services

Reference Number 05P050

The Metropolitan Council is soliciting bids to provide Bus Shelter Maintenance Services.

<i>Issue Invitation for Bids</i>	<b>January 17, 2006</b>
<i>Pre-Bid Conference</i>	<b>February 2, 2006</b>
<i>Bids Due</i>	<b>February 16, 2006</b>
<i>Award Contract</i>	<b>March 2006</b>

All firms interested in submitting bids for this contract and desiring to receive an IFB package are invited to make a written request either by e-mail, fax or mail to:

Sunny Jo Emerson  
Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
230 East Fifth Street  
St. Paul, MN 55101  
**Fax:** (651) 602-1083  
**E-mail:** [sunnyjo.emerson@metc.state.mn.us](mailto:sunnyjo.emerson@metc.state.mn.us)

# Non-State Contracts & Grants

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## Metropolitan Council

### Notice of Request for Proposals (RFP) for Building Engineer Services

Reference Number 06P004

The Metropolitan Council is soliciting proposals to provide Building Engineer Services.

*Issue Request for Proposals*

**January 17, 2006**

*Proposals Due*

**February 7, 2006**

*Award Contract*

**March 2006**

All firms interested in submitting proposals for this contract and desiring to receive an RFP package are invited to make a written request either by e-mail, fax or mail to:

Sunny Jo Emerson  
Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
230 East Fifth Street  
St. Paul, MN 55101  
**Fax:** (651) 602-1083  
**E-mail:** [sunnyjo.emerson@metc.state.mn.us](mailto:sunnyjo.emerson@metc.state.mn.us)

## Metropolitan Council

### Notice of Request for Proposals (RFP) for the East Bethel Wastewater Treatment Planning Study

RFP Number 06P005

The Metropolitan Council is soliciting proposals for preliminary engineering planning services and other support services in anticipation of design and construction of wastewater treatment facilities for East Bethel. Services are expected to include site selection, site acquisition, preliminary design work, geotechnical investigations, site surveying, and planning reports.

A tentative schedule shown below.

*Issue Request for Proposals*

**January 19, 2006**

*Proposals Due*

**February 21, 2006**

*Performance of Services*

**February – September 2006**

All firms interested in submitting a proposal for this work are invited to request an RFP document from the contact listed below.

Harriet Simmons, Administrative Assistant  
Metropolitan Council  
230 East Fifth Street  
Mears Park Centre  
St. Paul, MN 55101  
**Phone:** (651) 602-1086  
**Fax:** (651) 602-1138  
**E-mail:** [harriet.simmons@metc.state.mn.us](mailto:harriet.simmons@metc.state.mn.us)

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## Non-State Contracts & Grants

### Metropolitan Council

#### Notice of Request for Proposals (RFP) for Victoria and St. Bonifacius Interceptor Improvements Design and Construction Support

##### Contract Number 06P001

The Metropolitan Council is requesting proposals for Victoria and St. Bonifacius Interceptor Improvements Design and Construction Support.

*Issue Request for Proposals*  
*Receive Proposals*  
*Contract negotiated, executed, NTP*  
*Period of performance*

**January 17, 2006**  
**February 17, 2006**  
**April, 2006**  
**April, 2006 to April, 2011**

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

Harriet Simmons, Senior Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
230 East Fifth Street  
Mears Park Centre  
St. Paul, MN 55101  
**Phone:** (651) 602-1086  
**Fax:** (651) 602-1083  
**E-mail:** [harriet.simmons@metc.state.mn.us](mailto:harriet.simmons@metc.state.mn.us)

### University of Minnesota

#### Subscribe to Bid Information Service (BIS)

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

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



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