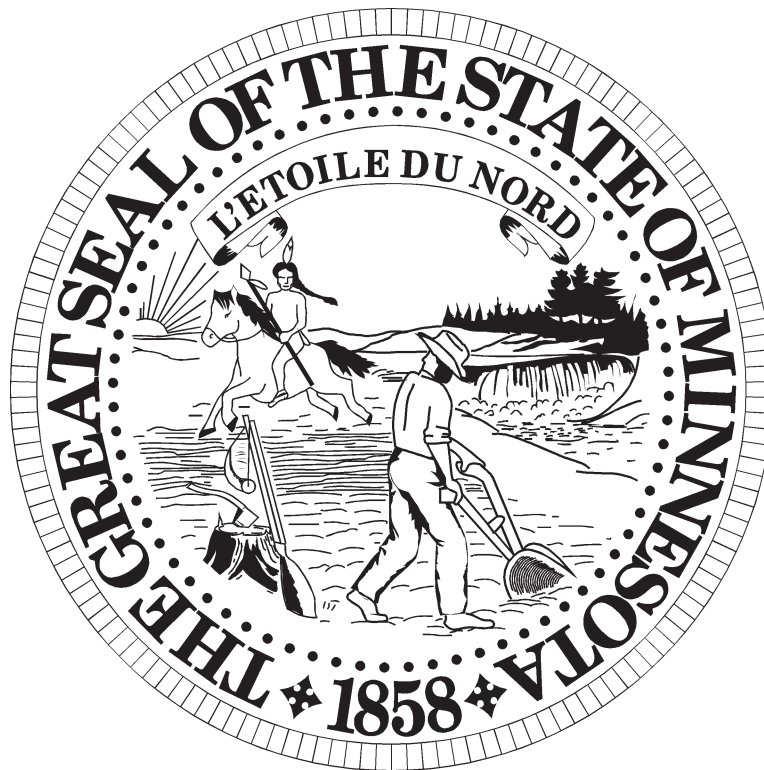


State of Minnesota

State Register



**Proposed, Adopted, & Expedited Rules; Executive Orders; Appointments;
Commissioners' Orders; Revenue Notices; Official Notices;
State Grants & Loans; State Contracts; Non-State Public Bids, Contracts & Grants**
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**Monday 12 April 2010
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State Register

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

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

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoed Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
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Tim Pawlenty, Governor	(651) 296-3391	Department of Administration:	<i>State Register:</i>
Carol L. Molnau, Lt. Governor	(651) 296-3391	Sheila M. Reger, Commissioner	Robin Panlener, editor
Lori Swanson, Attorney General	(651) 297-4272	Materials Management Division:	John Mikes, assistant editor
Rebecca Otto, State Auditor	(651) 297-3670	Kent Allin, Director	Loretta J. Diaz, subscriptions
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# 42	Monday 19 April	Noon Tuesday 13 April	Noon Wednesday 7 April
# 43	Monday 26 April	Noon Tuesday 20 April	Noon Wednesday 14 April
# 44	Monday 3 May	Noon Tuesday 27 April	Noon Wednesday 21 April

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Website: www.senate.mn

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

Minnesota State Court System

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U.S. Government Printing Office – Fax: (202) 512-1262
Website: <http://www.gpoaccess.gov/fr/index.html>

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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. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

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

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

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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 Department of Natural Resources (DNR)

Division of Fish and Wildlife

Proposed Permanent Rules Relating to Game and Fish: State Game Refuges and Taking Big and Small Game

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 and Repeal of Rules Relating to Game and Fish: State Game Refuges and Taking Big and Small Game, *Minnesota Rules*, chapters 6230, 6232, 6234, 6240, 6282

Introduction. The Department of Natural Resources intends to adopt rules without a public hearing following the procedures 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 May 21, 2010, the Department will hold public hearing starting at 2:00 p.m. and 6:00 p.m. on Tuesday, June 22, 2010 at the following locations:

IN PERSON: 6th floor Conference Room, Department of Natural Resources, 500 Lafayette Road, Saint Paul, Minnesota 55155

VIDEO-CONFERENCE LINK: Upper Level Conference Room, Department of Natural Resources, 1201 East Highway 2, Grand Rapids, Minnesota 55744 (UPON REQUEST)

To find out whether the Department will adopt the rules without a hearing or if it will hold the hearing at either or both locations, you should contact the agency contact person after May 21, 2010, and before June 22, 2010.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Jason Abraham at Minnesota Department of Natural Resources, 500 Lafayette Road, Saint Paul, MN 55155-4020, **phone:** (651) 259-5197, **FAX:** (651) 297-4961, and **e-mail:** jason.abraham@state.mn.us. **TTY** users may call the Department of Natural Resources at 800-657-3929 or 651-296-5484.

Subject of Rules and Statutory Authority. The proposed rules cover a variety of areas pertaining to wildlife, including:

Proposed Rules

- Modifying provisions for controlled hunting zones on Lac qui Parle state game refuge.
- Modifying provisions for taking antlerless deer by muzzleloader in lottery permit areas.
- Modifying provisions for bear hunting, baiting and outfitting.
- Modifying game species that may be taken by falconry
- Repealing provisions for taking furbearers in national wildlife refuges
- Modifying trap tending intervals, the use and placement of body-gripping traps and marking of muskrat houses
- Repealing duplicate rule provisions relating to certified predator control.
- Creating a standard opening date and bag limit for the mourning dove season
- Modifying provisions for taking Canada geese

The statutory authority to adopt the rules is *Minnesota Statutes*, section 86A.06, 97A.091, 97A.137, 97B.301, 97B.311, 97B.411, 97B.425, 97B.431, 97B.605, 97B.611, 97B.615, 97B.621, 97B.625, 97B.631, 97B.635, 97B.671, 97B.731, 97B.803, 97B.911, 97B.915, 97B.921, and 97B.925.

A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Friday, May 21, 2010, 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 that you desire. You must also make any comments about the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Department hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on Friday, May 21, 2010. You must include your name and address in your written request. ***Please indicate in your hearing request whether the Grand Rapids video-conference link location would be more convenient for you to attend.*** In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. 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, the Department will hold a public hearing unless a sufficient number of persons 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, the Department can make this Notice 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 Department may modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Department follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Department encourages you to participate in the rulemaking process.

Cancellation of Hearing. The Department will cancel the hearing scheduled for June 22, 2010, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at (651) 259-5197 after May 21, 2010, to find out whether the hearing will be held at either or both locations. This information will also be posted online at:

<http://www.dnr.state.mn.us/input/rules/wildliferules/index.html>.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Department will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Department will hold the hearing on the date and at the times and places listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge

Proposed Rules

Barbara L. Neilson is assigned to conduct the hearing. Judge Neilson can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-7845, and **FAX:** (651) 361-7936.

Hearing Procedure. If the Department holds a hearing, 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 hearing record closes. 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. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the agency and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge 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. You may direct questions about the procedure to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge before 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. The statement of need and reasonableness (SONAR) summarizes 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. It is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person. A copy of the SONAR is posted on the DNR website at:

<http://www.dnr.state.mn.us/input/rules/wildliferules/index.html>.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of 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 Department will submit the rules and supporting documents 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 either to receive notice of this, to receive a copy of the adopted rules, or 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 that 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 that the agency adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by 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: March 30, 2010

Mark Holsten, Commissioner
Department of Natural Resources

6230.0400 SPECIAL PROVISIONS FOR STATE GAME REFUGES.

[For text of subs 1 to 20, see M.R.]

Subp. 21. **Lac qui Parle Game Refuge, Chippewa and Lac qui Parle Counties.** The following special provisions apply to the Lac qui Parle Game Refuge, Chippewa and Lac qui Parle Counties:

A. Those portions within the Lac qui Parle ~~State Recreational Area, Mission Site, or that are posted to prohibit trespass~~ are closed to hunting. The remainder of the refuge is open to:

Proposed Rules

(1) waterfowl hunting only during the open Canada goose season in the West Central Goose Zone, only at designated hunting stations as provided by parts 6230.0500 to ~~6230.1100~~ 6230.0700;

[For text of subitem (2), see M.R.]

(3) small game hunting other than waterfowl, except from the ~~first day of the open Canada goose season~~ second Saturday in October through the last day of the open Canada goose season in the West Central Goose Zone, when small game hunting is allowed only at designated hunting stations as provided by parts 6230.0500 to ~~6230.1100~~ 6230.0700. Small game hunting is not allowed on closed Canada goose hunting days during a split goose season.

B. A person may not trespass on any part of the refuge which is posted with signs prohibiting trespass during the dates posted, except that fishing is permitted in the posted closed area within the Lac qui Parle Goose Zone ~~on any day when goose hunting in the zone is closed~~, except from the second Saturday in October through the last day of the open Canada goose season in the West Central Goose Zone.

[For text of items C and D, see M.R.]

[For text of subps 22 to 59, see M.R.]

6232.2100 MUZZLELOADER SEASON AND AREAS.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Legal deer by muzzleloader.** Antlerless deer and legal bucks may be taken by muzzleloader during the muzzleloader season in any managed or intensive area. Muzzleloader hunters may take antlerless deer in a lottery area only if the person has obtained an either-sex permit through the procedure described in part 6232.1800.

6232.3200 BAIT STATIONS AND GARBAGE DUMPS.

Subpart 1. **Bait station restriction.**

A. A person may not establish, service, maintain, or sign any bear bait station prior to the Friday nearest August 14.

B. In order to establish, service, maintain, or sign any bear bait station, a person must have a valid bear hunting license or be operating under the direction of a person with a valid bear hunting license.

C. No more than three bait stations may be placed at one time for each licensed bear hunter. If a hunter wishes to establish a different bait station, one of the hunter's three existing bait stations must be removed. Each licensed bear hunting outfitter may establish up to three bait stations in addition to bait stations placed for licensed hunters.

Subp. 2. **Registration of bait station.** A person may not establish a bear bait station without registering the site as provided in this subpart.

A. The following information must be provided on a form provided by the commissioner or on an 8-1/2 inch by 11 inch sheet of paper:

(1) name, address, Minnesota DNR number, and telephone number of person who established the bear bait station; and

[For text of subitem (2), see M.R.]

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

Subp. 3. **Display of sign.** A person establishing a bear bait station must display a sign at the site meeting the following requirements.

A. The sign must be made of plastic, wood, or metal and must be at least six inches by ten inches in size and, on public land, no more than 18 inches by 24 inches in size.

B. The sign must contain ~~the full name and Minnesota driver's license number or the full name, address, and telephone number of the person placing the bait;~~

(1) for unguided hunters, the full name and either the Minnesota DNR number or Minnesota driver's license number of the person on whose behalf the bait is placed; or

(2) if placed by a bear hunting outfitter for a client, the outfitter's Minnesota driver's license number or bear hunting outfitter license number.

[For text of items C to E, see M.R.]

Proposed Rules

F. Only signs prescribed in items A to D may be used. Warning or other signs used to mark generic locations of bait stations or advise people of bait stations on public land are prohibited.

[For text of subps 4 to 7, see M.R.]

6232.3500 BEAR GUIDING HUNTING OUTFITTERS.

Subpart 1. **Application for bear guide hunting outfitter and master bear hunting outfitter licenses.** An application for a bear hunting guide outfitter or master bear hunting outfitter license can be obtained from the License ~~Bureau~~ Center.

