

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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# State Register

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

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

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- Withdrawn Rules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

### Printing Schedule and Submission Deadlines

Vol. 36 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> shows altered publish date)	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Proposed, Adopted and Exempt RULES
# 15	Monday 31 October	Noon Tuesday 25 October	Noon Wednesday 19 October
# 16	Monday 7 November	Noon Tuesday 1 November	Noon Wednesday 26 October
# 17	Monday 14 November	Noon Tuesday 8 November	Noon Wednesday 2 November
# 18	Monday 21 November	Noon Tuesday 15 November	Noon Wednesday 9 November

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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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**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 Game and Fish Rules: Wildlife Management, Hunting, Trapping, and Stamp Design

#### 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

#### Possible Amendment to and Repeal of Game and Fish Rules Governing Wildlife Management, Hunting, Trapping, and Stamp Design, *Minnesota Rules*, chapters 6230, 6232, 6234, 6236, 6240, 6290

**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 Friday, December 16, 2011, the Department will hold a public hearing starting at 1:30 p.m. on Thursday, January 5, 2012, at the 6th floor Conference Room, DNR Central Office, 500 Lafayette Road, Saint Paul, Minnesota 55155-4010.

To find out whether the Department will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after December 16, 2011, and before January 5, 2012.

**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](mailto:jason.abraham@state.mn.us). **TTY** users may call the Department of Natural Resources at 1-800-657-3929 or (651) 296-5484.

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

- Modify various special provisions for wildlife management areas and state game, goose and waterfowl refuges.
- Modifying season for hunting and trapping raccoon, fox, badger and opossum.
- Clarify snaring provisions.
- Modify provisions for transporting and possessing incidentally taken fisher, otter, pine marten or bobcat.
- Establish a 30-day fall turkey season and modify requirements for muzzleloaders used in turkey hunting.
- Modify goose zones, season dates and provisions for hunting on refuges to reflect a lengthened Canada goose season and the

# Proposed Rules

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- elimination of the late Canada goose season.
- Modify application procedures, reproduction rights, design standards and judging requirements for pictorial stamp contests.

The statutory authority to adopt the rules is *Minnesota Statutes*, section 97A.045, 97A.091, 97A.092, 97A.137, 97A.401, 97A.535, 97B.605, 97B.621, 97B.635, 97B.711, 97B.803 and 97B.921.

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, December 16, 2011, 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, December 16, 2011. You must include your name and address in your written request. 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 January 5, 2011, 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 December 16, 2011, to find out whether the hearing will be held. 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 Kathleen D. Sheehy is assigned to conduct the hearing. Judge Sheehy can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-7848, 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

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## Proposed Rules

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: 14 October 2011

Tom Landwehr, Commissioner  
Minnesota Department of Natural Resources

### 6230.0200 SPECIAL PROVISIONS FOR WILDLIFE MANAGEMENT AREAS.

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

Subp. 3. **Areas closed to migratory waterfowl hunting.** The Gordon F. W. Yeager Wildlife Management Area and the Eastside Wildlife Management Area in Olmsted County and the Carl Schmidt Wildlife Management Area in Morrison County are closed to the taking of migratory waterfowl. On the Gordon F. W. Yeager Wildlife Management Area, small game taken by firearms may only be taken with shotguns using No. 4 or smaller diameter shot.

[For text of subs 4 to 8, see M.R.]

Subp. 9. **Areas closed to firearms deer hunting.** The Lake Blanche Wildlife Management Area in Otter Tail County, the Gordon F. W. Yeager Wildlife Management Area in Olmsted County, and a portion of the Timber Lake Wildlife Management Area (as posted) in Jackson County, and a portion of the Gores Pool Wildlife Management Area (as posted) in Dakota County are closed to firearms deer hunting. Small game taken by firearms on a portion of Gores Pool Wildlife Management Area in Dakota County that is posted with firearms restrictions may only be taken with shotguns using BBB or smaller diameter shot.

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

[For text of subs 11 and 12, see 36 SR 75]

[For text of subp 13, see M.R.]

# Proposed Rules

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## 6230.0250 GENERAL PROVISIONS FOR USE OF WILDLIFE MANAGEMENT AREAS.

[For text of subps 1 to 8, see M.R.]

Subp. 9. **Use of motorboats.** Motorboat use is prohibited within a wildlife management area, except where posted or as provided in this subpart. For purposes of this chapter, “motorboat” includes motorboats as defined in *Minnesota Statutes*, section 86B.005, subdivision 9, and duckboats with motors attached.

[For text of items A to K, see M.R.]

L. Spring Lake Islands Wildlife Management Area in Dakota County: motorboats may be used with no limit on size.

Subp. 10. **General restrictions on vehicles.**

[For text of items A and B, see M.R.]

C. A person may use a motor vehicle, for ice fishing purposes only, on the following lakes, except where posted closed to motor vehicles:

[For text of subitems (1) to (4), see M.R.]

(5) North Lake in the Gores Pool Wildlife Management Area, Goodhue County; ~~and~~

(6) Boot Lake in the Bootleg Lake Wildlife Management Area, Jackson County; ~~and~~

(7) Spring Lake in Spring Lake Islands Wildlife Management Area, Dakota County.

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

[For text of subps 11 to 18, see M.R.]

Subp. 19. **Abandonment of trash and property.** The disposal or abandonment of garbage, trash, spoil, sludge, rocks, vehicles, carcasses, or other debris and the abandonment or storage of property within a wildlife management area is prohibited. Boats, decoys, or other property may not be left unattended overnight, except as follows:

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

B. fish houses or dark houses on the following lakes:

[For text of subitems (1) to (4), see M.R.]

(5) North Lake in the Gores Pool Wildlife Management Area, Goodhue County; ~~and~~

(6) Boot Lake in the Bootleg Lake Wildlife Management Area, Jackson County; ~~and~~

(7) Spring Lake in Spring Lake Islands Wildlife Management Area, Dakota County.

Subp. 20. **Destruction or removal of property.** A person may not destroy, disturb, or remove any plants, trees, or other vegetative material, or signs, posts, fences, gates, buildings, or other property in a wildlife management area, except that wetland vegetation may be used to build blinds and edible fruits or seeds and decorative portions of plants may be removed for personal use. A person may not destroy or remove threatened or endangered plants or animals as defined in chapter 6134. ~~Wild rice may not be harvested unless the area is specifically opened by rule.~~

[For text of subps 21 to 23, see M.R.]

## 6230.0295 VERMILLION HIGHLANDS WILDLIFE MANAGEMENT AREA.

Subpart 1. **Hunting.** The Vermillion Highlands Wildlife Management Area located in Dakota County is closed to all hunting and trapping except:

A. archery, firearms, and muzzleloader deer hunting by special permit only;

B. pheasant ~~and Canada goose~~ hunting starting on the day following the close of the muzzleloader deer season through the end of the respective statewide pheasant season seasons;

~~C.~~ late season goose hunting;

~~D.~~ trapping by special permit only; and

~~E.~~ spring turkey hunting.

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

## 6230.0400 SPECIAL PROVISIONS FOR STATE GAME REFUGES.

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

Subp. 2. **Bemidji Game Refuge, Beltrami County.** The Bemidji Game Refuge in Beltrami County is open to:

A. small game hunting, except waterfowl, through the Thursday nearest November 4 and after the close of the 200 Series firearms deer season;

B. Canada goose hunting during the early goose season, except on Lake Bemidji, the Mississippi River, and Stump Lake;

C. trapping for beaver, mink, otter, and muskrat only; and

D. deer hunting during the muzzleloader season and deer and bear hunting by archery.

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

Subp. 9. **Elizabeth and German Lake Game Refuges, Isanti County.** The Elizabeth and German Lake Game Refuges in Isanti County are open to all hunting and trapping, except waterfowl. The refuges are open for goose hunting during the early goose season. Youth who are accompanied by a nonhunting adult and participating in a mentoring program approved by the commissioner may hunt ~~Canada geese during the early goose season and~~ waterfowl on youth waterfowl day.

[For text of items A to D, see M.R.]

Subp. 10. **Erhard's Grove Game Refuge, Otter Tail County.** The Erhard's Grove Game Refuge in Otter Tail County is open to:

A. deer and bear hunting by firearms; ~~and~~

B. deer and bear hunting by archery; and

C. small game hunting, except waterfowl.

[For text of subps 11 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 Mission Site are closed to hunting. The remainder of the refuge is open to:

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

(2) deer hunting; and

(3) small game hunting other than waterfowl, except from the second Saturday in October through ~~the last day of the open Canada goose season in the West Central Goose Zone~~ November 30, when small game hunting is allowed only at designated hunting stations as provided by parts 6230.0500 to 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, except from the second Saturday in October through the last day of the open Canada goose season in the West Central Goose Zone. No unauthorized person may trespass during the dates posted on any part of the refuge posted with "State Wildlife Sanctuary - Do Not Trespass" signs, except for:~~

(1) ice fishing; and

# Proposed Rules

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(2) open water fishing in the posted closed area from the close of the Canada goose season until the second Saturday in October.

