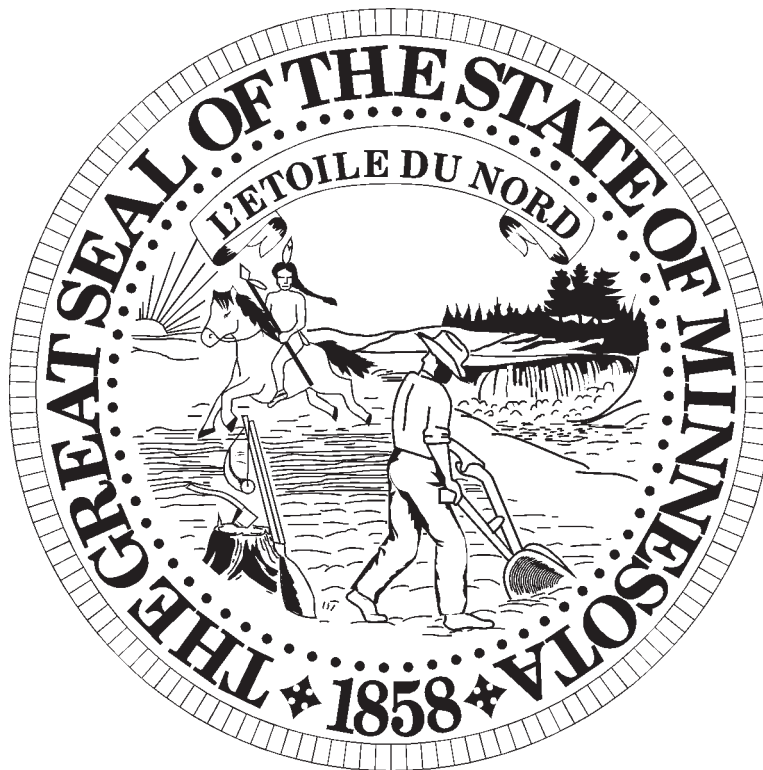


State of Minnesota

State Register



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

Published every Monday (Tuesday when Monday is a holiday)

**Monday 9 October 2006
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State Register

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

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- appointments
- proclamations and commendations
- commissioners' orders
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# 15	Monday	9 October	Noon Tuesday	3 October	Noon Wednesday	27 September
# 16	Monday	16 October	Noon Tuesday	10 October	Noon Wednesday	4 October
# 17	Monday	23 October	Noon Tuesday	17 October	Noon Wednesday	11 October
# 18	Monday	30 October	Noon Tuesday	24 October	Noon Wednesday	18 October

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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, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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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.

Department of Administration

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Department of Public Safety

ARMER/911 Program

Proposed Permanent Rules Relating to 911 Emergency Communication Systems

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 the Statewide 911 Emergency Telephone System, *Minnesota Rules*, Chapter 1215; Governor's Tracking #AR265

Introduction. The Department of Public Safety 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 Tuesday, November 7, 2006, a public hearing will be held at the 1st Floor Conference Room, League of Minnesota Cities, 145 University Avenue West (University & Rice Street), St. Paul, Minnesota, starting at 9:00 AM CST on Tuesday, December 12, 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 Tuesday, November 7, 2006 and before Tuesday, December 12, 2006.

Proposed Rules

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: Mary Kay Frisch, Department of Public Safety Statewide 911 Program, 444 Cedar Street, Suite 137, St. Paul, Minnesota 55101-5137, **Phone:** (651) 201-7551, **Fax:** (651) 296-2665, or **e-mail** to marykay.frisch@state.mn.us. TTY users may call the Department at (651) 282-6555.

Subject of Rules and Statutory Authority. Statutory Authority. *Minnesota Statutes*, section 403.07, subdivision 1 authorizes the Department to adopt rules for the development of 911 systems in the state.

The Department is considering the following amendments to manage the number of default routing trunks:

Minnesota Rule Parts 1215.0200 Definitions.

Adding definitions for Automatic Location Identification (ALI),
Automatic Location Identification Database, Default Routing,
911 Service Provider, No Record Found (NRF), and Service Provider.

Minnesota Rule Parts 1215.0800 Design Standards.

Providing for the coordination of trunked circuits needed to provide 911
service and determining default answering points for the routing of 911
calls where a “no record found” condition occurs.

Minnesota Rule Parts 1215.0900 Operational Requirements.

Establishing minimum accuracy standards for customer location
information provided by telecommunication service providers to the
ALI database, adding an ALI data base reporting requirement for the
911 service providers, and requiring answering points to establish
procedures for “no record found” 911 calls.

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. You may also download a free copy of the rules at the Department of Public Safety, 911 Program website at www.911.state.mn.us.

Comments. You have until 4:30 p.m. on Tuesday, November 7, 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 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 Tuesday, November 7, 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 Tuesday, December 12, 2006 at 9:00 AM CST, 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) 201-7551

Proposed Rules

after Tuesday, November 7, 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 Eric L. Lipman is assigned to conduct the hearing. Judge Lipman can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 341-7601, 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 and can be downloaded by going to the Department of Public Safety 911 web site at www.911.state.mn.us. 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 Office 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.