Subp. 2. **Deadline for license issuance.** A bear hunting guide outfitter or master bear hunting outfitter license may not be issued after August 31 in any year.

Subp. 2a. Adding persons to a master bear hunting outfitter license.

A. A person may be added to a master bear hunting license through the License Center.

B. The licensee may add additional persons to a master bear hunting outfitter license at any time.

C. Any person listed under a master bear hunting license remains on that license for the entire license year. No person may be substituted for a person listed under a master bear hunting outfitter license.

Subp. 3. Required reporting by bear guides hunting outfitters and master bear hunting outfitters.

A. All licensed bear hunting guides outfitters and master bear hunting outfitters must complete the report form provided with the license and return it to the specified address no later than ten days after the close of the bear season. Failure to submit this report or failure to provide all requested information may result in ineligibility for a bear hunting guide outfitter or master bear hunting outfitter license for the following bear season.

B. The report must show for each outfitter:

- (1) the names and addresses of all hunters guided;
- (2) the Minnesota DNR number of all hunters guided;
- (3) the bear zones hunted;
- (4) whether a bear was harvested;
- (5) the date the bear was harvested; and
- (6) the sex of the bear harvested.

C. Information required under item B, subitems (1) to (3), must be recorded on the report form before any bear hunting activity takes place.

D. Information required under item B, subitems (4) to (6), must be recorded on the report form within 24 hours of a bear being harvested by a guided hunter or within 24 hours of the completion of a hunt when a bear is not harvested.

E. The records required under this subpart must be available for inspection by the commissioner. The records must be preserved and available for three years after the expiration of the license.

Subp. 4. **Eligibility requirements.** To be eligible for a bear hunting outfitters license or master bear hunting outfitters license, an applicant must be at least 16 years of age and submit proof that the applicant:

A. is certified for standard first aid and CPR by the American Red Cross or American Heart Association or through an equivalent course;

B. has completed a department-approved advanced hunter education/bear hunting outfitter clinic;

C. is eligible to possess a Minnesota big game hunting license; and

D. has scored at least 70 percent on a written bear hunting outfitter exam, administered by the commissioner.

Proposed Rules

This subpart is effective one year after the effective date of this part.

6234.0800 HUNTING BY FALCONRY.

[For text of subs 1 to 3, see M.R.]

Subp. 4. **Open season and hours for migratory game birds.** Woodcock, sora and Virginia rails, morning dove, and common snipe may be taken by falconry from September 1 to December 16. Ducks, coots, and moorhens (Gallinules) may be taken by falconry from the Saturday nearest October 1 to the Saturday nearest January 14. Geese may be taken by falconry during any open goose season. Crows may be taken by falconry during the open season. Falconry hours are from one-half hour before sunrise to sunset, except during the regular waterfowl season when falconry hours are the same as waterfowl shooting hours.

6234.2200 USE OF TRAPS.

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

Subp. 2. **Trap-tending interval; nondrowning sets.**

A. Any trap, except a body-gripping or "conibear" type trap, capable of capturing a protected wild animal and not capable of drowning the animal must be tended at least once each calendar day and any animal captured must be removed from the trap. A body-gripping or "conibear" type trap need not be tended more frequently than once every third calendar day and any animal captured must be removed from the trap.

B. Foothold traps with a jaw spread of 4.75 inches or less or a rat type snap trap, contained entirely within a container with an opening of no more than two inches in height or width, need not be tended more frequently than once every third calendar day and any animal captured must be removed from the trap. This item applies only to sets that are designed to immediately kill the animal.

[For text of subs 3 to 6, see M.R.]

Subp. 7. **Placement of body-gripping traps.** A person may not set, place, or operate in or within three feet of a culvert, except as a completely submerged waterset; any body-gripping or "conibear" type trap that has a maximum jaw opening, when set, of greater than 6-1/2 inches measured from the inside edges of the body-gripping portions of the jaws-;

A. in a road right-of-way within 500 feet of a building occupied by a human or livestock without written permission of the landowner, except as a completely submerged waterset; or

B. in or within three feet of the opening of a six-foot-wide or smaller culvert, except as a completely submerged waterset.

[For text of subp 8, see M.R.]

Subp. 9. **Preemption of Marking trapping site.** Prior to the opening of the trapping season for any protected species of wild animal, no trap, either set or unset, may be placed or staked and no flag, stake, or other device may be placed for the purpose of marking or preempting a trapping site. During the muskrat trapping season, no flag, stake, or other device may be placed in or on a muskrat house for the purpose of marking or preempting a trap site unless an operational trap is set at the site at the time it is first staked or marked.

[For text of subs 10 to 12, see M.R.]

6234.2300 GENERAL RESTRICTIONS ON USE OF SNARES.

Subpart 1. **Regulation of snares as traps.** Unless otherwise specified, snares may be used for taking all species of protected wild animals that may be taken by the use of traps. The use of snares is subject to all rules for the use of traps that are consistent with parts 6234.2300 to ~~6234.2500~~ and 6232.2400.

Subp. 2. [Repealed, L 2005 c 146 s 52]

Subp. 3. [Repealed, L 2005 c 146 s 52]

6234.2400 SPECIAL RESTRICTIONS ON USE OF SNARES.

Subpart 1. **Scope.** The provisions of parts 6234.2300 to ~~6234.2500~~ and 6232.2400 apply to the use of snares capable of taking a wild animal protected under provisions of Minnesota Statutes, sections 97B.601 to 97B.671 or 97B.901 to 97B.945.

[For text of subs 2 to 10, see M.R.]

6240.0250 TAKING MOURNING DOVES.

Subpart 1. **Open season.** Mourning doves may be taken during the 60-day period beginning September 1.

Subp. 2. **Daily limit.** A person may not take more than 15 mourning doves per day during the open season.

6240.1200 SPECIAL PROVISIONS ON TAKING GEESE DURING EARLY SEASONS.

Subpart 1. **Taking near water.**

A. Taking Canada geese during the early seasons is prohibited on or within 100 yards of all surface waters in the following areas:

(1) the Northwest, ~~Southeast, and Twin Cities Metro~~ Goose Zones Zone;

(2) all of the Carlos Avery Wildlife Management Area, including that portion outside the Twin Cities Metro Goose Zone; ~~and~~

(3) the Swan Lake area in Nicollet County, within the boundary described as follows: Beginning at the junction of State Trunk Highway (STH) 14 and County State-Aid Highway (CSAH) 12 north along CSAH 12 to CSAH 5; thence east along CSAH 5 to CSAH 13; thence south along CSAH 13 to STH 99; thence west along STH 99 to CSAH 17; thence south along CSAH 17 to STH 14; thence northwest and west along STH 14 to CSAH 12; and

(4) Ocheda Lake Game Refuge, Nobles County.

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

[For text of subp 2, see M.R.]

6240.1700 TAKING GEESE IN SOUTHEAST ZONE EARLY SEASON.

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

Subp. 2. **Daily limit.** A person may not take more than ~~two~~ five Canada geese per day during the early season.

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

REPEALER. *Minnesota Rules*, parts 6234.2100, subparts 5 and 6; 6234.2500; and 6234.3000, subpart 5, are repealed.

Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Expedited emergency rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain emergency conditions.

Expedited emergency rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited emergency rules detail the agency's rulemaking authority.

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

Department of Natural Resources (DNR) Adopted Expedited Emergency Game and Fish Rules: Red Lake Special Management Red Lake Walleye Regulations

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, Sections 97C.005, 97A.045, subd. 2, and 97C.401.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are as follows. The Red Lake proposed walleye regulations are based on a safe harvest level that are proportioned between the winter and open water seasons. Final harvest threshold levels to be included in the proposed rules were not available until March and the new regulations need to be in place before the May fishing season opener in case harvest levels exceed the safe harvest threshold which would trigger a fishing season closure for walleye.

Dated: April 1, 2010

Mark Holsten, Commissioner
Department of Natural Resources

6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

[For text of subs 1 to 58, see M.R.]

Subp. 59. Upper Red Lake and listed tributaries.

A. While a person is on or fishing in the waters listed under item ~~E~~ F:

- (1) the daily and possession limit for northern pike shall not include more than one northern pike over 40 inches in length;
- (2) all northern pike in possession must be less than 26 inches or greater than 40 inches in length; and
- (3) all northern pike that are from 26 to 40 inches in length, inclusive, must be immediately returned to the water.

B. While a person is on or fishing in the waters listed under item ~~E~~ F, the following walleye regulations apply:

(1) the daily and possession limit for walleye is ~~two~~ four fish, of which not more than one walleye shall be over 26 inches in length;

(2) all walleye in possession must be less than 17 inches or greater than 26 inches in length;

(3) all walleye that are 17 inches to 26 inches in length, inclusive, must be immediately returned to the water; and

(4) ~~a person's statewide bag limit shall not include more than two walleye taken from Upper Red Lake and the tributaries listed under item ~~C~~.~~ notwithstanding subitems (2) and (3), beginning June 15 and effective through November 30, walleye in possession must be less than 20 inches or greater than 26 inches in length. All walleye that are 20 inches to 26 inches, inclusive, must be immediately returned to the water.

C. Notwithstanding item B, the waters listed in item F are closed to taking or angling for walleye at all times if the walleye cumulative kill estimate from December 1, 2009, to November 30, 2010, at any time equals or exceeds 216,000 pounds. This item is effective five days after notice through November 30. If this item is implemented, the notice shall consist of a posting on the Department of Natural Resources Web site and at water access sites. On December 1, 2010, the daily, possession, and size limits for walleye revert to the limits in item B.

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D. A person's statewide bag limit and possession limit shall not include more walleye taken from Upper Red Lake and the tributaries listed under item F than is allowed under item B, subitem (1).

E. While a person is on the waters listed in item F, the carcass of a fish with size limits must be maintained in such a way that the carcass may be readily unpacked, unwrapped, and separated so that the carcass may be examined, measured, and counted to ensure compliance with size restrictions.

~~E.~~ F. This subpart applies to the following waters:

Name	Location	County
Upper Red Lake (outside Red Lake Indian Reservation)	T.153, R.31,32, S. Various; T.154, R.30-32, S. Various; T.155, R.30-32, S. Various	Beltrami
Shotley Brook (from Hwy. 72 west to Upper Red Lake)	T.153, R.31, S.10,11,13,14,24; T.153, R.30, S.19-22	Beltrami
Tamarack River (from the Beltrami County line west to Upper Red Lake)	T.154, R.30, S.8-10,11-13,15-17	Beltrami

[For text of subps 60 to 97, see M.R.]

REPEALER. The expedited emergency amendments to *Minnesota Rules*, part 6264.0400, subpart 59, published in the *State Register*, volume 33, page 1199, January 12, 2009, are repealed.

Department of Natural Resources (DNR) Adopted Expedited Emergency Game and Fish Rules: 2010 Bear Season and Permit Procedures

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, sections 97B.405, 97B.411 and 97B.431.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that population and harvest data needed prior to setting quotas and bag limits are not available until February, and applications for licenses are accepted beginning in late March and the application deadline is the first Friday in May. Quota numbers and bag limits are necessary so that harvests and populations can be managed and to allow applicants to evaluate where they want to apply. Changes to bear outfitter language reflect recent changes to statute and are also part of a permanent rule package that is in process.