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

[For text of subps 22 to 32, see M.R.]

Subp. 33. **Ocheda Lake Game Refuge, Nobles County.** The Ocheda Lake Game Refuge in Nobles County is open to:

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

D. Canada goose hunting during the early and late seasons season and from the first Saturday in December through the end of the statewide goose season, except that hunting is prohibited within 100 yards of surface water during the early goose season; and

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

[For text of subp 33a, see 36 SR 75]

[For text of subp 34, see M.R.]

Subp. 35. **Paul Bunyan Game Refuge, Hubbard County.** The Paul Bunyan Game Refuge in Hubbard County is open to:

A. small game hunting, except waterfowl, through the Thursday nearest November 4 and after the close of the 200 Series firearms deer season;

[For text of items B to D, see M.R.]

[For text of subps 36 to 51, see M.R.]

Subp. 52. **Anoka and Isanti Counties Game Refuge, Anoka and Isanti Counties.** The Anoka and Isanti Counties Game Refuge in Anoka and Isanti Counties is open to firearms and archery deer hunting and archery turkey hunting.

[For text of subps 53 to 59, see M.R.]

Subp. 60. Cedar Lake Game Refuge, Stearns County. The Cedar Lake Game Refuge in Stearns County is open to archery, firearms, and muzzleloader deer hunting.

[For text of subps 61 and 62, see 36 SR 75]

## 6230.0700 LAC QUI PARLE SPECIAL PROVISIONS.

Subpart 1. **Time periods for special provisions.** In addition to the regulations provided by part 6230.0500, the following subparts apply to all persons in the Lac qui Parle controlled hunting zones during the open season for taking Canada geese in the Lac qui Parle Goose zone in those zones.

Subp. 2. **Hunting stations.**

A. Waterfowl and small game hunters may reserve designated hunting stations in accordance with regulations available at the Lac qui Parle Wildlife Management Area headquarters. Reservation dates may not be changed. Only one hunting group, consisting of no more than three hunters, may occupy a designated hunting station at one time. Not more than six hunting groups per day may occupy a designated hunting station.

B. From the third Thursday in October through November 30, waterfowl and small game hunters may reserve designated hunting stations according to regulations available at the Lac qui Parle Wildlife Management Area headquarters. Reservation dates may not be changed.

C. From December 1 through the end of the Canada goose season, waterfowl hunters must use designated hunting stations and use of the stations is on a first-come, first-served basis.

Subp. 3. **Entry permit required.** From the third Thursday in October through November 30, on public lands, a person may not hunt migratory waterfowl or small game in the controlled hunting zone without first registering at the check station and obtaining an entry permit. Entry permits must be displayed as specified on the permit. Hunters age 18 or older will be charged a \$3 daily fee for the Lac qui Parle entry permit. Failure to comply with the provisions of the permit or special provisions relating to the controlled hunt will result in immediate revocation of the permit for that day.

Subp. 4. **Limitation on number of shells possessed.** Only persons hunting may bring shotgun shells into the controlled hunting zone. A waterfowl or small game hunter may not bring in more than 12 shells per trip or have in possession more than 12 shells at any one time, except that small game hunters may possess more than 12 shells beginning December 1.

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Subp. 5. **Firearms must be cased.** Waterfowl and small game hunters must have firearms cased, except within ten feet of assigned hunting stations.

Subp. 6. **Actions after taking bag limit.** Within one hour of hunt completion each party member must ~~submit any geese taken for inspection at the Lac qui Parle Wildlife Management Area headquarters and, if hunting on public lands, personally return their entry permit to the check station and report the harvest of geese.~~

Subp. 7. **Limitation on number of trips.** ~~Hunters are limited to two trips per day to the hunting stations. Hunters are limited to one trip to the hunting stations before noon and one trip after noon each day.~~

Subp. 8. **Restrictions on occupancy of designated parking lots and hunting stations.** A person may not park in or otherwise occupy a designated controlled hunting zone parking lot or occupy a hunting station from 10:00 p.m. to 5:00 a.m.

Subp. 9. **Closed hunting stations.** A person may not occupy or hunt from a hunting station that is posted closed.

## 6234.1200 TAKING RACCOON.

Subpart 1. **Open season.** Raccoons may be taken statewide with legal firearms, bow and arrow, and by trapping from 9:00 a.m. on the Saturday nearest October 22 ~~to March 15, except in the North Mink/Muskrat/Beaver/Otter Zone as described in part 6234.1000, subpart 3, where raccoon may be taken with legal firearms, bow and arrow, and by trapping beginning at 9:00 a.m. on the Saturday nearest October 17. The season ends March 15.~~

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

## 6234.1300 TAKING RED FOX AND GRAY FOX.

Subpart 1. **Open season.** Gray and red fox may be taken statewide with legal firearms, bow and arrow, and by trapping from 9:00 a.m. on the Saturday nearest October 22 ~~to March 15, except in the North Mink/Muskrat/Beaver/Otter Zone as described in part 6234.1000, subpart 3, where gray and red fox may be taken with legal firearms, bow and arrow, and by trapping beginning at 9:00 a.m. on the Saturday nearest October 17. The season ends March 15.~~

[For text of subs 2 to 4, see M.R.]

## 6234.1400 TAKING BADGER AND OPOSSUM.

Subpart 1. **Open season.** Badgers and opossums may be taken statewide with legal firearms, bow and arrow, and by trapping from 9:00 a.m. on the Saturday nearest October 22 ~~to March 15, except in the North Mink/Muskrat/Beaver/Otter Zone as described in part 6234.1000, subpart 3, where badger and opossum may be taken with legal firearms, bow and arrow, and by trapping beginning at 9:00 a.m. on the Saturday nearest October 17. The season ends March 15.~~

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

## 6234.2400 SPECIAL RESTRICTIONS ON USE OF SNARES.

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

Subp. 2. **Farmland Furbearer Zone restrictions.** In the Farmland Furbearer Zone, a person may use snares as follows:

A. from April 1 to November 30, a person may not set, place, or operate any snare except as a waterset;

B. from December 1 to March 31, a person may not set, place, or operate any snare on public lands, including the surface of frozen water within public lands, on road rights-of-way, or in fencelines along road rights-of-way, except as a waterset.

[For text of subs 3 to 7, see M.R.]

[For text of subs 8 and 9, see 35 SR 1915]

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

## 6234.2700 SPECIAL RESTRICTIONS ON TAKING AND POSSESSION OF FURBEARERS.

The restrictions in items A ~~and B~~ to D apply to the possession and transportation of accidental captures.

A. A person may not possess or transport a ~~fisher, otter, pine marten, fox, bobcat, lynx, or gray wolf~~ that was accidentally killed or was lawfully killed while causing or threatening injury or damage until the person notifies the local conservation officer, other authorized department employee, or regional enforcement office, of the killing and receives authorization to possess, transport, or skin the animal.

# Proposed Rules

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B. A person may possess or transport fox, mink, muskrat, beaver, badger, opossum, or raccoon accidentally killed or lawfully killed while causing or threatening injury or damage, only if the local conservation officer or other authorized employee of the department is notified within 24 hours of such killing and before any skinning has begun.

C. A person may possess or transport a fisher, otter, or pine marten that has been accidentally killed or a bobcat that has been either lawfully killed when causing damage or accidentally killed only after notifying the local conservation officer or other authorized employee of the department of such killing. After making the required notification and taking possession of the animal, the person may not skin, transfer possession, or otherwise dispose of the animal until the person receives authorization from a conservation officer or other authorized department employee.

D. A person must report any incidental taking of a Canada lynx to the local conservation officer within 24 hours of the taking.

## 6236.0100 DEFINITIONS.

[For text of subps 1 to 5, see M.R.]

Subp. 6. **Legal firearms.** “Legal firearms” means shotguns or muzzleloading shotguns 20 gauge or larger, or muzzleloading shotguns 12 gauge or larger; using fine shot size No. 4 or smaller diameter shot.

[For text of subp 7, see M.R.]

## 6236.0700 FALL TURKEY SEASON.

Subpart 1. **Open dates.** The fall turkey season consists of two five-day periods, the first period one 30-day period beginning the Wednesday nearest October 15 and the second beginning the Wednesday nearest October 22 on the Saturday nearest October 1.

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

[For text of subp 4, see 35 SR 1976]

[For text of subp 5, see M.R.]

[For text of subp 6, see 35 SR 1976]

## 6240.1150 TAKING SNOW, BLUE, ROSS’, AND WHITE-FRONTED GEESE AND BRANT.

Subpart 1. **Seasons.** Snow, blue, Ross’, and white-fronted geese and brant may be taken statewide during the 86-day period beginning the Saturday on or nearest October 1 only in areas of the state when and where the Canada goose season is open.