Date signed: September 26, 2006

Ronald L. Whitehead
ARMER / 911 Program Director

1215.0200 DEFINITIONS.

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

Subp. 1a. Automatic location identification (ALI). "Automatic location identification" or "ALI" means the process of electronically identifying and displaying the name of the subscriber and the location, where available, of the calling telephone number to a person answering a 911 emergency call.

Subp. 1b. Automatic location identification (ALI) database. "Automatic location identification database" or "ALI database" means the set of ALI records residing on a computer system.

Subp. 2. Automatic number identification (ANI). "Automatic number identification ~~(ANI)~~ or "ANI" means the process of electronically identifying and displaying on a special viewing screen the telephone number of the calling party's telephone to a 911 answering person as the call is being answered.

Proposed Rules

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

Subp. 3a. **Default routing.** “Default routing” means the capability to route a 911 call to a PSAP designated as the default PSAP when the incoming 911 call cannot be selectively routed due to ANI failure or other cause.

Subp. 4. **Busy hour; busy month.** “Busy hour” means a one-hour period during a 24-hour day where the number of 911 calls to the public safety answering point is usually a maximum. Similarly, “busy month” means the busiest month during a 12-month period.

Subp. 4a. **911 service provider.** “911 service provider” means a 911 emergency service provider that provides selective routing and ALI database services.

Subp. 4b. **No record found (NRF).** “No record found” or “NRF” means a condition where no ALI information is available for display at the PSAP.

Subp. 5. **Public agency.** “Public agency” means any unit of local government or special purpose district located in whole or part within this state which that provides or has authority to provide fire fighting, police, ambulance, medical, or other emergency services.

Subp. 6. **PSAP or public safety answering point.** “PSAP” or “public safety answering point” means a communications facility operated on a 24-hour basis which that first receives 911 calls from persons in a 911 service area and which that may, as appropriate, directly dispatch public safety services or extend, transfer, or relay 911 calls to appropriate public safety agencies.

[For text of subps 7 and 8, see M.R.]

Subp. 8a. **Service provider.** “Service provider” means a wire-line service provider, wireless service provider, packet-based service provider, or any other telecommunications or data service provider that directly accesses the 911 network through a selective router through dedicated trunk circuits or that accesses the 911 network under an arrangement with another service provider having direct access.

Subp. 9. **Telephone exchange area.** “Telephone exchange area” means a specific geographic area designated by the Department of Commerce, which is served by one or more central offices.

[For text of subp 10, see M.R.]

1215.0800 DESIGN STANDARDS.

Subpart 1. **Load.** The 911 system ~~shall~~ **must** be designed and operated to maintain a grade of service such that no more than one call out of 100 incoming calls will receive a busy signal on the first dialing attempt during the busy hour of an average week during the busy month.

Subp. 2. **Emergency services included.** Where such services are available within a 911 service area, the 911 system ~~shall~~ **must** include the following services:

A. police services: ~~This term, which~~ includes police, sheriff’s departments, and state patrol;

B. firefighting services; and

C. emergency medical services: ~~This term, which~~ includes ambulance service and first aid or other immediate response service provided directly to the caller. Other public safety and civil defense services may be included in the 911 system at the discretion of the public agency operating the PSAP.

Subp. 3. **Hold.** PSAP answering equipment ~~shall permit~~ **must enable** answering personnel to place the 911 call on hold.

[For text of subp 4, see M.R.]

Subp. 5. **Automatic alarms.** Remote automatic alarm systems and other related devices ~~shall~~ **must** not be installed in such a manner that an automatic alarm signal is connected to the 911 trunks.

Subp. 6. **Default routing.** The commissioner shall determine the number of trunked circuits and the designated default PSAP for routing 911 calls from each service provider.

A. The basic level of default routing coordination must be at the level of the selective router. The affected 911 service provider and representatives of the public safety answering points associated with the selective router shall recommend the default routing plan to the commissioner.

B. In determining the number of trunked circuits and in designating a primary default PSAP for a service provider, the commissioner shall:

(1) consider the default routing plan recommended by the affected 911 service provider and representatives of the public safety answering points associated with the selective router;

(2) provide for default routing to at least one PSAP in each area code;

(3) if a primary service area can be identified for a service provider, require the primary default PSAP to be the PSAP jurisdiction where the service provider’s primary service area is located; and

(4) consider whether additional default routing may be provided to a PSAP if:

(a) the service provider is a competitive local exchange carrier (CLEC) capable of providing class marking for trunk assignment; and

(b) the service provider has a substantial number of customers within the PSAP’s jurisdiction.