Dated: March 29, 2010

Mark Holsten, Commissioner
Department of Natural Resources

6232.2900 BEAR PERMIT PROCEDURES.

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

Subp. 2. **Drawings.** Drawings will be conducted by the department to determine those eligible to purchase a bear license within the bear quota areas. An applicant must select a first choice of bear quota area and may select a second choice of bear quota area. Preference in the drawings will be given to applicants based upon the number of times they have correctly applied for a license in a quota area in previous

Expedited Emergency Rules

years but have not been selected or the number of times they have correctly applied in the preference only area in previous years but have not been selected. Upon issuance of a quota area license, all accumulated preference will be lost. Obtaining a no-quota bear license will have no effect upon eligibility or preference in the drawings. In quota areas with fewer applicants than available licenses, the remaining available licenses may be first offered to unsuccessful applicants for other quota areas on a first-come, first-served basis beginning at 12:00 p.m. on the first ~~Monday~~ Wednesday in August. To obtain a remaining available license, an eligible person must apply individually and in person at an electronic license system agent location or individually through the ELS-Internet or ELS-Telephone system. Any remaining available licenses not purchased by unsuccessful applicants may then be issued to any eligible person as prescribed by the commissioner on a first-come, first-served basis beginning at 12:00 p.m. on the second ~~Monday~~ Wednesday in August. Individuals who purchase these remaining available licenses will retain their accumulated preference.

[For text of subps 3 to 8, see M.R.]

6232.3055 BEAR LICENSE QUOTAS.

The number of available licenses for quota areas for the 2010 bear hunting season is 9,500 and is divided as follows:

- A. Bear Quota Area 12: 450;
- B. Bear Quota Area 13: 600;
- C. Bear Quota Area 22: 100;
- D. Bear Quota Area 24: 550;
- E. Bear Quota Area 25: 1,200;
- F. Bear Quota Area 26: 900;
- G. Bear Quota Area 31: 1,300;
- H. Bear Quota Area 41: 400;
- I. Bear Quota Area 44: 1,100;
- J. Bear Quota Area 45: 400; and
- K. Bear Quota Area 51: 2,500.

6232.3500 BEAR GUIDING.

Subpart 1. **Application for bear guide hunting outfitter licenses.** An application for a bear hunting guide outfitter license can be obtained from the License Bureau.

Subp. 2. **Deadline for license issuance.**

- A. A bear hunting guide outfitter license may not be issued after August 31 in any year.
- B. Persons may be added to master bear hunting outfitter license at any time.
- C. A person listed under a master bear hunting outfitter license must remain on the license for the entire license year.

Subp. 3. **Required reporting by bear guides hunting outfitters.** All licensed bear hunting guides outfitters must complete the report form provided with the license and return it to the specified address no later than ten days after the close of the bear season. Failure to submit this report or failure to provide all requested information may result in ineligibility for a bear hunting guide license for the following bear season.

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EFFECTIVE PERIOD. The expedited emergency amendments to *Minnesota Rules*, parts 6232.2900 and 6232.3500, expire December 31, 2010. After the emergency amendments to *Minnesota Rules*, parts 6232.2900 and 6232.3500, expire, the permanent rules as they read prior to the amendments again take effect, except as they may be amended by permanent rule. *Minnesota Rules*, part 6232.3055, expires December 31, 2010.

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 # 10-01: Sales and Use Tax - Prepared Food; Revocation of Revenue Notices # 01-12, 02-01, 02-02, 02-04, and 03-01

Introduction

This revenue notice repeals Revenue Notices # 02-01 (Sales and Use Tax – Alcoholic Beverages, Dietary Supplements and Tobacco), # 02-02 (Sales and Use Tax – Soft Drinks), and # 0204 (Sales and Use Tax – Candy), as obsolete or unnecessary. This revenue notice also repeals and replaces Revenue Notices # 01-12 (Sales and Use Tax – Prepared Food) and # 03-01 (Amendment to Revenue Notice # 01-12).

This revenue notice also explains certain terms and phrases used within the definition of “prepared food” in *Minnesota Statutes*, section 297A.61, subdivision 31. These terms and phrases must be read in conjunction with the statute, as well as *Minnesota Rules*, parts 8130.4700 [Prepared Food, Candy, and Soft Drinks] and 8130.4705 [Food Sold with Eating Utensils], to determine the final taxability of specific food items. Food that is exempt under one of the provisions of the prepared food definition may still be subject to tax if it is covered under another part of the definition.

Background

Minnesota Statutes, section 297A.67, subdivision 2, provides that “food and food ingredients” are exempt from the Minnesota sales tax. Subdivision 2 defines “food and food ingredients” to mean substances in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. However, alcoholic beverages and tobacco are not included in the definition of “food and food ingredients.”

Minnesota Statutes, section 297A.61, subdivision 3, defines “sale and purchase” to include the preparation of food for consideration. Under *Minnesota Statutes*, section 297A.61, subdivision 3 (d), the following subcategories of food or food ingredients are taxable: prepared food sold by a retailer, soft drinks, candy, dietary supplements and all food sold through vending machines.

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Minnesota Statutes, section 297A.61, subdivision 38, in defining “bundled transaction,” provides in part in paragraph (d) that a “transaction that otherwise meets the definition of a bundled transaction is not a bundled transaction” if it is “the retail sale of exempt tangible personal property and taxable tangible personal property” and “the transaction includes food and food ingredients,” and “the seller’s purchase price or sales price of the taxable tangible personal property is 50 percent or less of the total purchase price or sales price of the bundled tangible personal property. Sellers must not use a combination of the purchase price and sales price of the tangible personal property when making the 50 percent determination for a transaction.”

Minnesota Statutes, section 297A.61, subdivision 31, defines “prepared food” as food that meets one of the following conditions: (1) food sold with eating utensils that are provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins, or straws; (2) food that is sold in a heated state or food that is heated by the seller; or (3) food where two or more ingredients were mixed or combined by the seller for sale as a single item. It also provides that the following items are not included in the definition of “prepared food,” unless they are sold with eating utensils provided by the seller:

1. Bakery items such as bread, rolls, pastries, cookies, and tortillas.
2. Ready-to-eat meat and seafood in an unheated state sold by weight.
3. Eggs, fish, meat, and poultry when they are raw, and other foods containing these raw animal foods requiring cooking by the consumer so as to prevent food borne illnesses.
4. Food that is only sliced, repackaged, or pasteurized by the seller.

Department Position

Bakery items. Bakery items are not “prepared food” unless sold with eating utensils provided by the seller under *Minnesota Rules*, part 8130.4705. Ice cream cakes or ice cream pies are not bakery items.

Eating utensils. Food sold with eating utensils that are provided by the seller is “prepared food.” Refer to *Minnesota Rules*, part 8130.4705 [Food Sold with Eating Utensils], for details on eating utensils provided by the seller.

1. Eating utensils include, but are not limited to, plates, knives, forks, spoons, glasses, cups, bowls, dishes, napkins, chopsticks, straws, platters, a wooden skewer inserted into food and handed to the customer, platters and trays that are designed for serving and displaying the food (for example, party trays on which slices and pieces of ready-to-eat meats, cheeses, raw vegetables, fruit, etc., are displayed and served).

2. Material that is used solely for packaging and transporting the food is not an eating utensil. The fact that food is packaged on top of or in material (for example, a cardboard round, or a plastic or polystyrene foam tray that is designed for packaging or transporting the food and not for displaying or serving the food), does not make the material a utensil.

Heated food. Food that is sold “in a heated state” or that is “heated by the seller” is prepared food. The term “seller” means the legal entity that sells the product at retail.

1. Heating includes baking, braising, boiling, broiling, dehydrating, frying, microwaving, roasting, simmering, smoking, steaming, and any other form of cooking food.
2. Food is “in a heated state” if it is either hot or warm.
3. The heating may occur at premises other than the location at which the sale is made, as long as the food either is in a heated state when sold or was heated by the seller.
4. Food that is either sold in a heated state or heated by the seller is taxable as “prepared food” even if the food was not otherwise prepared by the seller. For example, sandwiches prepared by someone other than the seller are prepared food when heated by the seller.
5. As long as the food is sold in a heated state or heated by the seller, it is “prepared food,” regardless of the form, condition, or quantity of the food, and regardless of the packaging.

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6. Food that was heated by the seller at any time before the sale is taxable as “prepared food,” even if it is in an unheated state when sold, except the food must be ready-to-eat at the time of sale. (See “Ready-to-eat food” section below.)

Two or more ingredients mixed or combined. Food where two or more ingredients were mixed or combined by the seller for sale as a single item is “prepared food.” The term “seller” means the legal entity that sells the product at retail.

1. Food sold as a single item by the seller where the seller mixed or combined two or more ingredients is taxable as “prepared food,” as long as the food is ready-to-eat at the time of sale. (See “Ready-to-eat food” section below.)
2. To be “prepared food,” the combining and mixing may occur at premises other than the location at which the sale is made, as long as the same legal entity that mixes or combines two or more food ingredients for sale as a single item also sells the food item.
3. If the seller contracts with another legal entity to mix or combine two or more food ingredients for sale as a single item, the sale is not taxable as “prepared food,” even if sold under the seller’s label, unless the food is heated by the seller or sold in a heated state, or is sold with an eating utensil provided by the seller.
4. Examples of food where two or more ingredients were mixed or combined by the seller for sale as a single item:
 - a. Cheese made by dairies that sell it directly to the public is “prepared food” since making cheese involves a combination of two or more food ingredients.
 - b. A mixed green salad, a mixed fruit salad, a mixture of cut raw vegetables or cubed fruit, are each “prepared food,” because the seller combines or mixes two or more food ingredients.
 - c. Hand-prepared or dispensed ice cream cones, sundaes, and ice cream cakes and ice cream pies are “prepared food” because the ice cream is combined with the cones by the seller and the sundaes, ice cream cakes and ice cream pies involve a combination of two or more ingredients.
 - d. Sushi is “prepared food” because two or more ingredients are combined. For example, the seller may make its sushi with rice and raw fish with a sea vegetable wrap. While food that contains raw fish may be excluded from the definition of prepared food if the food requires cooking to prevent food borne illnesses (see provision below), sushi when properly prepared does not require additional cooking.
 - e. Jams or salsa are “prepared food” because the seller has combined more than one food ingredient for each.
 - f. Sandwiches prepared by the seller are “prepared food” since they always include more than one food ingredient.

Ready-to-eat food. As used in this revenue notice, the term “ready-to-eat” means that the food is customarily eaten by the customer at the temperature in which it is sold. Food that a customer customarily heats before eating is not taxable as “prepared food” unless sold with eating utensils that are provided by the seller, even though the seller may have heated the food at some time or may have mixed or combined two or more food ingredients to make the food. However, “ready-to-eat meat and seafood,” sold by weight in an unheated state, is statutorily excluded from the definition of “prepared food.”