Subp. 2. **Daily limit.** A person may not take more than 20 snow, blue, and Ross’ geese in combination; two one white-fronted geese; and one brant each day.

## 6240.1200 SPECIAL PROVISIONS ON TAKING GEESE DURING EARLY SEASONS SEASON.

Subpart 1. [See repealer.]

Subp. 2. [See repealer.]

Subp. 3. **Open season.** The open early season for taking Canada geese begins the first Saturday in September and ends on September 22, except:

A. the season begins on Sunday, September 1, in any year when the first Saturday falls on September 7; and

B. the season closes on the Friday before the duck season opens in years when the duck season opens on or before September 22.

Subp. 4. **Daily limits.** A person may not take more than five Canada geese per day during the early season.

Subp. 5. **Taking near water.**

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

(1) in the Northwest Goose Zone;

(2) in the Swan Lake Goose Zone; and

(3) within the boundaries of the Carlos Avery Wildlife Management Area.

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B. Taking Canada geese on or within 100 yards of surface waters during the early Canada goose season is allowed for youth hunters participating in youth waterfowl hunting days and on specific bodies of water in closed zones as described or shown on maps provided by the commissioner.

## **6240.1850 REFUGES OPEN TO THE TAKING OF GEESE.**

Subpart 1. **Goose refuges.** ~~Those portions of~~ The following refuges are open to goose hunting during the early and regular goose seasons: Douglas County Goose Refuge in Douglas County, the Otter Tail County Goose Refuge in Otter Tail County, and the Sauk Rapids-Rice Goose Refuge in Benton County, ~~in the respective zone or zones in which they are located, are open to goose hunting during the early, regular, and late goose seasons for those zones. All other goose hunting regulations apply in these refuges. Taking waterfowl from public roads and their rights-of-way is prohibited. The Ashby Goose Refuge in Grant County is open to Canada goose hunting during the early September goose season.~~

### Subp. 2. **Game refuges.**

A. The following refuges are open to goose hunting during the first two days of the regular goose season: Fox Lake Game Refuge in Martin County and the Saint James Game Refuge in Watonwan County are open to goose hunting during the first three days of the regular goose season in the respective zones in which they are located.

B. The Fox Lake Game Refuge is open to goose hunting from the last Saturday of the December Canada goose season to the end of the goose season in the zone in which it is located, except for the last seven days of the statewide goose season. There is no goose hunting within 100 yards of Fox and Temperence Lakes.

### Subp. 3. **Waterfowl refuges.**

A. The following refuges are open to Canada goose hunting during the early goose season: Harstad Slough Waterfowl Refuge in Stevens County is open to Canada goose hunting during the early September goose season and the Rickert Lake Waterfowl Refuge in Steele County.

B. The Mud-Bardwell Waterfowl Refuge in Martin County is open to Canada goose hunting from the Saturday on or nearest November 1 to the end of the goose season in the zone in which it is located, except. There is no goose hunting within 100 yards of Mud and Bardwell Lakes. The Rickert Lake Waterfowl Refuge in Steele County is open to Canada goose hunting during the early September goose season. The waterfowl sanctuary within this refuge is closed to hunting and trespass, as posted.

## **6290.0200 DEFINITIONS.**

[For text of subs 1 to 6, see M.R.]

Subp. 7. **Walleye stamp.** “Walleye stamp” means the stamp issued by the department under Minnesota Statutes, section 97A.075, to individuals that voluntarily choose to contribute to walleye stocking and related activities.

Subp. 8. **Wild turkey stamp.** “Wild turkey stamp” means the pictorial stamp issued by the department under Minnesota Statutes, section 97A.075, to individuals who have elected to purchase it for an additional fee.

## **6290.0300 APPLICATION PROCEDURE.**

Subpart 1. **Eligibility requirements.** Each stamp contest is open only to residents of Minnesota who have maintained a legal residence in the state for a minimum of 60 days immediately preceding the entry deadline for the contest.

A person who wins a contest is ineligible to enter a contest for the same type of stamp for ~~two successive years~~ the year of competition following the contestant's first win. ~~A person who wins a contest for the same type of stamp two or more times is ineligible to enter a contest for the same type of stamp for four successive years of competition after the second and each successive win.~~ A person who wins a contest for one type of stamp is eligible for the other fish and wildlife stamp contests described in part 6290.0200.

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

Subp. 4. **Restriction on number of entries.** A person may submit only one entry per year for each type of stamp contest. If two or more entries are submitted for a stamp contest in one year, all of that person's entries for that contest will be declared ineligible.

[For text of subs 5 and 6, see M.R.]

# Proposed Rules

Subp. 7. **Reproduction rights.** A person winning a stamp contest will receive no financial remuneration from the state. The reproduction rights agreement required with the submission of a contest entry will require the contest winner to agree to grant the department the exclusive rights to use the contest entry as the design for the applicable stamp and for use of the stamp image on commercial products produced or licensed by the department. All rights to the reproduction in a print form are retained by the person submitting a contest entry, including the contest winner. The remainder of the reproduction rights for the design will be determined by the department on an annual basis and will be specified in the reproduction rights agreement form included in the contest application package. If a design is reproduced in a limited or open edition by any party other than the department or its licensees, the contest winner shall deliver two signed prints without cost to the department ~~four signed prints numbered 2, 3, 4, and 5. If a design is reproduced in an open edition by any party other than the department or its licensees, the contest winner shall deliver without cost to the department four prints of each edition.~~

## 6290.0400 DESIGN STANDARDS.

Subpart 1. **Eligible species.** The eligible species for migratory waterfowl and trout and salmon contests shall be specified in the contest application package. The eligible species for the pheasant stamp ~~shall be~~ is the ring-necked pheasant (*Phasianus colchicus*). ~~The eligible species for the wild turkey stamp is the Eastern wild turkey (*Meleagris gallopavo silvestris*). The eligible species for the walleye stamp is the walleye (*Sander vitreus vitreus*).~~ The eligible species should be the primary subject of the contest entry. A contest entry may contain species other than the eligible species as accompanying design elements.

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

Subp. 3. **Contest entry media and originality.** A contest entry may be created in one or a combination of media, ~~but shall not include a photograph or other photographic product.~~ A contest entry shall be an original work of art created by the person submitting the contest entry and shall be one of a kind design. ~~Contest entries may incorporate printing processes including screen printing, intaglio, and relief. Entries shall not be created by photographic, digital, or electronic imagery processes.~~

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

Subp. 8. **Ineligible contest entry.** A contest entry shall be ineligible if:

- A. it is signed, lettered, or contains any mark identifying the artist on its front;
- B. it has won first place in another stamp contest, whether federal, state, or private; or
- ~~C. it has been in the third round of a previous department stamp contest; or~~
- ~~D. C.~~ it does not meet the requirements contained in parts 6290.0100 to 6290.0800.

## 6290.0500 CONTEST JUDGING.

Subpart 1. **Date and location of judging.** Notice of the date, and location of judging, ~~and size of the judging panel~~ for each contest will be contained in the contest application package.

Subp. 2. **Selection of judging panel.** Contest judging panels will be chosen by the commissioner of natural resources and will consist of at least five members ~~from~~ reflecting areas of expertise including, but not limited to: art, hunting or fishing, outdoor media, conservation, or publishing. Judges will serve for a length of time to be established by the department.

[For text of subs 3 and 4, see M.R.]

**REPEALER.** *Minnesota Rules*, parts 6240.0100, subpart 2a; and 6240.1200, subparts 1 and 2, are repealed. The expedited emergency amendments to *Minnesota Rules*, parts 6230.0200, subparts 3 and 9, published in the *State Register*, volume 36, page 75, August 8, 2011; 6230.0250, subparts 9, 10, and 19, published in the *State Register*, volume 36, page 75, August 8, 2011; 6230.0295, subpart 1, published in the *State Register*, volume 36, page 75, August 8, 2011; 6230.0400, subpart 9, published in the *State Register*, volume 36, page 12, July 5, 2011; 6230.0400, subparts 2, 10, 21, 33, 35, 52, and 60, published in the *State Register*, volume 36, page 75, August 8, 2011; 6230.0700, published in the *State Register*, volume 36, page 75, August 8, 2011; 6234.1200, subpart 1, published in the *State Register*, volume 36, page 75, August 8, 2011; 6234.1300, subpart 1, published in the *State Register*, volume 36, page 75, August 8, 2011; 6234.1400, subpart 1, published in the *State Register*, volume 36, page 75, August 8, 2011; 6234.2700, published in the *State Register*, volume 35, page 1915, June 6, 2011, and volume 36, page 75, August 8, 2011; 6236.0700, subpart 1, published in the *State Register*, volume 35, page 1976, June 20, 2011; 6240.1200, published in the *State Register*, volume 36, page 12, July 5, 2011; and 6240.1850, published in the *State Register*, volume 36, page 12, July 5, 2011, 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: Northern Pike Regulation Repeal of Northern Pike rules, *Minnesota Rules*, chapter 6264

**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 rules is Laws of Minnesota 2011, First Special Session, Chapter 2, Article 5, Section 55.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are as follows.