1215.0900 OPERATIONAL REQUIREMENTS.

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

Subp. 11. **ALI database standards.**

A. A service provider shall provide accurate data to the 911 automatic location identification database with no more than 0.5 percent of all calls received by the 911 network during any calendar year resulting in a no record found (NRF) condition.

(1) If a service provider provides service in areas covered by different 911 service providers, the standard must be applied to each 911 service provider's network separately.

(2) Adjustments to the number of NRF 911 calls attributed to a service provider during a calendar year must be made:

(a) for multiple 911 calls received from the same telephone number over a 24-hour period;

(b) for 911 calls received from a telephone installed less than one full business day, which includes each weekday except a legal holiday, following the date of installation;

(c) for prearranged test calls made to verify the operation of the 911 network;

(d) for manual searches on telephone numbers not received as 911 calls;

(e) for 911 calls received from a location that was referred to the PSAP jurisdiction for addressing while the addressing request is unresolved; and

(f) if a telephone number generating the NRF call has been transferred to another service provider or entity, based upon reference to the Number Portability Administration Center, in which case the incident must be reassigned and reported as a NRF call to the appropriate service provider.

(3) A service provider shall submit a claim for an adjustment to a NRF 911 call to the 911 service provider as part of its resolution of the incident and shall submit a written claim for any adjustments to the commissioner within 30 days of the incident.

B. Every 911 service provider shall:

(1) maintain a written procedure defining the 911 service provider's procedure for identifying, reporting, and resolving incidents of NRF, which provides for the timely reporting of each incident and the details of the incident, including the trunk group and trunk the call was received upon if available, to the responsible service provider; and

(2) report the following information to the commissioner for each service provider within 30 days of the end of each calendar year:

(a) total number of 911 calls;

(b) the total number of NRF 911 calls; and

(c) for each NRF 911 call:

(i) a list of the date, time, and phone number of each call;

(ii) a brief description of the action taken to prevent a reoccurrence, if known to the 911 service provider; and

(iii) the basis for any adjustment requested by the service provider.

C. Every public safety answering point shall adopt a procedure for handling NRF 911 calls, which must include:

(1) a description of the causes for a NRF 911 call from service providers using different technologies, including but not limited to wire line, wireless, and VoIP;

(2) recognition of a NRF 911 call by PSAP personnel;

(3) any attributes of the 911 calls display that might aid in identifying the location of the caller;

(4) the PSAP's procedure for handling the call; and

(5) procedures for reporting the NRF to the 911 service provider.

Subp. 12. **ALI database records.** Each 911 service provider shall report annually, within 30 days of the end of each calendar year, to the commissioner the following information:

(1) the total number of records maintained in the ALI database for all areas served by the service provider;

(2) the total number of records maintained in the ALI database for each National Emergency Number Association (NENA) company identification; and

(3) the number of records associated with each PSAP based upon emergency service number or other appropriate index for each National Emergency Number Association (NENA) company identification.

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

Revenue Notice # 06-12: MinnesotaCare Tax – Patient Services – Cosmetology Services

Introduction

This revenue notice explains the application of the MinnesotaCare tax when cosmetology services, as defined in *Minnesota Statutes*, section 155A.03, subdivision 2, are provided by an entity that employs health care providers.

Patient services that are provided by a health care provider are subject to the MinnesotaCare tax. Patient services are defined in *Minnesota Statutes*, section 295.50, subdivision 9b, to include nursing, medical, and “. . . other diagnostic or therapeutic items or services . . .” provided to a patient or consumer. A health care provider is defined in *Minnesota Statutes*, section 295.50 subdivision 4, to include a person whose health care occupation is regulated by the state of Minnesota and who furnishes diagnostic or therapeutic services to a patient or consumer; a person who provides goods and services that qualify for reimbursement under the medical assistance program; or a facility that employs such a person. All patient services provided by a health care provider are taxable.

Under *Minnesota Statutes*, section 155A.08, subdivision 1, a person “who offers cosmetology services for compensation in this state shall be licensed as a salon if not employed by another licensed salon or as an esthetician in connection with medical care in relation to esthiology in the office of a licensed physician.”

Under *Minnesota Statutes*, section 155A.14, a health care provider is not required to be licensed as a salon.

Department Position

- A. All patient services provided directly by a person who is regulated as a health care provider under *Minnesota Statutes*, 295.50, subdivision 4, are subject to the MinnesotaCare tax.
- B. When a facility employs health care providers and is not licensed as a salon, all patient services performed by the facility’s employees are subject to the MinnesotaCare tax.
- C. When a facility does not employ health care providers, none of the services are taxable.
- D. When a licensed salon provides cosmetology services and employs health care providers, the services provided by employees that are not health care providers are not subject to the MinnesotaCare tax unless one of the following conditions applies:
 1. the cosmetology service includes an assessment of the patient before, during, or after the service, conducted by a health care provider who is employed by the facility;
 2. the service is billed under a medical code;
 3. the service is supervised or ordered by a health care provider employed by the facility;
 4. the service is covered by a health care provider’s medical malpractice insurance; or
 5. the service involves the use of prescription drugs or prescription devices.