1. Examples of food where the seller heated or mixed or combined two or more ingredients, sold in an unheated state, that are taxable as “prepared food” because they are ready-to-eat:
 - a. The seller hard-boils eggs and sells them cold from its cooler. Since the hard-boiled eggs are ready-to-eat when sold, they are “prepared food.”
 - b. A seller roasts peanuts, and sells them when they are in an unheated state. Since the peanuts were heated by the seller and are ready-to-eat when sold, they are “prepared food.”
 - c. A seller cooks onions, leeks, potatoes, and other ingredients to make a soup which is meant to be eaten cold, and then refrigerates the soup. Since the soup was heated by the seller and is ready-to-eat when sold, it is “prepared food.”
 - d. However, for examples a, b, or c, if someone other than the seller had both prepared and heated the food, and the seller then sold the food in an unheated state, it would not be taxable as “prepared food,” even though the food is ready-to-eat,

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as long as the food is sold without eating utensils provided by the seller under *Minnesota Rules*, part 8130.4705.

2. The following are examples of foods that are not ready-to-eat:
 - a. The seller cooks a vegetable soup, packages and freezes it, and then sells it from the seller's freezer. The soup is meant to be eaten hot. Since the soup is frozen, it is not ready-to-eat at the time of sale, even though the seller at one time heated it and combined ingredients.
 - b. The seller makes a spaghetti sauce by combining and heating several ingredients together, and sells it in jars on its shelves. Even though the seller at one time heated and did other preparations to the sauce, it is not ready-to-eat when sold because it is not intended to be eaten by the customer in the unheated state in which it is sold; rather, the customer is expected to reheat it.
 - c. The seller combines cheese, sauce, and pizza dough and then partially-bakes cheese pizzas. Some customers purchase the partially baked pizzas while they are still hot, and others purchase them later from the seller's cooler. All customers finish baking the pizzas at home. Even though the seller combined or mixed food ingredients to sell the food as a single item and heated the pizzas, they are not ready-to-eat at the time of sale. Food that is only partially cooked, if it needs to be fully cooked to be eaten, is not ready-to-eat.

Ready-to-eat meat and seafood. Ready-to-eat meat and seafood that are sold in an unheated state by weight are not “prepared food,” even though the seller may have heated it at some time or may have combined two or more food ingredients to make the ready-to-eat meat and seafood, and are not subject to sales tax unless sold with eating utensils provided by the seller. Meat and seafood include any part of an animal used for food, such as beef, pork, lamb, buffalo, venison, ostrich, game birds, turkey, chicken and other poultry, fish and shellfish from the sea (such as caviar, clams, lobsters, oysters, shark, and shrimp), and any freshwater fish.

1. Examples of ready-to-eat meat and seafood: cooked sliced turkey, honey-baked or honey-glazed cooked ham, smoked fish, or cooked shrimp that is in an unheated state when sold.
2. Raw fish that does not require cooking to prevent food borne illnesses, since it is ready-to-eat (for example, caviar and salmon sashimi), is exempt if it is sold by weight.
3. When meat provided by the customer to a meat processor is combined with other meats or ingredients that are provided by the meat processor, the resulting meat is exempt if it is sold to the customer by weight, in an unheated state, and ready-to-eat (for example, beef sticks, venison sausage, buffalo jerky, and turkey jerky).
4. A ready-to-eat meat or seafood may have other food ingredients, such as spices, cooked into the meat or seafood. Adding a sauce or glaze that is in an unheated state to the ready-to-eat meat or seafood before the ready-to-eat meat or seafood is weighed does not make it “prepared food.”
 - a. For example, a cold shrimp sauce is added to ready-to-eat cold shrimp and they are weighed together — the resulting item is “ready-to-eat seafood” and is exempt.
 - b. However, if ingredients that are not part of the ready-to-eat meat and seafood are added to the ready-to-eat shrimp — for example, celery or pasta to make a cold salad — the resulting item is “prepared food” because ingredients are combined with the ready-to-eat seafood, and the fact that it is sold in an unheated state and weighed is irrelevant.

Raw eggs, raw fish, raw meat, and raw poultry. Eggs, fish, meat, and poultry when they are raw, and other foods containing these raw animal foods requiring cooking by the consumer so as to prevent food borne illnesses, are not “prepared food” unless sold with eating utensils provided by the seller. Fish includes fish and shellfish from the sea (for example, clams, lobsters, oysters, shark, and shrimp), and any freshwater fish.

1. Examples of food that contains raw eggs, raw fish, raw meat, or raw poultry and requires cooking: uncooked meatloaf, marinated raw chicken, uncooked crab cakes, or cookie dough.
2. When meat provided by the customer and processed by a meat processor is combined with other meats or food ingredients that are provided by the meat processor, the resulting meat sold to the customer as raw meat that requires cooking is exempt. For example, raw venison sausage links.

Revenue Notices

Sliced, repackaged, or pasteurized food. Sliced, repackaged, or pasteurized food is not subject to tax if the seller did not prepare it other than to slice, repackage, or pasteurize it, unless the food is sold with eating utensils provided by the seller.

The following are examples of foods that are only sliced, repackaged or pasteurized:

1. The seller slices celery. The sliced celery is not “prepared food.” However, if the seller fills the cut celery with cream cheese, or combines it with cut carrot sticks, it becomes a “prepared food” item.
2. Cheese that is removed by the seller from the storage or display area, sliced as requested by the customer, weighed, wrapped, labeled, and handed to the customer to be taken to the checkout area, is not “prepared food” since repackaging in itself does not result in the item being “prepared food.”
3. Variety packages that include different kinds of food such as different types of ready-to-eat meat, different flavors of muffins, or different varieties of whole fruits, are not “prepared food” when the seller only repackages these foods.
4. Potato salad purchased in large quantities by the seller and repackaged into smaller containers without further preparation, is not “prepared food.”
5. Food that the seller has pasteurized (for example, eggs, milk, fruit juice, soy sauce, or cheese) is not “prepared food.”

Combination packages. If a retailer sells a combination package, consisting of “prepared food” (e.g., fully-baked chicken sold heated, or mixed fruit salad prepared by the seller) in combination with food that is not “prepared food” (e.g., potato salad not prepared by the seller, or cold mashed potatoes that need to be reheated by the customer), and the combined items are sold for a single price, then whether the transaction is subject to sales tax will depend on the application of *Minnesota Rules*, part 8130.4705 [Food Sold with Eating Utensils], in conjunction with the “bundled transaction” statutory provisions in *Minnesota Statutes*, section 297A.61, subdivision 38.

The total sales price of a combination package is subject to sales tax if it meets one or more of the following:

1. It is the seller’s practice to physically give or hand a utensil to the customer with the food as part of the sales transaction, as described in *Minnesota Rules*, part 8130.4705, subpart 2.
2. The seller makes the eating utensils available to the purchaser of the combination package, and the seller’s prepared food percentage is greater than 75 percent, as provided in *Minnesota Rules*, part 8130.4705, subpart 3.
 - a. However, even if the seller’s prepared food percentage is greater than 75 percent, if the combination package includes four or more servings of food and the combination package is sold for a single price, having the eating utensils available will not subject the sale to sales tax. Rather, it must be the seller’s practice to physically give or hand a utensil to the customer with the food. See *Minnesota Rules*, part 8130.4705, subparts 3 and 4.
 - b. Conversely, if the seller’s prepared food percentage is greater than 75 percent, but the combination package does not include four or more servings, the combination package is subject to sales tax because eating utensils are made available.
3. The seller neither physically gives, hands, nor makes available any eating utensils when selling the combination packages, but as provided under the “bundled transaction” statutory provisions, either the sales price of the “prepared food” item is more than 50 percent of the total sales price of the combination package or the purchase price of the “prepared food” item is more than 50 percent of the total purchase price of the combination package.

Publication Date: April 12, 2010

ELIZABETH KADOUN, 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 meeting and matters of public interest.

A Special “Heads Up”

The Official Notices section gives you a “heads up” on important state meetings and announcements. The *State Register* reaches a huge audience of interested “eyes” every week. Remember to publish your notices here - it only costs \$13.60 per 1/10 of a page used in the *State Register* - it’s the least expensive legal advertising in the state.

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

- **Updates to Index to Vol. 33**
- **LINKS**
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Campaign Finance and Public Disclosure Board Notice of 2010 Election Year Campaign Expenditure Limits

In accordance with *Minnesota Statutes* §10A.255, the following are the 2010 election year campaign expenditure limits by office sought for candidates who sign the public subsidy agreement: Governor - Lt. Governor, \$2,577,200; Attorney General, \$429,600; Secretary of State, \$214,800; State Auditor, \$214,800; State Senator, \$64,500; State Representative, \$32,500.

Department of Human Services (DHS) Authorization List of All Drugs That Have Been Added Requiring Authorization as a Condition of Minnesota Health Care Programs (MHCP) Payment

The following is a listing of added drugs to the current authorization list. The newly added drug codes will require authorization on or after May 1, 2010.

As authorized by *Minnesota Statutes*, section 256B.0625, subd 25, the following list includes all drugs that have been added requiring authorization as a condition of MHCP payment. The criteria used to develop this list are as follows:

- A. The health service could be considered, under some circumstances, to be of questionable medical necessity.
- B. Use of the health service needs monitoring to control the expenditure of program funds.
- C. Less costly, appropriate alternatives to the health service are generally available.
- D. The health service is investigative.
- E. The health service is newly developed or modified.

- F. The health service is of a continuing nature and requires monitoring to prevent its continuation when it ceases to be beneficial.
- G. The health service is comparable to a service provided in a skilled nursing facility or hospital but is provided in a recipient's home.
- H. The health service could be considered cosmetic.

These newly added non preferred drugs will require Authorization for services provided on or after May 1, 2010.

ADDED DRUGS:

Amerge
Axert
Frova
Duac CS Kit
Benzaclin Kit
clindamycin-benzoyl peroxide (50 gm gel)
Prevacid
EpiPen
EpiPen Jr
Adrenacllick
Maxalt Tablets
Relpax Tablets
Zomig Tablets
Zomig Nasal Spray
Zomig ZMT
Generic fentanyl patch

Minnesota Pollution Control Agency (MPCA)

Municipal Division

Notice of Intent to Approve the Annexation of the City of Spring Hill to the GEM Sanitary District and Amend the Name of the District to GEMS Sanitary District in Accordance with *Minnesota Statutes* §§ 115.18 to 115.21

NOTICE IS HEREBY GIVEN that the city of Spring Hill and the GEM Sanitary District, both located in Stearns County, have petitioned the Minnesota Pollution Control Agency (MPCA) to approve the annexation of the city of Spring Hill to the GEM Sanitary District to be known in the future as GEMS Sanitary District. The purpose of the proposed sanitary district is to promote the public health and welfare by providing an adequate and efficient system and means of collecting, conveying, pumping, treating and disposing of sewage within the proposed district.

Public Comment Period Begins: April 12, 2010
Last Day to Submit Comments: May 12, 2010

The territory of the proposed district consists of the part of Stearns County, Minnesota, described as:

The existing GEM Sanitary District, which consists of the corporate boundaries of the cities of Greenwald, Elrosa, and Meire Grove; land and easements acquired for force mains to transport wastewater to the existing GEM Sanitary District wastewater treatment facility; the land on which the existing GEM Sanitary District wastewater treatment system is located described as approximately 25 acres in the North ½ of the Northwest ¼ of Section 29, Township 125 North, Range 33 West, Grove Township, Stearns County; the corporate boundary of the city of Spring Hill and all land and easements acquired for transport of wastewater to the existing GEM Sanitary District wastewater treatment facility. A map displaying the boundaries of the proposed district is available at the MPCA.