The 2011 legislature limited the number of lakes designated for northern pike to 100 based on slot limits, effective November 1, 2011. Fifteen lakes with northern pike regulations for catch-and-release or reduced bag limits are being removed from the lists of experimental and special management waters in order to meet the requirements of the legislation. The Department can only meet the November 1 deadline by using the expedited emergency rulemaking process as provided in *Minnesota Statutes*, section 84.027, subdivision 13 (b). The Department will proceed to adopt these rule changes through the expedited permanent process prescribed by *Minnesota Statutes*, sections 97C.001 and 97C.005.

Dated: 24 October 2011

Tom Landwehr, Commissioner  
Department of Natural Resources

#### 6262.0575 WATERS WITH RESTRICTIONS ON TAKING FISH.

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

Subp. 3. **Conservation lakes.** While on or fishing in the following waters, the possession limit for sunfish is five, the possession limit for crappie is five, the possession limit for yellow perch is ten, the possession limit for walleye is two, and the possession limit for largemouth bass is one. ~~All northern pike in possession while on or fishing in the following waters must be less than 24 inches in length or greater than 30 inches in length. All northern pike that are from 24 inches to 30 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one northern pike over 30 inches in length. The possession limit for northern pike is three:~~

Name	Location	County
Little Sauk Lake	T.128, R.34W, S.32	Todd

[For text of subps 4 to 6, see M.R.]

Subp. 7. [See repealer.]

[For text of subp 8, see 35 SR 350]

#### 6264.0300 DESIGNATED EXPERIMENTAL WATERS.

[For text of subps 1 to 70, see M.R.]

Subp. 71. **Long and Crooked Lakes experimental regulations.** While a person is on or fishing in the following waters, all largemouth bass in possession must be less than 12 inches in length or greater than 20 inches in length. All largemouth bass that are 12 to 20 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one  
(Cite 36 SR 501)

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# Expedited Emergency Rules

largemouth bass over 20 inches in length. While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one northern pike over 36 inches in length.

Name	Location	County	End Date
A. Crooked	T.122, R.27, S.5	Stearns	3/1/2016
B. Long	T.122, R.27, S.5,8	Stearns	3/1/2016

[For text of subp 72, see M.R.]

Subp. 73. **Northern pike restricted size and possession limits.** While a person is on or fishing in the following waters, all northern pike in possession must be less than 22 inches in length or greater than 36 inches in length. All northern pike that are 22 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit is nine and may not include more than one northern pike over 36 inches in length.

Name	Location	County	End Date
<del>G. Rice Lake</del>	<del>T.148,149, R.27, S.1,2,12,35,36</del>	<del>Itasca</del>	<del>3/1/2017</del>
<del>H. Unnamed Lake</del>	<del>T.149, R.27, S.36</del>	<del>Itasca</del>	<del>3/1/2017</del>
<del>F. G. Round Lake</del>	<del>T.148, R.27,28, S.13,14,18-20, 23-26,29,30</del>	<del>Itasca</del>	<del>3/1/2017</del>
<del>F. H. Alice Lake</del>	<del>T.148, R.27, S.31</del>	<del>Itasca</del>	<del>3/1/2017</del>
<del>K. I. Popple River</del>	<del>T.148, R.27, S.19,20, from the outlet of Round Lake downstream to the State Highway 46 bridge</del>	<del>Itasca</del>	<del>3/1/2017</del>

[For text of subps 74 to 78, see M.R.]

## 6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

[For text of subps 1 to 4, see M.R.]  
 [For text of subp 4a, see 35 SR 1650]  
 [For text of subps 5 to 14, see M.R.]

Subp. 15. **Conservation lake.** While on or fishing in the following waters, the daily and possession limit for walleye is three, ~~for northern pike is one~~, for crappie is five, for sunfish is five, and for yellow perch is ten. Angling for largemouth bass is limited to catch and release only. Any largemouth bass caught must be immediately returned to the water. Catch and release angling for largemouth bass is legal only during the open season for largemouth bass in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any largemouth bass while on or fishing in the following waters.

Name	Location	County
Norway Lake	T.133N, R.41,42W, S.19,20,24, 25,29,30	Otter Tail

[For text of subps 16 to 18, see M.R.]

Subp. 19. **Northern pike 24-inch to 36-inch protected slot limit.** While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. A person's daily and possession limit may not include more than one northern pike over 36 inches in length.

Name	Location	County
<del>K. Campbell</del>	<del>T.148, R.33,34, S.13,14,19,23,24</del>	<del>Beltrami</del>
<del>L. Caribou</del>	<del>T.51, R.15,16, S.13,14,18,19,24</del>	<del>St. Louis</del>

# Expedited Emergency Rules

<del>M.K.</del> Center, North	T.34, R.20, S.15, 21,22,27,28,34	Chisago
<del>N.L.</del> Center, South	T.33,34, R.20, S.2,3,4,9,10,34,35	Chisago
<del>O.M.</del> Child	T.140, R.29, S.9,10,15,16	Cass
<del>P.</del> Cotton	<del>T.139,140, R.40, S.1,2,3,11,12,34,35,36</del>	Becker
<del>Q.N.</del> Deer	T.148, R.34, S.5,8	Beltrami
<del>R.O.</del> Farm	T.62,63, R.11, S.3,4,26-29,32-35	Lake
<del>S.P.</del> Fish Trap	T.132, R.31, S.28-33	Morrison
<del>T.Q.</del> Fox	T.148, R.33, S.22,23,26,27	Beltrami
<del>U.</del> Floyd, Big	<del>T.139, R.41, S.3,4,9,10,15,16</del>	Becker
<del>V.R.</del> Floyd, Little	T.139, R.41, S.2,3,10,11	Becker
<del>W.S.</del> Garden	T.63, R.11, S.20-22,27-30	Lake
<del>X.T.</del> George	T.143, R.34, S.15,16,21,22,27	Hubbard
<del>Y.U.</del> Girl	T.140,141, R.28, S.3,4,32,33,34	Cass
<del>Z.V.</del> Island	T.150, R.28, S.3-5,8-10,15,16,19-21	Itasca
<del>AA.W.</del> Knife	T.40,41, R.23,24, S.Various	Kanabec
<del>BB.</del> Latoka	<del>T.128, R.38, S.14,22,23,27, 28,33,34</del>	Douglas
<del>CC.X.</del> Little Boy	T.140, R.28, S. Various	Cass
<del>DD.Y.</del> Little Cascade	T.62, R.2,3, S.12,14	Cook
<del>EE.Z.</del> Little Turtle	T.148, R.33, S.8,16,17,20,21	Beltrami
<del>FF.AA.</del> Little Woman	T.140, R.29, S.15	Cass
<del>GG.BB.</del> Long	T.46, R.25, S.3,4,9,10	Aitkin
<del>HH.CC.</del> Long	T.128, R.30,32, S.16,17,20,21,28	Todd
<del>H.DD.</del> Minnie Belle	T.118, R.31, S.11,14	Meeker
<del>J.EE.</del> Mission, Lower	T.135,136, R.27, S.4,5,8,9,33	Crow Wing
<del>KK.FF.</del> Mission, Upper	T.135,136, R.27, S.3,4,27,28,33,34	Crow Wing
<del>L.GG.</del> Movil	T.147,148, R.33, S.3,4,27,33,34,35	Beltrami
<del>MM.</del> North Branch Kawishiwi River	<del>T.63, R.10, 11, S.25, 26,28, 29,30</del>	Lake

# Expedited Emergency Rules

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<del>NN:HH.</del> Shamineau	T.123, R.31, S.8-10,15-18	Morrison
<del>OO:II.</del> South Farm	T.62,63, R.11, S.1,2,3,35,36	Lake
<del>PP:JJ.</del> Turtle River Lake	T.147,148, R.32, S.Various	Beltrami
<del>QQ:KK.</del> Three Island	T.148, R.32,33, S.18,19,23-26	Beltrami
<del>RR:LL.</del> West Battle	T.133, R.39,40, S.Various	Otter Tail
<del>SS:MM.</del> White Iron	T.62,63, R.11,12, S.Various	St. Louis
<del>TT:NN.</del> Big Fish	T.124, R.30, S.20,21,28,29	Stearns
<del>UU:OO.</del> Balsam	T.58,59, R.24, S.4-9	Itasca
<del>VV:</del> Haskell	<del>T.58, R.24, S.7, 8,17,18,31,32</del>	<del>Itasca</del>
<del>WW:</del> Scrapper	<del>T.58, R.24,25, S.7, 12,18</del>	<del>Itasca</del>
<del>XX:PP.</del> Medicine	T.149, R.32, S.Various	Beltrami
<del>YY:QQ.</del> North Twin	T.148, R.31, S.Various	Beltrami
<del>ZZ:RR.</del> Coon-Sandwick	T.60,61, R.25, S.Various	Itasca
<del>AAA:SS.</del> Rachel, Little Rachel	T.127, R.39, S.Various	Douglas
<del>BBB:TT.</del> Sturgeon Lake	T.45, R.19, S.Various	Pine
<del>CCC:UU.</del> Ten Mile Lake	T.140,141, R.30,31, S.Various	Cass

[For text of subs 20 to 58, see M.R.]