Examples

1. A spa employs a dermatologist. Facials that are ordered by the dermatologist and performed by an esthetician employed by the spa are subject to tax since they are patient services.
2. A plastic surgeon owns and operates a medical spa. The spa is not licensed as a salon. All the services provided by the surgeon or by other employees of the spa are patient services and are subject to tax.
3. A health care provider owns a licensed salon. The health care provider is not employed by the salon and the salon does not employ any other health care providers. Services provided by the salon are not subject to the MinnesotaCare tax.
4. Administration of the following prescription drugs or devices is subject to tax: Botox injections, Collagen injections, Restylane injections, and Sclerotherapy injections. Chemical peels and microdermabrasion facials performed by a nurse are subject to tax.
5. Facials and eyelash tinting performed by an esthetician are not subject to tax if they are not subject to medical oversight.
6. A licensed salon performs facials. The patient is examined by a health care provider who is employed by another facility (none of the other conditions listed above under Department Position D apply). The examination by the provider is subject to the MinnesotaCare tax. The facials are not subject to the MinnesotaCare tax.

Revenue Notices

7. A fitness center employs a health care provider who advises members on exercise and weight issues. A salon within the fitness center performs cosmetology services. The health care provider is not involved in providing the cosmetology services. The cosmetology services are not subject to tax.

Publication Date: October 9, 2006

JOHN H. MANSUN, Assistant Commissioner
for Tax Policy and External Relations

Official Notices

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

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

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C for 138.44 Acres of Bare Farmland in Lyon County

NOTICE IS HEREBY GIVEN that a public hearing will be held on October 30, 2006, at 9:00 A.M., Department of Agriculture Building, Agricultural Finance Division, 625 Robert Street North, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of 138.44 acres of bare farmland located two miles east of Lynd, MN on 230th Street off of Highway 23; Section 35, T 111 N, Lyon County, Minnesota on behalf of Brian and Jill Thooft, (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$193,816.00.

The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: October 4, 2006

Jim Boerboom
RFA Director

Official Notices

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C to Finance Construction of a 2,000 Head Hog Finishing Facility in Fairmont Township, Martin County, Minnesota

NOTICE IS HEREBY GIVEN that a public hearing will be held on October 30, 2006, at 9:00 A.M., Department of Agriculture Building, Agricultural Finance Division, 625 Robert Street North, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the construction of a 2,000 head hog finishing facility located two miles east of Highway 15 South in Fairmont, MN; Section 27, Fairmont Township, Martin County, Minnesota on behalf of Patrick D. and Pamela K. Gerken, (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$250,000.00.

The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: October 4, 2006

Jim Boerboom
RFA Director

Minnesota Housing Finance Agency

Notice of Hearing on Bond Issues for Qualified Mortgage Bonds

NOTICE IS HEREBY GIVEN that the Minnesota Housing Finance Agency (the "Agency") will hold a public hearing at 3:00 p.m. on Thursday, October 26, 2006 at the Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101, for the purposes of taking public testimony regarding the issuance of qualified mortgage bonds, comprising one or more series, in an aggregate principal amount not exceeding \$250,000,000.

The bonds will be issued as qualified mortgage bonds subject to the mortgage eligibility requirements of Section 143 of the Internal Revenue Code of 1986, as amended, and, after payment of expenses and funding of reserves, will provide approximately \$240,000,000 of mortgage loans to certain low and moderate income, first-time homebuyers of single family owner-occupied residences located throughout the State of Minnesota, which homebuyers qualify under the Agency's single family mortgage program and applicable federal tax law. The Agency's single family mortgage program is further described in the MHFA Mortgage Program Procedural Manual, a copy of which may be obtained from the Agency. Said bonds may be issued either as refunding bonds to refund certain outstanding bonds of the Agency or as "new money" bonds using a portion of the Agency's state bond volume allocation, and may be issued either as short-term bonds, subject to refunding or remarketing at a subsequent date on a long-term, fixed or variable rate basis, or as long-term, fixed or variable rate bonds on original issuance.

The bonds covered by this hearing notice, up to an aggregate principal amount not exceeding \$250,000,000, are anticipated to be issued periodically to fund the Program during the calendar years 2006 and 2007, until fully utilized.

Parties wishing to comment on the financing program may appear in person at the hearing or may submit written comments to the undersigned prior to the hearing, which comments will be considered at the hearing. Parties desiring additional information should contact Ms. Sharon Bjostad of the Agency at (651) 282-2577.

Timothy E. Marx, Commissioner
Minnesota Housing Finance Agency

Metropolitan Council

Notice of Public Hearings for the 2007 Unified Operating Budget, 2007 Capital Budget and 2007-2012 Capital Improvement Plan

The Metropolitan Council will hold a public hearing on November 8, 2006, to receive comments on the proposed *2007 Unified Operating Budget*, *2007 Capital Budget* and *2007-2012 Capital Improvement Plan*.