Official Notices

The public has 30 days to submit written comments on the petition to annex the city of Spring Hill to the GEM Sanitary District and amend the name of the district to GEMS Sanitary District. If a person objects to the petition, that person may submit a written request for a hearing that meets the requirements of *Minnesota Rules* 7000.1800 and 7000.1900.

The rules can be accessed at the Office of the Revisor of Statutes Web site at: <http://www.revisor.leg.state.mn.us/arule/7000/>, or by contacting Denise Oakes of the MPCA. Written comments or written requests for a hearing must be submitted to the MPCA by 4:30 p.m. on May 12, 2010. If twenty-five (25) or more timely requests for a hearing are received, the MPCA will schedule a hearing prior to making a determination on the petition.

Following the end of the public comment period and, if held, the hearing, the MPCA Commissioner will decide whether to approve the petition for creation of the district unless, as provided by *Minnesota Statutes* § 116.02, the MPCA Citizens' Board makes this decision. Any interested person has the right to submit a petition to the MPCA Commissioner requesting that the MPCA Citizens' Board makes the decision on approval of the petition for annexation of the city of Spring Hill to the GEM Sanitary District and amendment of the district name to GEMS Sanitary District. An interested person's petition must be in writing and must be received by MPCA staff during the public comment period. The MPCA Citizens' Board will only make the decision on approval of the petition for creation of the district if the MPCA Commissioner grants the interested person's petition or if an MPCA Citizens' Board member makes a timely request to have the decision made by the MPCA Citizens' Board.

A copy of the petition, resolutions, map of the proposed sanitary district area with legal descriptions and other documents relevant to the petition can be requested from the MPCA. Comments, questions and requests for a hearing regarding the annexation of the city of Spring Hill to the GEM Sanitary District and the amendment of the district name to GEMS Sanitary District, and requests for information must be submitted in writing to:

Denise Oakes, P.G.
Minnesota Pollution Control Agency
714 Lake Avenue, Suite 220
Detroit Lakes, MN 56501
Telephone: (218) 846-8119
Toll-free: 1-800-657-3864
TTY: (651) 282-5332
Fax: (218) 846-0719
E-mail: denise.oakes@state.mn.us

This notice, the petition, and other documents relevant to the petition can be made available in other formats, including Braille, large print, audio tape, and other languages upon request.

Dated: 31 March 2010

Paul Eger, Commissioner
Pollution Control Agency

Minnesota Pollution Control Agency (MPCA)

Regional Division

Notice of Availability of Revised Draft Knife River Turbidity TMDL Report and Request for Comment

Public Notice Period Begins: April 12, 2010
Public Notice Period Ends: May 12, 2010

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the revised draft Knife River Turbidity Total Maximum Daily Load (TMDL) Report. The draft TMDL Report for the Knife River was originally public noticed in October 2009. The original report was revised based on a comment noting that a waste load allocation was not included for regulated stormwater in the watershed. The MPCA and local sponsor in conjunction with Duluth Township revised the report. A summary of the revision is available at:

<http://www.pca.state.mn.us/water/tmdl/project-kniferiver.html>.

Official Notices

The revised draft TMDL Report for the Knife River is available for review at <http://www.pca.state.mn.us/water/tmdl/tmdl-draft.html>. Written comments on the draft TMDL Report must be sent to the MPCA contact person listed below by May 12, 2010 at 4:30 pm. The MPCA will prepare responses to comments received, make any necessary revisions of the draft TMDL Report and submit it to the U.S. Environmental Protection Agency (EPA) for approval.

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

The Knife River watershed is a heavily forested watershed along the North Shore of Lake Superior, 15 miles northeast of Duluth, MN. The watershed is almost 84 square miles in size and the river is about 25 miles long. There are three main tributaries to the river. The state placed the Knife River on the 1998 impaired waters list for aquatic life because it exceeds the water quality standard for turbidity. Using a total suspended solids (TSS) surrogate for the turbidity standard of 10 NTU, sediment load reductions between 70 and 90 percent at moist and high flow conditions will be needed to meet the standard. The TMDL study provides a source assessment for sediment causing turbidity in the river, the relative impacts of human-related activities (primarily development, agriculture, and forestry) within the Knife River watershed and a sediment reduction strategy that will achieve the load goals. The reduction strategy is currently being completed and will be presented in an implementation plan separate from the TMDL report. The ultimate goal of the TMDL is to return the water quality of the stream to the levels identified by the state of Minnesota as water quality standards that protect the beneficial uses of the Knife River watershed.

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

Greg Johnson
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194
Phone: (651) 757-2471

Preliminary Determination on the Draft TMDL Report: The MPCA Commissioner has made a preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report and fact sheet are available for review at the MPCA office at the address listed above, and at the MPCA Web site: <http://www.pca.state.mn.us/water/tmdl/project-kniferiver.html>. 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.

Official Notices

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

A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

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

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

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

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

MPCA Decision: You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board (Board) consider the TMDL Report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL Report and, if so, under what terms will be presented to the Board for decision if: (1) the Commissioner grants the petition requesting the matter be presented to the Board; (2) one or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL Report; or (3) a timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

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

Dated: April 2010

Department of Public Safety (DPS) Bureau of Criminal Apprehension (BCA) Notice of Information Meeting April 21, 2010

The Minnesota Bureau of Criminal Apprehension will hold a meeting from 9 a.m. to 11:30am on Wednesday, April 21, 2010 to discuss progress on several BCA initiatives regarding criminal justice information sharing in the state of Minnesota. Information on project architecture, the new Notification Project and a status update on the Comprehensive Incident-Based Reporting System will be provided. Also, guidance for vendors working with Minnesota courts on eCitation and the Statewide Court Payment Center will be provided. The meeting will take place at the Bureau of Criminal Apprehension offices at 1430 Maryland Ave. E. in St. Paul. In addition, limited participation may take place via web conference. (To make arrangements to participate remotely, please contact Jill Oliveira at the information listed below.)

Vendors, particularly those working with local agencies to manage records, as well as agency information technology staff are encouraged to attend this meeting. Please RSVP. For more information or to RSVP contact Jill Oliveira, Public Information Officer, at (651) 793-2726 or jill.oliveira@state.mn.us

Department of Transportation (Mn/DOT) Engineering Services Division Office of Construction Notice of Suspension

NOTICE IS HEREBY GIVEN that the Department of Transportation (Mn/DOT) has ordered that the following vendors be suspended effective December 28, 2009, until final disposition of the Hearing scheduled for March 15, 2010:

- Riley Bros. Companies Inc. and its affiliates, Morris MN
- Riley Bros. Construction Inc. and its affiliates, Morris MN

Notice of Debarment

NOTICE IS HEREBY GIVEN that the Department of Transportation (Mn/DOT) has ordered that the following vendors be debarred effective February 24, 2010, for a period of three (3) years:

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

State Grants & Loans

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

Great Business Opportunities

The *State Register* is one of the best ways to advertise your grants - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$13.60 per 1/10 of a page you cannot go wrong.

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

- **Word Search Capability**
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State Grants & Loans

Minnesota Department of Human Services Alcohol and Drug Abuse Division

Notice of Request for Proposals from Qualified Responders to Conduct a Survey of Law Enforcement Agencies in the State of Minnesota in Order to Determine the State's Annual Activity Related to Enforcement of Minnesota Youth Access to Tobacco Laws and to Report the Results of These Findings to the Minnesota Department of Human Services, Alcohol and Drug Abuse Division (ADAD)

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to contract with a qualified Responder to perform the tasks and services set forth in the RFP. The selected vendor will design a comprehensive plan for tracking and reporting on youth tobacco access enforcement efforts to enforce the State's youth tobacco access laws, based on work from previous years. This plan will delineate procedures and processes to collect, analyze, and report information on the status of youth tobacco enforcement efforts, including the number and outcome of violations, citations, fines, suspensions or other penalties imposed on retail outlet merchants who sell tobacco over-the-counter and by vending machines to underage youth and the number of youth penalized for attempting to purchase tobacco products over the past year. Funds for this contract come from the Federal Substance Abuse Prevention and Treatment Block Grant. Funds available for this work is \$35,000 funded under this Request for Proposals.

Work is proposed to start June 14, 2010 through February 15, 2011, with the option for two two-year extensions. For more information, or to obtain a copy of the Request for Proposal, contact:

Collin Frazier
Department of Human Services
Alcohol and drug Abuse Division
P.O. Box 64977
St. Paul, MN 55155-0977
Phone: (651) 431-2341
Fax: (651) 431-7449
E-mail: collin.frazier@state.mn.us

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

Proposals submitted in response to this Request for Proposals must be received at the following address no later than **4:00 p.m., Central Daylight Savings Time, May 7, 2010. Late proposals will NOT be considered.** Faxed or e-mailed proposals will NOT be considered:

Attention: Linda McLaughlin, Grants Assistant
Alcohol and Drug Abuse Division
Department of Human Services
444 Lafayette Rd N.
St. Paul, MN 55155-0977

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:

http://www.dhs.state.mn.us/main/id_000102

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

State Contracts

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

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

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

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

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

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

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

Great Business Opportunities

The state spends about \$2 billion a year on contracts. The *State Register* is one of the best ways to advertise your contracts - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$13.60 per 1/10 of a page you cannot go wrong.

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

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Minnesota State Colleges and Universities (MnSCU)

Anoka Ramsey Community College

Advertisement for Bids for CS Air Handling Unit Replacement

Sealed Bids for: CS Air Handling Unit Replacement
Administration Building
Anoka Ramsey Community College
Coon Rapids, Minnesota

will be received by: Mirella Glubic, Business Office
College Services Building, Room C140
Anoka Ramsey Community College
11200 Mississippi Boulevard Northwest
Coon Rapids, MN 55433

Until 10:00 AM, CST, Tuesday, May 4, 2010, at which time the bids will be opened and publicly read aloud in Room SC 201, Riverview Room, Student Center Building, Anoka Ramsey Community College.

Project Scope: Replace and upgrade pneumatic, constant volume, multi-zone, air handling units located in the penthouse of the Administrative Building at Anoka Ramsey Community College, Coon Rapids Campus. Install DDC modular VAV air handling units, duct, chilled and heating water piping, pneumatic and DDC controls and associated electrical work. Install VAV terminal units with hot water reheat and DDC controls in the spaces. This work will be completed while the buildings are partially occupied.

State Contracts

A **Pre-Bid Meeting** will be held at 10:00 AM, Tuesday, April 20, 2010, in Room SC201, Riverview Room, Student Center Building, Anoka Ramsey Community College. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

MnSCU is transitioning to a digital web based distribution process for Project Bid Documents, on all projects. Option 1 is the preferred method of bidding, Option 2 may be used at the campuses for smaller projects at the discretion of the campus during the transition period.