[For text of subp 59, see 35 SR 1649]

[For text of subs 60 to 71, see M.R.]

Subp. 72. ~~Wabedo and Unnamed (Louise) Lakes~~ **Lake northern pike size restrictions and spearing restriction.** While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length. While on the following waters, a person may not take fish by spearing and may not possess a spear.

<b>Name</b>	<b>Location</b>	<b>County</b>
<del>A:</del> Wabedo	T.140, R.28, S.Various	Cass
<del>B:</del> Unnamed (Louise)	T.140, R.28, S.21,22	Cass

[For text of subs 73 to 103, see M.R.]

**REPEALER.** Minnesota Rules, part 6262.0575, subpart 7, is repealed.

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# Expedited Emergency Rules

## Department of Natural Resources (DNR)

### Adopted Expedited Emergency Game and Fish Rules: Northern Pike Regulation Restrictions on the Taking of Northern Pike

**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 rules is Laws of Minnesota 2011, First Special Session, Chapter 2, Article 5, Section 55.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are as follows.

The 2011 legislature narrowed the definition of allowable northern pike regulations that can be designated in *Minnesota Rules*, chapter 6264. Those lakes with northern pike catch-and-release or reduced bag limits appeared to no longer be allowed. Those lakes with catch-and-release or reduced bag limits are small lakes with unique northern pike fish populations that are an important component of those fish communities. The northern pike fish populations are vulnerable to overharvest by anglers and if not protected could result in the loss of northern pike in these systems. It is our understanding that the legislation was passed to address northern pike spearing interests associated around length based regulations and not catch-and-release or reduced bags. Consequently, these lakes are not spearing destinations and being dropped on November 1, 2011 was an unintended result of the passed legislation. Those lakes under catch-and-release or reduced bag limits needed to be moved into *Minnesota Rules*, chapter 6262 as soon as possible to ensure that these vulnerable fish populations have no lapse in protection. The longer rule making process as described in *Minnesota Statutes*, chapter 14 will be used to permanently move these regulations to ensure long-term protection of the northern pike in these lakes.

Dated: 19 October 2011

Tom Landwehr, Commissioner  
Department of Natural Resources

#### 6262.0575 WATERS WITH RESTRICTIONS ON TAKING FISH.

[For text of subps 1 to 7, see M.R.]

[For text of subp 8, see 35 SR 350]

Subp. 9. Northern pike catch and release regulations. While on or fishing in the following waters, fishing for northern pike is limited to catch and release only, whereby any northern pike caught must be immediately returned to the water. Catch and release angling for northern pike is legal during the open season for this species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any northern pike while on or fishing in the following waters:

<b>Name</b>	<b>Location</b>	<b>County</b>
<u>Annie Battle</u>	<u>T.133, R.39,40, S.13,18,19,24</u>	<u>Otter Tail</u>
<u>Annie Battle inlet stream beginning at the exit point of Molly Stark Lake to the confluence with Annie Battle Lake</u>	<u>T.133, R.40, S.24</u>	<u>Otter Tail</u>
<u>Annie Battle outlet stream beginning at the northwest exit of Annie Battle Lake to Blanch Lake</u>	<u>T.133, R.40, S.12</u>	<u>Otter Tail</u>
<u>Black Bass</u>	<u>T.42, R.27, S.11-14</u>	<u>Mille Lacs</u>
<u>Fladmark</u>	<u>T.135, R.42, S.13,14,24</u>	<u>Otter Tail</u>
<u>Lester</u>	<u>T.142,143, R.32, S.5,6</u>	<u>Hubbard</u>
<u>Stieger</u>	<u>T.116, R.24, S.11,12,13,14</u>	<u>Carver</u>
<u>Twenty One</u>	<u>T.135, R.42, S.16,21</u>	<u>Otter Tail</u>

# Expedited Emergency Rules

## Subp. 10. Rochester Northern Pike Regulation Lakes.

A. The Rochester Northern Pike Regulation Lakes are the five waters listed in item C. Daily and possession limits provided in item B apply to the five waters listed in item C as a whole.

B. While a person is on or fishing in the Rochester Northern Pike Regulation Lakes, the daily and possession limit for northern pike is one.

### C. The Rochester Northern Pike Regulation Lakes include the following waters:

Name	Location	County
Gamehaven [Willow Reservoir No. 4]	T.106, R.13,14, S.25,30,31,36	Olmsted
Cascade Ponds	T.107, R.14, S.33,34	Olmsted
Manor Woods Pond	T.107, R.14, S.33	Olmsted
Silver Lake	T.107, R.14, S.25,26,35,36	Olmsted
Silver Creek Reservoir No. 2	T.107, R.13, S.26,27	Olmsted

## 6264.0300 DESIGNATED EXPERIMENTAL WATERS.

[For text of subps 1 to 32, see M.R.]

Subp. 33. **Annie Battle Lake including inlets and outlets experimental regulations.** While on or fishing in the following waters, the daily and possession limit for sunfish is five and for black crappie is five. All black crappie in possession must be 11 inches or greater in length. All black crappie less than 11 inches in length must be immediately returned to the water. Angling for ~~northern pike and largemouth bass~~ is limited to catch and release only, whereby any ~~northern pike or largemouth bass~~ caught must be immediately returned to the water. Catch and release angling for ~~northern pike and largemouth bass~~ is legal during the open season for ~~these this~~ species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any ~~northern pike or largemouth bass~~ while on or fishing in the following waters. A person may not possess a motorized ice auger or electronic fish finding devices while on or fishing in the following waters. Electronic fish finding devices include depth finders, fish finders, and other sonars, global positioning systems, and temperature and pH meters.

Name	Location	County	End Date
A. Annie Battle Lake	T.133, R.39,40, S.13,18,19,24	Otter Tail	3/1/2013
B. Annie Battle inlet stream beginning at the exit point of Molly Stark Lake to the confluence with Annie Battle Lake	T.133, R.40, S.24	Otter Tail	3/1/2013

C. Annie Battle outlet stream beginning at the northwest exit of Annie Battle Lake to Blanche Lake T.133, R.40, S.12 Otter Tail 3/1/2013

[For text of subps 34 to 78, see M.R.]

## 6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

[For text of subps 1 to 4, see M.R.]

[For text of subp 4a, see 35 SR 1650]

[For text of subps 5 to 21, see M.R.]

Subp. 22. **Stieger Lake largemouth bass and northern pike catch and release and spearing ban regulations.** While on or fishing in the following waters, angling for largemouth bass ~~and northern pike~~ is limited to catch and release only, whereby any largemouth bass ~~and northern pike~~ must be immediately returned to the water. Catch and release angling for largemouth bass ~~and northern pike~~ is legal during the open season for ~~these this~~ species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any largemouth bass ~~or northern pike~~ while on or fishing in these waters. Spearing is prohibited from December 1 to the last Sunday in February.

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# Expedited Emergency Rules

Name	Location	County
Stieger	T.116, R.24, S.11,12,13,14 [For text of subs 23 to 48, see M.R.]	Carver

Subp. 49. **Black Bass Lake.** While on or angling in the following waters, the daily and possession limit for sunfish is five and angling for ~~northern pike~~ and largemouth bass is limited to catch and release only, whereby any ~~northern pike~~ or largemouth bass caught must be immediately returned to the water. A person may not possess a motorized ice auger or electronic fish-finding devices while on or fishing in the following waters. Electronic fish-finding devices include depth finders; fish finders; underwater videos or cameras; sonars; global positioning systems; and temperature, oxygen, and pH meters.

Name	Location	County
Black Bass Lake	T.42, R.27, S.11-14 [For text of subs 50 to 58, see M.R.] [For text of subp 59, see 35 SR 1649] [For text of subp 60, see M.R.]	Mille Lacs

Subp. 61. **Sunfish and crappie possession limits and catch and release fishing for ~~northern pike~~ and largemouth bass.** While a person is on or fishing in the following waters, the daily and possession limit for sunfish is ten and for crappie is five and fishing for ~~northern pike~~ and largemouth bass is limited to catch and release only, whereby any ~~northern pike~~ or largemouth bass caught must be immediately returned to the water. Catch and release fishing for ~~northern pike~~ and largemouth bass is legal during the open season for ~~these~~ this species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any ~~northern pike~~ or largemouth bass while on or fishing in the following waters.

Name	Location	County
A. Fladmark	T.135, R.42, S.13,14,24	Otter Tail
B. Twenty One	T.135, R.42, S.16,21 [For text of subs 62 to 96, see M.R.]	Otter Tail

Subp. 97. **Rochester Area Lakes regulations.**

A. The Rochester Area Lakes are the ten waters listed in item C. Daily and possession limits provided in item B apply to the ten waters listed in item C as a whole.