The documents will be available on the Council's website at: www.metrocouncil.org. The *2007 Unified Operating Budget* will be available on October 11, 2006. The *2007 Capital Budget* and *2007-2012 Capital Improvement Plan* will be available on October 31, 2006. Printed copies are available at no charge from the Council's Data Center, 390 N. Robert Street, St. Paul. Call (651) 602-1140 or email: data.center@metc.state.mn.us.

The public hearing will be conducted on Wednesday, November 8, 2006, at 5:00 pm, 390 N. Robert St., St. Paul, MN.

Upon request, the Council will provide reasonable accommodations to persons with disabilities. Please call the Data Center, (651) 602-1140 with your request at least five working days before the hearings.

The procedure for the hearing will be as follows:

- Persons will be called to speak in 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 of the hearing shall have discretion in limiting or extending testimony by any person.

You may also submit comments for the official record in one of the following ways:

- **Mail:** Metropolitan Council Data Center, 390 N. Robert Street, St. Paul, MN 55101
- **Fax:** (651) 602-1464
- **Public Comment Line:** 651-602-1500
- **E-mail:** data.center@metc.state.mn.us
- **TTY:** (651) 291-0904

Comments will be accepted until 4 p.m., Tuesday, December 12, 2006. 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 Data Center at (651) 602-1140, or (651) 291-0904 (TTY).

Metropolitan Council

Notice of Public Hearings to Amend the 2030 Regional Development Framework and Water Resources Management Policy Plan

The Metropolitan Council will hold a public hearing on November 14, 2006, to receive comments on proposed amendments to the *2030 Regional Development Framework* and the *Water Resources Management Policy Plan*. The proposed amendments will change the geographic planning area for East Bethel to "Rural Growth Center and diversified rural." The amendments will consider changes to the text, population forecasts, and the capital improvement schedule, to include East Bethel as a "Rural Growth Center" and that a Rural Growth Center may request that the Council own and operate a new wastewater treatment plant to serve the community. Currently, the city is classified as "diversified rural."

The proposed amendments are available on the Council's website at: www.metrocouncil.org/planning/framework/overview.htm. Printed copies are available at no charge from the Council's Data Center, 390 N. Robert Street, St. Paul. Call (651) 602-1140 or email: data.center@metc.state.mn.us.

The public hearing will be conducted on Tuesday, November 14, 2006, at 4:00 pm, 390 N. Robert St., St. Paul, MN.

Upon request, the Council will provide reasonable accommodations to persons with disabilities. Please call the Data Center, (651) 602-1140 with your request at least five working days before the hearings.

The procedure for the hearing will be as follows:

- Persons will be called to speak in 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.

Official Notices

- The chair of the hearing shall have discretion in limiting or extending testimony by any person.

You may also submit comments for the official record in one of the following ways:

- **Mail:** Metropolitan Council Data Center, 390 N. Robert Street, St. Paul, MN 55101
- **Fax:** (651) 602-1464
- **Public Comment Line:** (651) 602-1500
- **E-mail:** data.center@metc.state.mn.us
- **TTY:** (651) 291-0904

Comments will be accepted until 5 p.m., Friday, November 24, 2006. 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 Data Center at (651) 602-1140, or (651) 291-0904 (TTY).

Minnesota Pollution Control Agency Regional Environmental Management Division Notice of Availability of the Draft Chippewa River Fecal Coliform Total Maximum Daily Load Report and Request for Comments

Public Comment Period Begins: October 9, 2006

Public Comment Period Ends: November 7, 2006

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft report for the Chippewa River Fecal Coliform Total Maximum Daily Load (TMDL). Ten reaches in the Chippewa River Watershed are impaired because they do not meet the fecal coliform bacteria water quality standard. Written comments must be sent to the MPCA contact person listed below by November 7, 2006. The draft TMDL is available for review at: <http://www.pca.state.mn.us/water/tmdl.html#drafttmdl>. Following the comment period, the MPCA will revise the draft TMDL Report and submit it to the U.S. Environmental Protection Agency (EPA) for approval.

Ten impaired reaches are included in the draft TMDL Report. One was placed on the impaired waters list in 1994...eight reaches were added to the 2004 list, and data showed that one reach, not yet listed, was impaired. A water body is "impaired" if it does not meet one or more of the federal Clean Water Act's water-quality standards. The Clean Water Act requires the MPCA to identify and restore impaired waters, including preparing TMDL Reports. A TMDL Report is a scientific study that calculates the maximum amount of a pollutant a water body can receive (known as the "loading capacity") without violating water quality standards.

The draft TMDL Report focuses on the fecal coliform loading capacity and general allocations necessary to meet water quality standards at individual impaired reaches, rather than on precise loading reductions that may be required from specific sources. The loading capacities set in the draft TMDL Report will be used to guide bacteria reduction efforts. An implementation plan to achieve water quality standards in the impaired reaches must be submitted to the MPCA within one year of the approval of the TMDL Report by the EPA.