(Option 1) QuestCDN – electronic copies

Interested parties may view the Bidding Documents at no cost on the website:

<http://www.finance.mnscu.edu/facilities/design-construction/index.html>

and click on “Announcements”, then click on “**Advertisement for Bids (E-Plan Room)**”. Bidding Documents can be downloaded for a non-refundable charge of \$10.00. Planholders are parties that have downloaded the plans and specifications. Planholders will be notified via email as addenda are issued. Parties that download the plans and specifications and need to have them printed elsewhere are solely responsible for those printing costs. The sales of paper copies for projects listed on this site are not available. Contact QuestCDN.com at (952) 233-1632 or: info@questcdn.com for assistance in viewing or downloading with this digital project information.

(Option 2) Paper Copies

Bidding Documents as prepared by the Project Architect/Engineer; Yaggy Colby Associates, are on file at the offices of the:

- 1) above named Project Architect/Engineer.
- 2) following Builders’ Exchanges:

St. Paul Builders Exchange

Duluth Builders Exchange

Fargo-Moorhead Builders Exchange

Minneapolis Builders Exchange

- 3) McGraw Hill Construction Plan Room
- 4) Reed Construction Data Plan Room
- 5) MEDA Minority Contractors Plan Room
- 6) National Association of Minority Contractors of Upper Midwest

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

Yaggy Colby Associates
717 - 3rd Avenue SE
Rochester, MN 55904
Phone: (507) 288-6464
Attn: Tina Winter
E-mail: twinter@yaggy.com

A deposit of \$100.00 is required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable payment (check made out to the Architect) for \$50.00 per set for shipping & handling (in addition to the \$100.00 deposit) to the Architect. Such deposits and payments may be sent prior to April 29, 2010. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

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

**Minnesota State Colleges and Universities (MnSCU)
Anoka Technical College
Opportunity for Bid on Vertical Machining Center****GENERAL STATEMENT/SCOPE:**

Request for Bid is for the purchase cost of a quantity of one (1) new HAAS VF-3 Vertical Machining Center and one (1) complete new tooling package, for the Anoka Technical College Machine Trades Program.

NOTE: SUBSTITUTIONS / OTHER MODELS OF THE VERTICAL MACHINING CENTER WILL NOT BE ACCEPTED. BID REQUEST FOR THIS ITEM IS AS SPECIFIED ONLY.

THE TOOLING PACKAGE REFERENCES KENNAMETAL PART #'S, BUT VENDOR MAY BID SAME AS OR EQUAL TO.

Provide shipping/handling/delivery for all items (Cost to be broken out. If none, must state 'None').

Provide delivery timeline for all items to college (i.e. 4 weeks ARO, etc.):

To receive a complete copy of the Bid Request/Specs, please contact Pamela Mogensen at (763) 576-4785, **e-mail:** pmogensen@anokatech.edu.

Bids must be sealed with a notation on the outside of the envelope stating: "NEW VERTICAL MACHINING CENTER BID – DELIVER IMMEDIATELY".

Mail or deliver (faxes will not be accepted) sealed bid by WEDNESDAY, APRIL 21, 2010, NO LATER THAN 10 AM CST to:

Anoka Technical College
Purchasing Office
Attn. Pam Mogensen, Room 197
1355 West Highway 10
Anoka, Minnesota 55303
Phone: (763) 576-4785
Fax: (763) 576-4715
E-mail: pmogensen@anokatech.edu

BID CLOSE DATE IS APRIL 21, 2010 – 10 A.M. CST

**Minnesota State Colleges and Universities (MnSCU)
Board of Trustees****Notice of Request for Information (RFI) for Architectural, Owner's Representative,
Real Estate and Other Related Professional and Technical Services for a Master
List of Consultants**

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

The Request for Information documents can be found online at: www.finance.mnscu.edu/facilities/index.html under Announcements. This RFI is to permit a consultant to be added to the current MnSCU Master List of Consultants. The consultants currently on the List do not need to respond to this RFI. The current List can be viewed at:

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www.finance.mnscu.edu/facilities/design-construction/pm_emanual/index.html

and click on “#37 - Facilities P/T Consultants Master List”.

If unable to access the RFI electronically, copies of the RFI may also be requested from:

Nancy Marandola - Minnesota State Colleges & Universities

Phone: (651) 297-7862

E-mail: Nancy.marandola@so.mnscu.edu

Proposals must be delivered to:

Minnesota State Colleges & Universities
ATTN: Facilities Design and Construction
Wells Fargo Place
30 Seventh Street East, Suite 350
St. Paul, Minnesota 55101-7804

Proposals must be received NOT later than May 7, 2010 at 12:00 P.M. CST; late responses will not be considered.

MnSCU reserves the right to cancel this solicitation if it is considered to be in MnSCU's best interest. The RFI is not a guarantee of work and does not obligate MnSCU to award any contracts. MnSCU reserves the right to discontinue the use or cancel all or any part of this Master List of Consultants program if it is determined to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota State Colleges and Universities (MnSCU) Inver Hills Community College Advertisement for Bids for Exterior Wall Corrective Restoration - Activities Building

Sealed Bids for: ACTIVITIES BUILDING
EXTERIOR WALL CORRECTIVE RESTORATION
Inver Hills Community College
Inver Grove Heights, MN 55076

will be received by: MR. PAT BUHL
HERITAGE HALL, ROOM 102
INVER HILLS COMMUNITY COLLEGE
2500 - 80TH Street East
Inver Grove Heights, MN 55076

Until **9:00 a.m.**, local time, **Monday, May 3, 2010**, at which time the bids will be opened and publicly read aloud.

Project Scope: Work includes masonry foundation repair including excavation, demolition, new brick and block masonry units, through-wall flashing, waterproofing, and a door replacement along all elevations of the Activities Building. Work also includes masonry repair of tuck pointing, replacement of individual broken or cracked brick, and control joints, as shown on drawings.

A **Mandatory Pre-Bid Meeting** for all **prime bidders** will be held at **1:00 p.m.**, local time, **Tuesday, April 20, 2010**, inside the **Main North Entrance of the Activities Building**, at Inver Hills Community College. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Interested parties may view the Bidding Documents at no cost on the website:

<http://www.finance.mnscu.edu/facilities/design-construction/index.html>

and click on "Announcements", then click on "Advertisement for Bids (*E-Plan Room*)". Bidding Documents can be downloaded for a non-refundable charge of \$10.00. Planholders are parties that have downloaded the plans and specifications. Planholders will be notified via email as addenda are issued. Parties that download the plans and specifications and need to have them printed elsewhere are solely responsible for those printing costs. The sales of paper copies for projects listed on this site are not available. Contact QuestCDN.com at (952) 233-1632 or info@questcdn.com for assistance in viewing or downloading with this digital project information.

Minnesota State Colleges and Universities (MnSCU) Minneapolis Community and Technical College Advertisement for Bids for Culinary Kitchen Remodel

Sealed Bids for: **Culinary Kitchen Remodel**
Minneapolis Community and Technical College
Minneapolis Campus
Minneapolis, Minnesota

Will be received by: **Roger Broz**
Facilities Office T.0600
Minneapolis Community and Technical College
Minneapolis Campus
Minneapolis, Minnesota 55403

Until 2:00 pm local time, April 30, 2010 at which time the bids will be opened and publicly read aloud.

Project Scope: Interior remodeling of the existing first floor culinary arts program space.

A **Mandatory Pre-Bid Meeting** will be held at 2:00 pm on Tuesday, April 13, 2010, in Hennepin Dining Room T.1500, at the Minneapolis Community and Technical College, Minneapolis Campus. Prospective bidders are required to attend. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions. A follow-up building tour will be held at 2:00 pm on Tuesday, April 20, 2010 for prospective bidders that attended the Mandatory Pre-Bid Meeting, and any of their prospective subcontractors who wish to attend.

Bidding Documents as prepared by the Project Architect/Engineer; KKE Architects, Inc., are on file at the offices of the:

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

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

KKE Architects, Inc.
300 First Avenue North
Minneapolis, Minnesota 55401
Phone: (612) 339-4200

A refundable deposit of \$100.00 is required for each set. Provide official contact information, including an e-mail address. Plan holders will be notified via e-mail as addenda are issued, and are responsible for printing addenda at their own expense.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate nonrefundable payment (check made out to the Architect) for \$10.00 per set for shipping and handling (in addition to the refundable \$100.00 deposit)

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to the Architect. Documents will be sent by UPS Ground to street prior to addresses only (P.O. Boxes not acceptable).

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

Minnesota State Colleges and Universities (MnSCU) Minneapolis Community & Technical College Request for Proposals for Consultation and Development of a New Web Design and Presence for the College

NOTICE OF INTENT to issue a Request for Proposals for consultation and development of a new web design and presence for the college.

Description: Minneapolis Community and Technical College (MCTC) is requesting proposals to provide consultation and development to redesign and improve the functionality of MCTC's web presence. The redesign will move minneapolis.edu from an information-driven to a marketing-driven, learner-focused web site. MCTC is also seeking an Intranet for faculty, staff and current students, and a Content Management System (CMS) for users throughout the college.

Bid Deadline: 2:00p.m. – Tuesday, April 20, 2010

Pre-bid meeting: Monday April 12, 2010 – 3:30pm Room L3100

Contact: A copy of the RFP is available at

<http://www.minneapolis.edu/webrfp.pdf>

For questions about the RFP contact Dawn Skelly at

E-mail: *dawn.skelly@minneapolis.edu*

Minnesota State Colleges and Universities (MnSCU) Minnesota West Community and Technical College Advertisement for Sealed Bids for Heating and Ventilation Improvements to Technology Building #2 at Canby Campus

Minnesota West Community and Technical College is accepting sealed bids for Heating and Ventilation improvements to Technology Building #2 at the Canby Campus.

Details regarding the Heating and Ventilation Improvement project including specifications can be obtained at any of the following Builders' Exchanges: Marshall, Mankato, Willmar, St Paul, Minneapolis, Duluth and Fargo-Moorhead, McGraw Hill Construction Plan room, Reed Construction Data Plan Room, MEDA Minority Contractors Plan Room and National Association of Minority Contractor of Upper Midwest. Complete sets only of Bidding Documents including plans and specifications may be obtained at the following address:

TSP, Inc.

104 West Redwood Street

Marshall, Minnesota 56258

Phone: (507) 537-1511

A Pre-bid Meeting will be held at 2:00 P.M. on Tuesday, April 13, 2010 in Englund Hall, Minnesota West CTC, Canby, Minnesota.

Deadline for submitting sealed bids is 2:00 P.M. on Tuesday, April 20, 2010. Late proposals will NOT be accepted. Minnesota West Community and Technical College reserves the right to reject all bids.

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

Minnesota State Colleges and Universities (MnSCU) Minnesota West Community and Technical College Advertisement for Sealed Bids for Primary Boiler Replacement in Englund Hall at Canby Campus

Minnesota West Community and Technical College is accepting sealed bids for Primary Boiler Replacement in Englund Hall at the Canby Campus.

Details regarding the Primary Boiler Replacement project Canby Campus including specifications can be obtained at any of the following Builders' Exchanges: Marshall, Mankato, Willmar, St Paul, Minneapolis, Duluth and Fargo-Moorhead, McGraw Hill Construction Plan room, Reed Construction Data Plan Room, MEDA Minority Contractors Plan Room and National Association of Minority Contractor of Upper Midwest. Complete sets only of Bidding Documents including plans and specifications may be obtained at the following address:

TSP, Inc.
104 west Redwood Street
Marshall, Minnesota 56258
Phone: (507) 537-1511

A Pre-bid Meeting will be held at 2:00 P.M. on Thursday, April 22, 2010 in Englund Hall, Minnesota West CTC, Canby, Minnesota.