B. While a person is on or fishing in the Rochester Area Lakes:

(1) the daily and possession limit for sunfish, black crappie, white crappie, and yellow perch in aggregate is ten, of which not more than five may be black crappie or white crappie in aggregate; and

(2) the daily and possession limit for largemouth bass and smallmouth bass in aggregate is one; and,

(3) the daily and possession limit for ~~northern pike~~ is one:

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

[For text of subs 98 to 103, see M.R.]

## Department of Natural Resources (DNR) Adopted Expedited Emergency Game and Fish Rules: Special Deer Hunts and Light Goose Population Control Light Goose Conservation Action, Special Deer Hunts and Refuges

**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 97A.091, 97B.305, 97B.731 and 97B.803.

# Expedited Emergency Rules

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The emergency conditions that do not allow compliance with *Minnesota Statutes*, Sections 97A.0451 to 97A.0459, are as follows: The need for special deer hunts cannot be determined until late summer, when population modeling is complete. The need for population control of light geese is based on the annual determination of their populations and prescribed authorization by the federal government.

Dated: 13 October 2011

Tom Landwehr, Commissioner  
Department of Natural Resources

## 6230.0400 SPECIAL PROVISIONS FOR STATE GAME REFUGES.

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

Subp. 2. **Bemidji Game Refuge, Beltrami County.** The Bemidji Game Refuge in Beltrami County is open to:

A. small game hunting, except waterfowl;

(1) through the Thursday nearest November 4; and

(2) after November 20;

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

D. deer hunting during the muzzleloader season according to part 6232.2100 and deer and bear hunting by archery.

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

[For text of subp 9, see 36 SR 12]

[For text of subp 10, see 36 SR 75]

[For text of subps 11 to 20, see M.R.]

[For text of subp 21, see 36 SR 75]

[For text of subps 22 to 32, see M.R.]

[For text of subps 33 and 33a, see 36 SR 75]

[For text of subp 34, see M.R.]

[For text of subp 35, see 36 SR 75]

[For text of subps 36 to 51, see M.R.]

[For text of subp 52, see 36 SR 75]

[For text of subps 53 to 59, see M.R.]

[For text of subps 60 to 62, see 36 SR 75]

## 6232.1600 SPECIAL HUNT PROCEDURES.

[For text of subps 1 to 5, see M.R.]

[For text of subp 5a, see 36 SR 115]

Subp. 5b. **Additional 2011 firearms special hunt area.** Hunters must possess a valid permit for the following firearms special hunt area authorized for the 2011 season: Wild River State Park in Chisago County is open November 5 to 8 for taking antlerless deer and legal bucks in an earn-a-buck hunt. No more than 100 permits shall be issued to individuals authorized to hunt the statewide A season. All deer taken at the park must be registered at Wild River State Park and presented for inspection on the day of harvest. The bag limit is two deer. This is special hunt area 928.

[For text of subp 6, see M.R.]

[For text of subp 7, see 36 SR 115]

## 6232.2100 MUZZLELOADER SEASON AND AREAS.

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

[For text of subp 3, see 36 SR 115]

Subp. 4. **2011 muzzleloader special hunt areas.** Muzzleloader hunters must possess a valid permit for the following special hunt areas authorized for the 2011 season:

[For text of items A to L, see 36 SR 115]

M. Camp Ripley Military Reservation in Morrison County is open ~~October~~ November 28 to 30 for taking antlerless deer and legal bucks. No more than 100 permits shall be issued to active duty military personnel only. One bonus permit may be used and the bag limit

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# Expedited Emergency Rules

is two deer. This is special hunt area 947.

[For text of item N, see 36 SR 115]

O. Itasca State Park in Itasca County is open November 26 and 27 and December 3 and 4 for taking antlerless deer. No more than 125 permits shall be issued to licensed muzzleloader hunters. The bag limit is five deer. This is special hunt area 949.

## **6240.0600 SPECIAL PERMITS FOR LIGHT GOOSE POPULATION CONTROL.**

Subpart 1. **Definition.** For purposes of this part, "light goose" means a lesser snow goose, including a blue phase lesser snow goose (*Anser c. caerulescens*), or a Ross' goose (*Anser rossii*).

Subp. 2. **Permit required.** A person may not take a light goose during the period prescribed in subpart 3 except with a valid permit and in full compliance with the conditions contained in the permit and in this part. Residents and nonresidents may apply for permits. No hunting license or stamps are required. A permit holder must have the permit in possession at all times when taking or transporting light geese taken under this part and must retain the permit for as long as the permit holder possesses light geese taken under this part.

Subp. 3. **Open harvest period.** Light geese may be taken from March 1 to April 30 with permits issued under this part. Shooting hours are one-half hour before sunrise to one-half hour after sunset.

Subp. 4. **Bag limits.** No daily or bag limits apply to taking light geese under this part.

Subp. 5. **Game refuges and waterfowl refuges.** All state refuges closed to migratory waterfowl hunting are closed to taking light geese under this part. All waterfowl refuges closed by posting to taking ducks or geese during any portion of the fall waterfowl seasons are closed to taking light geese under this part. All controlled hunting stations in the Lac qui Parle Game Refuge, Chippewa and Lac qui Parle Counties, are closed to taking light geese under this part.

Subp. 6. **Permit conditions; applicability of other laws.**

A. A permit issued under this part is effective on the date of issuance or on March 1, whichever occurs later. A permit expires on April 30 of the year of issuance.

B. Except as provided in subparts 2 to 5, all state statutes and federal law for taking migratory waterfowl apply to taking light geese under this part. All rules for taking migratory waterfowl apply to taking light geese under this part, unless inconsistent with or otherwise provided in this part.

C. Permittees must submit records of light goose harvest by July 1 on forms provided by the commissioner.

Subp. 7. **Permit application.** Application for a permit under this part must be made using the application processes established by the commissioner under Minnesota Statutes, section 84.027, subdivision 15.

Subp. 8. **Penalties.** Violation of this part or the conditions of any permit issued under this part shall result in revocation of the permit and may result in other penalties as provided by state or federal law.

**REPEALER.** The expedited emergency amendments to Minnesota Rules, part 6230.0400, subpart 2, published in the State Register, volume 36, page 75, August 8, 2011, are repealed.

**EFFECTIVE PERIOD.** Minnesota Rules, part 6240.0600, is effective beginning March 1, 2012. The emergency amendments to Minnesota Rules, parts 6232.1600 and 6232.2100, expire December 31, 2011.

# Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* Sections 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only. The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

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

## Department of Labor and Industry (DLI) Occupational Safety and Health Division Proposed Exempt Permanent Rules Adopting OSHA Standards for Window Cleaning and Building Maintenance

**NOTICE IS HEREBY GIVEN** that the Department of Labor and Industry, Occupational Safety and Health Division (MN OSHA), is proposing to adopt a new standard in *Minnesota Rules*, Chapter 5205 (Occupational Safety and Health Rules), and to amend Part 5205.0650 to make a correction. The statutory authority to propose and adopt the standards is in *Minnesota Statutes* § 182.655 (2010), and *Minnesota Rules*, Parts 5210.0020 to 5210.0100 (2011).

This notice proposes new rule part 5205.0730, Window Washing; Building Maintenance. The standard is being proposed to provide clarity to window washing contractors and building maintenance contractors that provide interior or exterior window washing or building maintenance operations or services more than 14 feet above grade or an adjoining flat roof or other flat surface. Amendment to *Minnesota Rules* 5205.0650 is proposed to make a correction that brings Part 5205.0720, thermoplastic piping (pvc pipe), within the scope the standards that address the maintenance and repair of buildings and equipment, which was intended when part 5205.0720 was adopted. The text of the proposal follows this notice.

All interested persons have 30 days after the date this notice is published in the *State Register* to submit written data, comment, or an objection to the text of the rules. Your participation is encouraged. Each submission should identify the portion of the proposed standard you are commenting about, the reason for the comment, and any change proposed. You may submit written data, comment, or an objection until 4:30 PM on November 30, 2011.

All interested persons may request a hearing on their objection. All objections must include the name and address of the objecting party; specify and number each objection and state the reason for the objection. All objections must be postmarked or otherwise received before 4:30 PM on November 30, 2011. If 25 or more requests for hearing are received between the date this public notice is published in the *State Register* and before 4:30 PM on November 30, 2011, a public hearing will be held pursuant to *Minnesota Statutes* § 182.655 and *Minnesota Rules* 5205.0020 to 5205.0100. Any request that does not comply with these requirements will not be counted.

All written data, comments, objections, or requests for hearing must be received by the deadline and sent to: Carrie Rohling, Dept. of Labor and Industry, 443 Lafayette Road N, 3rd Floor, St. Paul, MN 55155.