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:

Muriel Runholt
Minnesota Pollution Control Agency
1420 East College Drive, Suite 900
Marshall, MN 56258

Phone: (507) 537-7137 (direct)

MN Toll Free: 1-800-657-3864

Fax: (507) 537-6001

E-mail: Muriel.Runholt@pca.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 below, and at the MPCA web site: <http://www.pca.state.mn.us/water/tmdl.html#drafttmdl>. 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 Minn. R. 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 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.

Official Notices

Minnesota State Rehabilitation Council

Meeting Dates through January 24, 2007

The State Rehabilitation Council will meet on the following dates at the designated location. Meetings are held from 9:00 am to 2:00 pm. **Should changes occur, they will be posted in the *State Register*.** For more information, please contact the Minnesota Department of Employment and Economic Development at: phone (800) 328-9095; (651) 296-5616. TTY: (800) 657-3973; (651) 296-3900.

October 25, 2006

Radisson Hotel Roseville
2540 North Cleveland Avenue
Roseville, MN 55113
9:00 to 2:00

December 6, 2006

Radisson Hotel Roseville
2540 North Cleveland Avenue
Roseville, MN 55113
9:00 to 2:00

January 24, 2007

Radisson Hotel Roseville
2540 North Cleveland Avenue
Roseville, MN 55113
9:00 to 2:00

State Contracts

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

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

Department of Administration Beat the Competition

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

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

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

Department of Administration Real Estate Management Division Notice of State Real Property For Sale - Faribault, Minnesota

NOTICE IS HEREBY GIVEN that the Department of Administration is offering for sale by sealed bid the real property located 25698 Ableman Trail, Faribault, Minnesota. The property contains a 5 bedroom, 2 bathroom rambler style home situated on 1.1 acres located approximately 4 miles south of Faribault on a frontage road along Hwy I-35. To obtain a copy of the complete bid package, visit www.admin.state.mn.us, **e-mail:** wayne.waslaski@state.mn.us or call: (651) 201-2548. Written bids must be received no later than 2:30 p.m., on Tuesday, November 7, 2006.

Department of Administration Real Estate Management Division Notice of State Real Property For Sale - Golden Valley, Minnesota

NOTICE IS HEREBY GIVEN that the Department of Administration is offering for sale by sealed bid two secluded wooded lots located at 228 and 308 Meander Road in Golden Valley, Minnesota. The lots, containing approximately 1.3 and 1.04 acres, respectively, are located in a residential neighborhood adjacent to the Perpich Center for Arts Education. To obtain the complete bid package, visit www.admin.state.mn.us, **e-mail** wayne.waslaski@state.mn.us or call: (651) 201-2548. Written bids must be received no later than 2:30 p.m., on Wednesday, November 8, 2006.

Minnesota State Colleges and Universities (MnSCU) Lake Superior College Request for Proposals to Develop Design-Build or Design-Build-Operate Program of Student Housing

Description: Lake Superior College is soliciting responses from potential Developers for a design-build or design-build-operate program of student housing. This proposal is for a first phase of between 150 to 250 beds.

State Contracts

The housing facilities are to be constructed on property owned by Lake Superior College. The proposed project will require the Developer to enter into a ground lease of the required land from Minn State Colleges & Univ and Lake Superior College. The selected Developer will be required to obtain funding for the construction of the facilities. Lake Superior College will provide a long-term “no-cost” lease for the land upon which the facilities are built.

Location of Project: Lake Superior College, Duluth MN

Proposals are due: November 2, 2006 at 2pm

Send proposals to: Mark Winson, VP of Finance
Lake Superior College
2101 Trinity Road
Duluth MN 55811

Contact Phone: (218) 733-7637

Minnesota State Colleges and Universities (MnSCU)

Winona State University

Request for Proposals for a Campus Cash Card System

NOTICE IS HEREBY GIVEN that Winona State University is seeking proposals for a Campus Cash Card System. The proposals will include the purchase of hardware, software, training and installation.

There will be an optional pre-award vendor conference call at 10:00 AM CST Monday, October 16, 2006.

Proposal specifications are available by contacting the Purchasing Department at PO Box 5838, 205 Somsen Hall, Winona, MN 55987, **e-mail:** sschmitt@winona.edu or by calling (507) 457-5067.

Sealed proposals must be received by Sandra Schmitt at PO Box 5838, or at 175 W. Mark St., Somsen 205G, Business Office, Winona State University, Winona, MN 55987 by 3:00 PM CST Monday, October 23, 2006.

Winona State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received.

Legislative-Citizen Commission on Minnesota Resources (LCCMR)

Request for Proposals for a Statewide Conservation and Preservation Plan

NOTICE IS HEREBY GIVEN that the Legislative-Citizen Commission on Minnesota Resources is requesting proposals to prepare a comprehensive Statewide Conservation and Preservation Plan for Minnesota’s environment and natural resources.