Deadline for submitting sealed bids is 2:00 P.M. on Thursday, April 29, 2010. Late proposals will NOT be accepted. Minnesota West Community and Technical College reserves the right to reject all bids.

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

Minnesota State Colleges and Universities (MnSCU) Minnesota West Community and Technical College Advertisement for Sealed Bids for Primary Boiler Replacement in the LARC Building at the Worthington Campus

Minnesota West Community and Technical College is accepting sealed bids for Primary Boiler Replacement in the LARC building at the Worthington Campus.

Details regarding the Primary Boiler Replacement project Worthington Campus including specifications can be obtained at any of the following Builders' Exchanges: Marshall, Mankato, Willmar, St Paul, Minneapolis, Duluth and Fargo-Moorhead, McGraw Hill Construction Plan room, Reed Construction Data Plan Room, MEDA Minority Contractors Plan Room and National Association of Minority Contractor of Upper Midwest. Complete sets only of Bidding Documents including plans and specifications may be obtained at the following address:

TSP, Inc.
104 west Redwood Street
Marshall, Minnesota 56258
Phone: (507) 537-1511

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A Pre-bid Meeting will be held at 2:00 P.M. on Wednesday, April 21, 2010, in Room 173, of the Administration- Classroom building, Minnesota West CTC, Worthington, Minnesota.

Deadline for submitting sealed bids is 2:00 P.M. on Thursday, April 29, 2010. Late proposals will not be accepted. Minnesota West Community and Technical College reserves the right to reject all bids.

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

Minnesota State Colleges and Universities (MnSCU) Ridgewater College - Willmar Campus Advertisement for Bids for 2010 Asbestos Abatement Project Design

Sealed Bids for: 2010 ASBESTOS ABATEMENT PROJECT DESIGN:
Central Heating Plant Improvements Phase I
Ridgewater College, Willmar Campus
Willmar MN

will be received by: Mr. Bob Haines, VP of Finance and Operations
Ridgewater College - Willmar Campus
P.O. Box 1097
2101 - 15th Ave. NW
Willmar, MN 56201

Until **2:00 p.m., May 11, 2010** in Room H104, at which time the bids will be opened and publicly read aloud.

Project Scope will include abatement and disposal of ACM insulation on boilers, hot water tanks, heat exchangers, breeching, and condensate receivers; Abatement and disposal of ACM pipe fitting covers; and, demolition and disposal of five boilers (in three Boiler Rooms). Work is scheduled to begin on June 8, 2010 and be complete on July 9, 2010.

A **Pre-Bid Meeting** will be held at **10:00 a.m., May 4, 2010, in Room H104, at Ridgewater College, Willmar Campus.** The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding Documents as prepared by the Project Architect/Engineer, *Kane and Johnson Architects, Inc.*, will be available at the Pre-Bid meeting, and at the following:

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

Complete sets only of Bidding Documents for use by Bidders in submitting a bid may be obtained at the Pre-Bid meeting.

A deposit of \$100.00 is required for each set. This deposit is fully refundable for documents returned in complete and useable condition. Make deposit checks payable to Kane and Johnson Architects, Inc.

To qualify for this project the contractor must have completed at least two projects similar in nature (ACM abatement and general demolition) of **\$200,000.00** or greater in the last 24 months prior to this bid opening (**May 11, 2010**) and have no serious violations of MDH asbestos abatement rules or MPCA rules in the last 24 months prior to this bid opening (**May 11, 2010**).

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

Minnesota State Colleges and Universities (MnSCU) Riverland Community College Advertisement for Bids for 2010 Pavement Rehabilitation

Sealed Bids for: 2010 Pavement Rehabilitation
Riverland Community College
Austin Campus & Albert Lea Campus

Shall be delivered to: Ms. Judy Enright
Riverland Community College
1900 - 8th Avenue NW
Austin, MN 55912

Until **10:00 a.m., April 30, 2010** at which time the bids will be opened and publicly read aloud in Room A136 Cedar River Conference Room, Austin West Building.

A **Pre-Bid Meeting** will be held at **10:00 a.m., April 22, 2010** in Room A136 Cedar River Conference Room, Austin West Building. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding Documents as prepared by the Project Architect/Engineer; **Inspec, Inc.** are on file at the offices of the:

- 1) above named Project Architect/Engineer.
- 2) following Builders' Exchanges: **Austin, Minneapolis, and St. Paul.**
- 3) McGraw Hill Construction Plan Room
- 4) Reed Construction Data Plan Room
- 5) MEDA Minority Contractors Plan Room
- 6) National Association of Minority Contractors of Upper Midwest
- 7) AGC of Minnesota/iSqFt Plan Room

Direct communications regarding this Project to the Project Manager, Cliff Buhman, Inspec, **telephone:** (763) 546-3434; **e-mail:** cbuhman@inspec.com

Interested parties may view the bidding documents at no cost on the website: Go to:

<http://www.finance.mnscu.edu/facilities/design-construction/index.html>

and click on "Advertisement for Bids (E-Plan Room)" or download the digital documents at a cost of \$10.00. The sales of paper copies for projects listed on this site are not available.

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

State Contracts

Minnesota State Colleges and Universities (MnSCU) St. Cloud Technical and Community College Advertisement for Bids for Allied Health Center Renovation Project

Sealed Bids for: Allied Health Center Renovation Project
St. Cloud Technical and Community College
St. Cloud, MN

will be received by: Susan Meyer
Purchasing Agent
St. Cloud Technical and Community College
Room 1-401H
1540 Northway Drive
St. Cloud, MN 56303

Until 2:00 P.M. local time, April 29, 2010 at which time the bids will be opened and publicly read aloud in room 1-406.

Project Scope: The project consists of remodeling an existing medical clinic, located at 1245 - 15th Street North, St. Cloud, MN 56303, to be used for the Health Programs for the college. The building is 53,000 SF and is 2 stories and has a partial basement.

There will be no work to the exterior of the building except for some roof patching. The work includes but is not limited to: demolition, concrete, sidewalks, masonry, doors/hdwe, steel stud and gypsum board, suspended ceiling, interior finishes and specialties, casework, elevator and associated medical specialties.

Mechanical Systems include; HVAC, plumbing, fire protection, medical gas piping and temperature controls. Electrical Systems include electrical power, lighting, fire alarm system and rough in for technology.

A **Pre-Bid Meeting** will be held at 1:00 P.M., Saturday April 17th, 2010, in Waiting Room 120 at the Health Partners Clinic, 1245 - 15th St. No., St. Cloud, MN. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions. This may be the only opportunity to see the building in its entirety prior to bid date.

Bidding Documents as prepared by the Project Architect/Engineer; GLTArchitects.

Interested parties may view the Bidding Documents at no cost on the website:

<http://www.finance.mnscu.edu/facilities/design-construction/index.html>

and click on "Advertisement for Bids (E-Plan Room)". Bidding Documents can be downloaded for a non-refundable charge of \$10.00. Planholders are parties that have downloaded the plans and specifications. Planholders will be notified via email as addenda are issued. Parties that download the plans and specifications and need to have them printed elsewhere are solely responsible for those printing costs. The sales of paper copies for projects listed on this site are not available. Contact QuestCDN.com at: (952) 233-1632 or *info@questcdn.com* for assistance in viewing or downloading with this digital project information.

Minnesota State Colleges and Universities (MnSCU) St. Cloud Technical College Advertisement for Bids for 2010 Electrical Distribution Upgrade

Sealed Bids for: 2010 Electrical Distribution Upgrade
St. Cloud Technical College
St. Cloud, Minnesota

will be received by: **Susan Meyer, Purchasing Agent**
St. Cloud Technical College
Room 1-401H
1540 Northway Drive
St. Cloud, Minnesota 56303

Until **2:00 PM**, local time, **May 6, 2010**, at which time the bids will be opened and publicly read aloud in Room 1-406.

Project Scope:

Replace existing distribution panelboards throughout the entire campus. Replace existing panelboard feeder conductors and conduits. Demolish existing boiler plant 240V service transformer and replace existing 480V service transformer with a larger transformer. Replace main service equipment for boiler plant, I-Wing, and AB-Wing services. Replace miscellaneous electrical feeders throughout the campus.

A **Pre-Bid Meeting** will be held at 10:00 AM, Tuesday, April 27, 2010, in Maintenance Break Room, St. Cloud Technical College. The Engineer and/or College Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding Documents as prepared by the Project Engineer, Stanley Consultants, Inc.:

Interested parties may view the Bidding Documents at no cost on the website:

<http://www.finance.mnscu.edu/facilities/design-construction/announcements/index.html>

and click on "Advertisement for Bids (**E-Plan Room**)". Bidding Documents can be downloaded for a non-refundable charge of \$10.00. Planholders are parties that have downloaded the plans and specifications. Planholders will be notified via email as addenda are issued. Parties that download the plans and specifications and need to have them printed elsewhere are solely responsible for those printing costs. The sales of paper copies for projects listed on this site are not available. Contact QuestCDN.com at (952) 233-1632 or:

info@questcdn.com for assistance in viewing or downloading with the digital project information.

Minnesota State Colleges and Universities (MnSCU)

Saint Paul College

Request for Sealed Bids for Printing of Saint Paul College Magazine - Fall Semester 2010

Saint Paul College will receive sealed bids for the Printing of 2010 Fall Semester College Magazine.

The total quantity to print is 291,000 — Paper: 28 pages total:

4 pages – Cover: 80# Glass Enamel # 3 – Front and Back Cover

24 pages - Inside: 60# gloss at least 88 brite

Sealed bids are due no later than April 26th, 2010 at 2:00 p.m. at which time the bids will be opened.

Bid specifications are available from:

Nataliya Kabakova

E-mail: *Nataliya.kabakova@saintpaul.edu*

Fax: (651) 403-4061

Deliver bids to:

Saint Paul College

Business Office, room 1240

235 Marshall Ave

St Paul, MN 55102

State Contracts

Minnesota State Colleges and Universities (MnSCU)

South Central College

Request for Sealed Bids for Various Extron Equipment

South Central College is seeking bids to update our facilities with the following Extron equipment:

Quantity	Extron Part #	Extron Model #	Extron Device
55	60-560-01	MLS 406	Switcher
55	60-600-02	MLC 226IP	Media link controller
55	70-220-02	IRCM DV+	Control Module
55	70-343-02	MLM 226 LAAP	Lecturn mounting kit
55	60-943-02	SMB 205L	Lecturn mounting box
55	26-534-12	SYF BNCM/3	HD female to BNC male cable

Sealed bids for this project should be submitted to: South Central College, Attn: Karen Snorek, 1225 - 3rd St. SW, Faribault, MN 55021. Technical questions regarding this bid should be submitted to Mr. Charles Goettlicher at: *Charles.goettlicher@southcentral.edu* or by telephone at (507) 389-7285.

The bid opening is scheduled for 2:00 pm on Monday April, 26, 2010 and will be held in the administrative conference room on our Faribault campus located at 1225 - 3rd St. SW, Faribault, MN 55021.