Dated: 25 October 2011

Ken B. Peterson, Commissioner  
Department of Labor and Industry

## **5205.0650 SCOPE.**

Parts 5205.0650 to ~~5205.0710~~ 5205.0720 apply to building and in plant maintenance and repair necessary to maintain buildings and equipment in safe operating condition.

## **5205.0730 WINDOW CLEANING; BUILDING MAINTENANCE.**

**Subpart 1. Scope.** This standard applies to all window cleaning operation, building maintenance operation, or a combination of both, that is performed on the inside or outside of any building, structure, or skyway, when the work is performed from a level that is located more than 14 feet above grade or on an adjoining flat roof or other flat surface. This requirement does not apply to a window washing operation or building maintenance operation that is performed from grade level or from a ladder supported at grade.

**Subp. 2. Definitions.** The terms used in this part have the meanings given them in this subpart.

A. “Building maintenance” means operations such as window cleaning, caulking, metal polishing, reglazing, and general maintenance on building surfaces.

B. “Building owner” means a person who exercises control over any management relating to a building or facility, or both, in which window cleaning operations or maintenance operations covered by this standard take place.

C. “Competent person” means an individual who is capable of identifying existing and predictable hazards in the surroundings or working conditions that are hazardous or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate the hazards.

D. “Person” means an individual or legal entity, including a lessee.

E. “Qualified individual” means an individual who, by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training, and experience has successfully demonstrated the ability to solve or resolve problems relating to the equipment and systems pertaining to the work or project, and the development of plans for the work or project.

F. “Rope descent system” means a suspension device that supports one employee in a chair or seat board and allows the user to descend in a controlled manner and to stop at any time at a desired level of descent. A rope descent system is a variation of the single-point adjustable suspension scaffold, which is also known as a controlled descent device, controlled descent equipment, or controlled descent apparatus.

G. “Window cleaning” means operations such as window washing, waxing, or metal polishing, or any combination of the three.

**Subp. 3. Written plan.** Any person performing window cleaning operations or building maintenance operations shall provide a written plan developed by the employer or qualified individual to the building owner or the building owner’s operating agent. The written plan shall include the following:

A. the location of work where workers may utilize suspended equipment, or where workers are exposed to falls and other known hazards;

B. the identification of hazardous areas or drop zones, and safety features to be used, which shall include self-rescue;

C. a step-by-step procedure on the control of each hazardous area or drop zone; and

D. an on-site evaluation of the plan implementation by the employer or a qualified individual.

**Subp. 4. Building exterior; visual inspection.** Prior to using any equipment, the building exterior shall be visually inspected by a competent person and appropriate measures shall be taken to ensure that building features such as sharp edges of parapets, window frames, ledges, cornices, or overhangs cannot impair the structural integrity of the rope descent system and any associated fall-protection rigging. Padding shall be secured in a manner that prevents the padding from dislodging from the surface to be protected. A written signed log of the inspection shall be maintained on site for the duration of the operation and retained by the employer for one year.

**Subp. 5. Anchorages.** Building owners, window cleaning contractors, and building maintenance contractors shall not allow suspended work to be performed until a qualified individual has determined that there are identified and certified anchorages for:

# Exempt Rules

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A. independent safety lines; tiebacks for outriggers, parapet clamps, and cornice hooks; and primary support anchorages for powered and manual boatswain's chairs;

B. primary support anchorages for rope descent systems;

C. horizontal rope lines or lifelines; and

D. any other applicable OSHA standard when the requirement is for the protection of employees.

## **Subp. 6. Rope descent systems.**

A. The use of a rope descent system is prohibited for heights greater than 300 feet unless the employer can demonstrate that access cannot otherwise be attained safely and practicably.

B. When a rope descent system is used, each employer and competent person shall:

(1) use equipment according to the instructions, warnings, and design limitations of the manufacturer and distributor;

(2) inspect all equipment in every rope descent system prior to its use for each day used, and remove damaged equipment from service;

(3) inspect equipment after each descent and when moved to a new area or location to ensure the rope descent system is properly assembled before descending again. Damaged equipment shall be removed from service;

(4) use proper rigging, including structural anchorages and tiebacks, with a particular emphasis on providing tiebacks when counterweights, cornice hooks, and parapet clamps, or similar nonpermanent anchorages, are used;

(5) use a separate, independent personal fall-arrest system with a separate anchorage point;

(6) ensure that all fall-arrest lines are capable of sustaining a minimum tensile load of 5,000 pounds;

(7) provide for prompt rescue of employees in the event of a fall, which shall include self-rescue;

(8) ensure ropes are effectively padded where they contact edges of the building, anchorage, obstructions, or other surfaces which might cut or weaken the rope as required by subpart 4;

(9) provide for stabilization at the specific work location when descents are greater than 130 feet;

(10) prohibit window cleaning or building maintenance when the work area is exposed to excessive wind. Excessive wind is considered to be any wind which constitutes a hazard to a worker, the public, or property;

(11) require each employee to secure equipment, such as tools, squeegees, or buckets by a tool lanyard or similar method to prevent equipment from falling;

(12) protect suspension ropes from exposure to open flames, hot work, corrosive chemicals, or other destructive conditions; and

(13) prepare a written daily log of each of subitems (1) to (12), which shall be signed by the competent person and maintained on site for the duration of the operation, and retained for one year thereafter.

## **Subp. 7. Fall protection.**

A. Fall protection, perimeter guarding, personal fall-arrest systems, or personal fall-restraint systems shall be provided by the employer for every employee in all work areas that expose the employee to a fall hazard when approaching within six feet of an unguarded edge or unguarded skylight.

B. Each employee using a rope descent system shall be protected from falling four feet or more to lower levels by a personal fall-arrest system.

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## Exempt Rules

C. Employees shall wear and completely assemble their personal fall-arrest equipment prior to approaching the point of suspension.

**Subp. 8. Training requirements.**

A. The employer shall provide training for each employee who uses personal fall-protection equipment. The training shall enable each employee to recognize fall hazards and the procedures to be followed to minimize those hazards.

B. The employer shall ensure that each employee is trained by a qualified individual. The employee shall be trained in the following areas:

(1) the nature of fall hazards in the work area;

(2) the correct procedures for erecting, maintaining, disassembling, and inspecting the fall-protection systems to be used;

(3) the use, operation, and limitations of personal fall-protection systems, including proper hookup, anchoring, and tie-off techniques; methods of use; and proper methods of equipment inspection and storage as recommended by the manufacturer; and

(4) the use and operation of self-rescue equipment or systems.

C. The employer shall ensure that each employee is trained in the proper care, use, and inspection of equipment covered by this part before the employee is permitted to use the equipment.

D. The employer shall ensure that each employee who uses a rope descent system is trained and retrained as necessary in the proper rigging and safe use of the equipment.

E. The employer shall retrain an employee when any of the following occur:

(1) changes in the workplace render previous training invalid;

(2) changes in the types of fall-protection systems or equipment to be used render previous training invalid; or

(3) inadequacies in an affected employee's knowledge or use of fall-protection systems or equipment indicate that the employee has not retained the requisite understanding or skill.

F. The employer shall provide information and training to each employee in a manner that is understandable to that employee.

G. The employer shall maintain training records, which shall include:

(1) the dates training was conducted;

(2) the name, title, and qualifications of the person who conducted the training;

(3) the names and job titles of the employees who completed the training; and

(4) a brief summary or outline of the information that was included in the training.

## Official Notices

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

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

## Important Announcements and Meetings

The Official Notices section gives you a “heads up” on important state meetings and announcements. The *State Register* reaches a large 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.

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## Minnesota Department of Agriculture (MDA)

### ACRRA Board

### Notice of Meeting Change

The ACRRA Board meeting originally scheduled for November 16, 2011 has been CHANGED. The next scheduled meeting will be held on November 30, 2011, at the Department of Agriculture, 625 Robert Street North, St. Paul in Room OLF-B555 at 9:30 a.m.

## Department of Human Services (DHS)

### Health Care Purchasing and Delivery Systems Division

### Health Care Administration

### Public Notice of Maximum Allowable Costs of Medical Assistance Outpatient Prescribed Drugs

**NOTICE IS HEREBY GIVEN** to recipients, providers of services, and to the public of additions to the state Medical Assistance maximum allowable cost (state MAC) list for certain outpatient prescribed drugs.

At least once each calendar year, the United States Department of Health and Human Services, Centers for Medicare & Medicaid Services, publishes a federal upper limit (FUL) payment schedule for many commonly prescribed multiple-source drugs. The federal upper limit is set at a rate equal to 150 percent of the published price for the least costly therapeutic equivalent that can be purchased by pharmacists. This FUL payment schedule constitutes the federal MAC list. For many multiple-source drugs that are not on the federal MAC list, the Department establishes a state MAC list. Additionally, the Department imposes a state MAC for many multiple-source drugs that are on the federal MAC list, as long as the savings are at least as much as the savings would be using the federal MAC list.