This request is being published as a precursor to the plan required in *Minnesota Laws 2006*, Chp. 243, Sec. 20, Subd. 10, Statewide Conservation and Preservation Plan.

Goals and Objectives - prepare a statewide comprehensive plan for the conservation and preservation of Minnesota’s environment and natural resources. The comprehensive Statewide Conservation and Preservation Plan (the Plan) will inventory and assess the current state of Minnesota’s environment and natural resources based on a variety of existing plans that currently guide the conservation of Minnesota’s environment and natural resources including air, land, water, fish, wildlife and outdoor recreation. The Plan will review and analyze the existing plans and identify inadequacies and information gaps. The Plan will incorporate and integrate the valid existing information and build upon that information to prepare the new Plan. The Plan will address important current, emerging and future issues and trends affecting these resources. The Plan will prioritize issues, provide implementation strategies to address the issues, provide general cost and benefit analysis of the proposed strategies and identify benchmarks to enable ongoing measurement and evaluation of progress in achieving the desired results identified in the Plan.

Use of the Plan - it will provide both short-term and long-term guidance on the conservation and preservation of Minnesota’s environment and natural resources. The plan will enable a wide variety of public and private decision makers to work together to achieve common overall environment and natural resource goals and ensure their sustainability.

Scope of Work – Developing and implementing a process for gathering information, addressing the topics in the constitutional language of the Environment and Natural Resources Trust Fund (air, land water, fish wildlife and other natural resources (outdoor recreation), identifying current issues, identifying future issues, identifying major benchmarks and other ways to measure results, recommend

implementation strategies and end products, and describe the costs and benefits associated with the recommendations. See the full FRP for more details.

The LCCMR has estimated that the cost of this project should not exceed \$300,000. This request for proposals does not obligate the LCCMR to complete the project, and the LCCMR reserves the right to cancel the solicitation if it is considered to be in its best interest.

A preliminary plan is to be completed by June 2007 with a final plan completed by June 2008.

See the full RFP on The LCCMR web site at: www.lcmr.leg.mn or for a copy of the full RFP contact:

Michael McDonough, Research and Planning Manager
Legislative-Citizen Commission on Minnesota Resources
100 Rev. Dr. Martin Luther King Jr. Blvd.
Room 65, State Office Building
St. Paul, Minnesota 55155
Telephone: (651) 296-2443
E-mail: michael.mcdonough@lcmr.leg.mn

This is the only person designated to answer questions regarding this RFP.

Interested parties should submit a proposal to the LCCMR office by 2:00 pm on Friday, November 17, 2006.

Minnesota House of Representatives

Public Information Services Office

Public Notice of Request for Bid for Mailing of *Session Weekly*.

NOTICE IS HEREBY GIVEN that the Minnesota House of Representatives Public Information Services Office is seeking bids from qualified mail houses to provide mailing services for the publication *Session Weekly*.

The size of the publication will be 8.5" X 11" and it is mailed at the Periodicals Rate.

All bids must be submitted on the forms accompanying the specifications in a sealed envelope and delivered to 100 Rev. Dr. Martin Luther King Jr. Blvd, Room 175, State Office Building, no later than October 23, 2006, at 2 p.m. Bid submittals will be opened publicly on that date and time.

A copy of the Request for Bid packet can be obtained by calling:

Paul Battaglia
175 State Office Building,
St. Paul, Minnesota 55155-1298
Telephone: (651) 296-8904

Other department personnel are NOT allowed to discuss the Request for Bid with anyone, including responders, before the proposal submission deadline.

Minnesota House of Representatives

Public Information Services Office

Public Notice of Request for Bid for Printing of *Session Weekly*.

NOTICE IS HEREBY GIVEN that the Minnesota House of Representatives Public Information Services Office is seeking bids from qualified printers to provide printing services for the publication *Session Weekly*.

The size of the publication is 8.5 x 11, 24 pages, self cover.

All work must be done in-house, unless specifically approved by us.

All bids must be submitted on the forms accompanying the specifications in a sealed envelope and delivered to 100 Rev. Dr. Martin Luther King Jr. Blvd, Room 175, State Office Building, no later than October 23, 2006, at 2 p.m. Bid submittals will be opened publicly on that date and time.

A copy of the Request for Bid packet can be obtained by calling:

Paul Battaglia,
175 State Office Building,
St. Paul, Minnesota 55155-1298,

State Contracts

Telephone: (651) 296-8904

Other department personnel are NOT allowed to discuss the Request for Bid with anyone, including responders, before the proposal submission deadline.