Minnesota State Colleges and Universities (MnSCU)

Winona State University

Request for Bids for Axis Cameras, Axis Outdoor Wall-mounted Bracket Kits, and Axis Network Cameras

Winona State University is seeking bids for Axis cameras, Axis outdoor wall mount bracket kits and Axis Network cameras.

Bid specifications will be available April 12, 2010 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 bids must be received by Sandra Schmitt at P.O. Box 5838, or at 205G Somsen Hall, Business Office, Winona State University, Winona, MN 55987 by 3:00 P.M. Monday, April 26, 2010.

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

Department of Corrections

Notice of Availability of Contract for Temporary On-Site Medical Staffing

The Minnesota Department of Corrections is requesting proposals for the purpose of providing occasional use of temporary on-site medical staffing for registered nurses (RNs); licensed practical nurses (LPNs); advanced nurse practitioners (NPs); certified medical assistants (CMAs); nurse aides/registered (NARs); and other health care services as needed. Other health care services may include but are not limited to dental assistants; personal care attendants; lab and x-ray technicians; physical therapists; occupational therapists; speech therapists, phlebotomists, and others as needed. Shortages may be present on any shift and on any day of the week, including holidays. Work is proposed to start after June 30, 2010.

A Request for Proposals (RFP) will be available by email from the office listed below through April 20, 2010. A written request by email is required to receive the RFP. After April 20, 2010, the RFP must be picked up in person. The RFP can be obtained by e-mail from *david.barker@state.mn.us*.

Proposals submitted in response to the RFP must be received at the mailing address below no later than 2:30 p.m. central daylight time, Monday, May 3, 2010. **Late proposals will NOT be considered.** Fax or e-mailed proposals will NOT be considered.

Mailing address: David Barker
Minnesota Department of Corrections
Health Services Unit
1450 Energy Park Drive, Suite 200
St. Paul, MN 55108-5219

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

Department of Corrections

MINNCOR Industries

Notice of Availability of Master Contract for Graphic Design Services to MINNCOR Print Customers

MINNCOR Industries, a program of the Minnesota Department of Corrections, is requesting proposals for the purpose of establishing master contractors with vendors to provide design services. These services include: creative consultation and concept development; graphic design and layout; illustration, graph, chart, and table design and artwork; display art; photographic services as requested and desktop publishing. The contractor must provide staff, materials, production facilities and equipment, and pickup and delivery as requested by the state. The contractor must get approval from the state for any typesetting, desktop publishing, or film output from an outside source. The contractor is expected to become knowledgeable with the production capabilities of the state and, in those instances where design flexibility exists, design pieces and projects for the state.

Work is proposed to start on or after June 1, 2010.

A Request for Proposals (RFP) will be available by mail from the office indicated below through April 23, 2010. A written request is required to receive the RFP. After April 23, 2010, the RFP must be picked up in person.

The RFP may be obtained from: Dan Kaiser
MINNCOR Industries
1450 Energy Park Drive #110
St. Paul, MN 55108-5219
Phone: (651) 603-6742

Proposals submitted in response to the RFP must be received at the address above no later than 2:30 p.m. central daylight time, May 3, 2010. Late proposals will not be considered. Fax or emailed proposals will not be considered.

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

State Contracts

Minnesota Board of Dentistry

Administering Board of the Health Professionals Services Program Notice of Availability of Contract to Provide a Full Range of Toxicology Screening Services

The Health Professionals Services Program (HPSP) is requesting proposals from laboratories able and willing to provide HPSP and its participants with a full range of toxicology related services. These include, but are not limited to: testing roughly 14,000 urine samples for substances of abuse annually, providing web-based screen results, and providing medical review officer opinions/consultation.

Work is proposed to start after June 1, 2010.

A Request for Proposals will be available by mail from this office through April 24, 2010. A written request by direct mail or fax is required to receive the Request for Proposal. After April 26, 2010, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Monica Feider
Health Professionals Services Program
1380 Energy Lane, Suite 202
St. Paul, MN 55108
Fax: (651) 643-2163

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than May 4, 2010 at 2:00 p.m. CST. No time extensions will be granted.

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

Iron Range Resources

Notice of Availability for Higher Education Consultant Services

Iron Range Resources is requesting proposals for consulting services to work with the Iron Range Higher Education Committee to develop a comprehensive plan to address higher education needs in Northeastern Minnesota, specifically the Taconite Assistance Area defined in M.S. 273.1341.

Work is proposed to start after June 1, 2010.

A Request for Proposal will be available by mail, e-mail or fax from this office through April 23, 2010. **A written request (by direct mail, fax or e-mail) is required to receive the Request for Proposal.** After April 23, 2010, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Leah Wilhelmy
Iron Range Resources
P.O. Box 441
4261 Highway 53 S.
Eveleth, MN 55734
Fax: (218) 735-3048
E-mail: Leah.wilhelmy@state.mn.us

Proposals submitted in response to the Request for Proposal in this advertisement must be received at the address above no later than May 5, 2010 at 3:00 p.m. Central time. **Late proposals will NOT be considered.** Fax or e-mailed proposals will **NOT** be considered.

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

Department of Revenue Notice of Availability of Contract for Website Redesign

The current Department of Revenue (DOR) website (www.taxes.state.mn.us) was designed in 2003 to provide static content – including tax forms and instructions – to State of Minnesota taxpayers. In the past seven years, transactional applications have been added but the site has not kept pace with taxpayer demand for information and online services.

The agency is therefore requesting proposals to evaluate DOR's public website with specific focus on identified areas of weakness. The intent is to advance Web 2.0 technology and encourage better usability and participation. The successful vendor will complete a needs analysis, create a design guide, then develop and deploy a redesigned Minnesota Department of Revenue website. Deployment will include the delivery of a manageable redesigned website with documented procedures for content management, publication, and site administration. The new website must be intuitive, easy to navigate, and satisfy the needs of the following consumers of DOR services:

- Taxpayers
- Tax Professionals
- Businesses
- Government Officials

Sealed proposals labeled "Website Redesign" must be received no later than 1:00 p.m., May 3, 2010. **Late proposals will NOT be considered.**

A complete RFP can be requested from:

Mary Ann Novotny
Financial Management Division
Minnesota Department of Revenue
Mail Station 4220
St. Paul, MN 55146-4220

Or at:

E-mail: dor.rfp@state.mn.us

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

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

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

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop the Consultant Pre-Qualification Program as a new method

State Contracts

of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects.

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

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

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

Send completed application material to:

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

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

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

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

Minnesota Department of Transportation (Mn/DOT) Ombudsman Office Request for Proposals (RFP) for Development of a Formal Ombudsman Program

Mn/DOT's Transportation Ombudsman program is over a year old, but it lacks formal structure. A formal structure, including vision, mission, bylaws, charter, case tracking and other parts of a formal program is needed to increase the efficiency and performance of Ombudsman staff. Training of Ombudsman staff is also needed for proper case investigation. Coaching of the Transportation Ombudsman is needed. A communications and marketing plan is also needed. The goal of this project is to give formal structure to the Mn/DOT Ombudsman program.

The full RFP can be viewed on the Consultant Services Web Page at: <http://www.dot.state.mn.us/consult/files/notices/notices.html>.

If you have any questions regarding this advertisement, or are having problems viewing the RFP on the Consultant Services Web Page, you may contact:

Ashley Duran, Contract Administrator
E-mail: *ashley.duran@state.mn.us*
Telephone: (651) 366-4627

Note: RESPONSES WILL BE DUE ON **MONDAY, APRIL 26, 2010 AT 2:00 P.M.** CENTRAL DAYLIGHT TIME

Department of Veteran Affairs Notice of Availability of Contract for Physical Therapy, Occupational Therapy and Speech Therapy Services

The Minnesota Department of Veterans Affairs is requesting proposals from individuals or organizations to provide Physical Therapy, Occupational Therapy and Speech Therapy Services at the Minnesota Veterans Home Silver Bay. This is an 87 bed Skilled Nursing Facility for veterans and their spouses.

Work is proposed to start after June 8, 2010.

A Request for Proposals will be available by mail or e-mail from this office. **A written request (by direct mail, e-mail or fax) is required to receive the Request for Proposal.**

The Request for Proposal can be obtained from:

Carla Floen
Minnesota Veterans Homes – Silver Bay
Minnesota Department of Veterans Affairs
45 Banks Blvd.
Silver Bay, MN 55614
Fax: (218) 226-6336
E-mail: *Carla.Floen@state.mn.us*

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **2:30 P.M. Central Daylight Time on May 3, 2010. Late proposals will not be considered.** Fax or e-mailed proposals will **not** be considered.

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

Non-State Bids, Contracts & Grants

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

Additional Contracts

The *State Register* offers one of the cheapest, yet far reaching methods, of notifying the public about your agency's bids, contracts and grants. It is available to any government, non-profit, or private agency. Space is charged at the current rate of \$13.60 per each 1/10th of a page used in the *State Register*. Agencies are only billed for the space used in the *State Register*.

Agencies wishing to take advantage of this offer should submit what you want printed in the *State Register* via e-mail to: robin.panlener@state.mn.us. Attach to your entry a short note indicating when you wish the notice to be published (one, or many dates), if you want a copy of the issue your notice appears in (a TEAR SHEET will be sent free with your bill), and whether you want an "Affidavit of Publication."

University of Minnesota (U of M) Subscribe to Bid Information Service (BIS)

The University of Minnesota offers 24-hour/day, 7-day/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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NEW:

Woodworking for Wildlife - updated, Stock No. 275, \$19.95

Minnesota author Carrol Henderson's popular book, *Woodworking for Wildlife*, Along with designs for 28 different nest box projects, this newly-expanded edition includes 300 color photographs and information on deterring nest predators, placing and maintaining boxes, and setting up remote cameras in nest boxes. The 164-page book, which has a soft cover that opens flat for easy use, features new designs for great crested flycatchers, mergansers, dippers, bumblebees and toads. *Woodworking for Wildlife* was printed in Minnesota on recycled paper manufactured in Cloquet and certified by the Forest Stewardship Council.

Newly Updated Laws, Rules & Manuals

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[Cosmetology Laws](#)
[Cosmetology Rules](#)
[Wetland Conservation Laws & Rules](#)
[2009 Base Value Guide—Final](#)
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[Criminal Code](#)
[Gambling Managers Handbook](#)
[Barber Laws & Rules](#)
[Gambling Laws Architects, Engineers &
Land Surveying Laws/Rules 2009](#)
[Nursing & Boarding Care Laws 2009](#)
[Fair Labor Standards Act 2009](#)
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[Public Swimming Pool Rules 2009](#)
[Government Data Privacy Laws & Rules 2009](#)
[Liquor Laws & Rules 2009](#)
[Workers Compensation Laws 2009](#)
[Administrative Hearings Laws/Rules 2009](#)
[Pharmacy Laws 2009](#)
[Supervised Living Facility Laws & Rules 2009](#)
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[Developmental Disabilities Laws & Rules 2009](#)
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[Home Care Licensure Laws & Rules 2009](#)
[Real Estate Laws 2009](#)
[Real Estate Appraiser Laws & Rules 2009](#)
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Shipping _____

Subtotal _____

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