Department of Public Safety Bureau of Criminal Apprehension Criminal Justice Information Systems Request for Proposals (RFP) for Three Analysts

Professional/technical services are needed of three individuals to provide the Minnesota Department of Public Safety, Bureau of Criminal Apprehension (BCA), Criminal Justice Information Systems (CJIS) with technical services and to work on site at the BCA's office located at 1430 Maryland Ave East, St. Paul, MN 55106 throughout this project due to security reasons. Individuals selected from this RFP process will work with CJIS staff to develop technical requirements and convert business analysis documents to technical analysis documents. The BCA is looking for a variety of skills including business analysis and technical analysis. The goal of this effort/project is to improve the overall effectiveness of the BCA's criminal justice system in Minnesota. Minimum skills and experience required by respondents to this RFP are contained in the RFP. Resumes are required with three references that may be contacted by CJIS. Resumes must outline individuals' background and experience, and include examples of similar work done by the individual. Resumes must clearly describe the individuals' background and experience relevant to this engagement.

The BCA reserves the right to award multiple contracts if needed, and contracts are anticipated to begin on November 15, 2006 and end on June 30, 2007. However, if funding is extended and if additional work is needed by the BCA after June 30, 2007, the BCA will retain the option to extend the contract(s) with the selected contractors, with their consent, for up to an additional one-year period. The value of the contract(s) for subsequent year may be adjusted.

Details are contained in a complete RFP, which may be obtained by emailing: *Jerrold.Olson@state.mn.us*.

All questions concerning this RFP should be emailed Jerrold Olson at *Jerrold.Olson@state.mn.us*, and should be received by Jerrold Olson no later than 2:00 PM Central Daylight Time on October 19, 2006. Answers to questions will be emailed to all entities requesting a complete RFP. Final date for submitting proposals is 2:00 PM Central Standard Time on October 30, 2006.

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

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

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

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

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

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

Send completed application material to:

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

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

Department of Transportation (Mn/DOT) Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities

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

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

Non-State Contracts & Grants

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

Metropolitan Council Notice of Request for Proposals (RFP) for Security Guard Services Contract Number 06P135

The Metropolitan Council is requesting proposals for Security Guard Services for the Council's Environmental Services Division (MCES) facilities and 390 N. Robert Street facility.

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

October 6, 2006
November 7, 2006
December, 2006
February 1, 2007 to January 31, 2010

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:

Non-State Contracts & Grants

Harriet Simmons
Metropolitan Council
390 N. Robert Street
St. Paul, MN 55101
PHONE: (651) 602-1086
FAX: (651) 602-1083
E-mail: harriet.simmons@metc.state.mn.us

Metropolitan Council

Notice of Request for Proposals (RFP) for Website Hosting and Maintenance Contract Number 06P138

The Metropolitan Council is soliciting proposals to provide managed server hosting for the Metropolitan Council's website, located at metro council.org, from approximately the end of January 2007 to approximately the end of January 2009. Managed server hosting includes personnel, service, software, hardware and connectivity required to host, monitor and diagnose the website and application environment, as well as server-side design, coding/programming and server-related advisory services. The site has HTML and database components. The approximate size of the site is 3 gigabytes and 16,000 associated files.

The anticipated solicitation schedule is shown below.

<i>Issue Request for Proposals</i>	October 2, 2006
<i>Receive Proposals</i>	1:00 PM on Friday, November 3rd, 2006
<i>Award of Contract</i>	November or December, 2006

All firms interested in receiving an RFP package are invited to submit an e-mail or written request to:

Sunny Jo Emerson, Senior Administrative Assistant
Contracts and Procurement Unit
Metropolitan Council
390 Robert Street North
St. Paul, MN 55101-1805
Phone: (651) 602-1499
Fax: (651) 602-1083
E-mail: sunnyjo.emerson@metc.state.mn.us

NOTE: RFPs are not available in electronic form.

Metropolitan Council - Metro Transit

Sealed Bids Sought for Underground Storage Tank Testing

The Metropolitan Council is soliciting sealed bids for Underground Storage Tank Testing for a period of two years. Bids are due at 2:00 PM on November 2, 2006. Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
Candace Osiecki
515 N. Cleveland Avenue
St. Paul, MN 55114
Phone: (612) 349-5070

Non-State Contracts & Grants

Minnehaha Creek Watershed District

Request for Qualifications for Legal, Engineering, Accounting, and Government Relations Services

The Minnehaha Creek Watershed District, a political subdivision established to *Minnesota Statutes*, Chapter 103D, is conducting a bi-annual review of its needs for consultant services and the most effective way of meeting those needs.

Experienced individuals or firms who wish to be considered as potential service providers may contact the Minnehaha Creek Watershed District at the address below or go to our **website** at: www.minnehahacreek.org for instructions on how to respond to the Request for Qualifications and for a Scope of Services. Request for Qualifications must be received by the Minnehaha Creek Watershed District no later than 4:30 p.m., October 25, 2006.

Send responses to:

Mr. Eric Evenson, District Administrator
Minnehaha Creek Watershed District
18202 Minnetonka Boulevard
Deephaven, Minnesota 55391
Telephone: (952) 471-0590
Facsimile: (952) 471-0682

University of Minnesota

Subscribe to Bid Information Service (BIS)

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

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



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