The Department requires Medical Assistance pharmacy providers to submit their usual and customary costs. Pharmacy providers are reimbursed at the lower of: 1) the federal or state MAC, plus a dispensing fee; 2) the submitted usual and customary charge to the general public; or 3) a discount off of average wholesale price, plus a dispensing fee.

No earlier than November 1, 2011 the Department may add the following outpatient prescribed drugs to the state MAC list:

**Drug Name**

GRISEOFULVIN  
ATORVASTATIN

These additions are made to bring Medical Assistance reimbursement to pharmacists more closely in line with the actual acquisition cost of the drugs listed above. The Department estimates that there will be a state savings of \$40,000.00 for State Fiscal Year 2011 (July 1, 2011 through June 30, 2012).

This notice is published pursuant to *Code of Federal Regulations*, Title 42, section 447.205, which requires publication of a notice when there is a rate change in the methods and standards for setting payment rates for Medical Assistance services.

Written comments and requests for information may be sent to

Pharmacy Program Manager Sara Drake R.Ph.  
Health Services and Medical Management Division  
Health Care Administration  
Minnesota Department of Human Services  
P.O. Box 64984  
St. Paul, Minnesota 55164-0984.

## Department of Labor and Industry (DLI)

### Labor Standards Unit

### Notice of Prevailing Wage Determinations for Highway/Heavy Construction Projects in Each of 10 Regions Statewide

On October 31, 2011, the commissioner determined and certified prevailing wage rates for Highway/Heavy construction projects in each of 10 regions statewide.

Copies may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 284-5091, or accessing our web site at [www.dli.mn.gov](http://www.dli.mn.gov). Charges for the cost of copying and mailing at \$.25 per page for the first 100 pages, \$.65 per page after that. Make check or money order payable to the State of Minnesota.

Ken B. Peterson, Commissioner  
Department of Labor and Industry

## Teachers Retirement Association (TRA)

### Internal Audit Subcommittee

### Notice of Meeting on 15 November 2011

The Minnesota Teachers Retirement Association Internal Audit Subcommittee will hold a meeting on Tuesday, November 15, 2011 at 1:30 p.m. in Suite 400, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the committee. Committee members may participate by telephone.

# Official Notices

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## Teachers Retirement Association (TRA) Notice of Meeting of the Board of Trustees 16 November

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Wednesday, November 16, 2011 at 9:30 a.m. in Suite 400, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the Board. Board members may participate by telephone.

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

### NOTICE OF SUSPENSION

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (“MnDOT”) has ordered that the following vendors be suspended for a period of sixty (60) days, effective October 14, 2011 until December 13, 2011:

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

### NOTICE OF DEBARMENT

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of two (2) years, effective January 4, 2010 until January 3, 2012:

- Riley Bros. Companies, Inc. and its affiliates, Morris, MN
- Riley Bros. Construction, Inc. and its affiliates, Morris, MN
- Riley Bros. Properties, LLC, and its affiliates, Morris, MN
- Riley Bros. Utilities, Inc. d/b/a Chris Riley Utilities, Inc. and its affiliates, Morris, MN

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

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

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

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

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

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

# State Grants & Loans

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

## Funding

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:

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## Department of Health (MDH)

### Public Hearing Regarding the Minnesota Department of Health Application to the Federal Department of Health and Human Services for Federal Fiscal Year 2012 Preventive Health and Health Services Block Grant Funding

The Minnesota Department of Health will sponsor a public hearing to obtain comments on the proposed uses of the Preventive Health and Health Services Block Grant funds during federal fiscal year 2012. The draft application for those funds is available for inspection upon request.

The public hearing will be conducted as part of a meeting of the State Preventive Health Advisory Committee held Tuesday, November 2, 2011 at the Minnesota Department of Health, Orville Freeman Building, 625 Robert Street N. St. Paul, MN – meeting room B-362. The meeting and public hearing will begin at 1 p.m. Any person or group may submit either written or oral comments at the meeting.

Written comments must be submitted by noon Monday, November 1, 2011 to the address below. For further information contact:

Debra Burns, Director  
Office of Performance Improvement  
Minnesota Department of Health  
P.O. Box 64975  
St. Paul, Minnesota 55164-0975  
**Phone:** (651) 201-3873  
**E-mail:** [debra.burns@state.mn.us](mailto:debra.burns@state.mn.us)

# State Grants & Loans

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## Minnesota Pollution Control Agency (MPCA)

### Watershed Division

#### Public Notice of Availability and Request for Proposal for Water Resource Protection or Improvement Project Grants and Loans through the State Clean Water Partnership Program and the Clean Water Fund

**Public Notice Period Begins:**

**October 31, 2011**

**Public Notice Period Ends:**

**December 30, 2011**

The Minnesota Pollution Control Agency (MPCA) hereby announces that it will accept proposals for water resource project grants and loans to be funded through the state Clean Water Partnership Program (CWP) and the Clean Water Fund (CWF). Proposals will be accepted from local governmental units interested in leading a nonpoint source pollution control project for protection or improvement of state water bodies. The MPCA anticipates that about one million, two hundred thousand dollars of grant funds and about five million dollars of loan funds will be available this year.

In 1987, the Minnesota Legislature established the CWP Program (*Minnesota Statutes* §§ 103F.701 through 103F.761) to protect and improve surface and groundwater in Minnesota through financial and technical assistance to local governmental units. The Clean Water Fund, established in 2009, are monies generated from the constitutional amendment sales tax.

There are two types of proposals that will be accepted this round:

- 1. Resource investigation projects** monitor, assess and develop a diagnostic study on the status of a water body, and also develop an implementation plan to protect or restore the water body. Resource investigation projects are only eligible for grant funding.
- 2. Implementation projects** will implement protection or restoration activities, such as best management practices, that are identified by a comprehensive assessment and planning process in the watershed or around the water body of concern. Such assessment must consist of an MPCA-approved CWP resource investigation or equivalent diagnostic study and implementation plan. Implementation projects are eligible for both grant and/or loan funding.

Priority for funding will be given to protection projects. To be given priority, project proposers will need to document that the water body(ies) being addressed are either currently meeting state water quality standards for a particular pollutant to be addressed by the project (e.g., a lake listed as impaired due to mercury can develop a proposal addressing phosphorus levels in the lake), or have not been assessed by the MPCA, but are known to be supporting beneficial uses. Project proposals must provide measurable project outcomes.

#### **For a copy of the Complete Request for Proposal**

The complete RFP, proposal form, and other information are available at <http://www.pca.state.mn.us/water/cwp-319.html> and can also be requested via e-mail at [CWP.Grant.PCA@state.mn.us](mailto:CWP.Grant.PCA@state.mn.us).

**Proposals must be electronically received no later than 4:30 p.m. CST, December 30, 2011. Proposals received after the deadline will not be considered eligible.** A proposal must be sent to: [CWP.Grant.PCA@state.mn.us](mailto:CWP.Grant.PCA@state.mn.us)

#### **Questions**

Questions may be e-mailed to [CWP.Grant.PCA@state.mn.us](mailto:CWP.Grant.PCA@state.mn.us).

A list of Frequently Asked Proposal Questions (FAPQs) is provided on the MPCA Web site:

<http://www.pca.state.mn.us/water/cwp-319.html>.

Dated: October 2011

## State Contracts

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

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

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

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

## Solicitations for Consultants and Vendors

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## Department of Administration (Admin) Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) Request for Proposals for Supplying Influenza Vaccine

The Minnesota Multistate Contracting Alliance for Pharmacy ("MMCAP" [www.mmcap.org](http://www.mmcap.org)) is requesting proposals from distributors interested in supplying INFLUENZA VACCINE to MMCAP Facilities.

MMCAP is a voluntary group purchasing organization made up of governmental entities which contracts for pharmaceuticals including influenza vaccine. MMCAP is currently made up of 46 participating states and approximately 3500 participating facilities purchasing over 4.3 million doses of influenza vaccine per year.

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

Or write to:

Influenza Vaccine RFP Request  
MMCAP  
c/o Minnesota Department of Administration  
50 Sherburne Avenue, Suite 112  
St. Paul, MN 55155

Proposals submitted in response to the Request for Proposals in this notice must be received at the address above no later than 2 p.m. Central Time, December 1, 2011.

# State Contracts

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Late 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 Administration (Admin)

### Real Estate & Construction Services

#### Notice of Re-solicitation: Request for Qualifications (RFQ) for a Construction Manager at Risk for the Upgrade of Shantz Hall, St. Peter, MN

RECS Project #:

55419SRX

Bid Due:

November 15, 2011 at 1:00 pm CT

**NOTICE IS HEREBY GIVEN** that the Department of Administration, Real Estate and Construction Services (“State”) has issued a request for qualifications to evaluate and select a Construction Manager at Risk for the for the Preconstruction and Construction Services for the Upgrade of Shantz Hall (aka Shantz Hall Building Preservation) project located at the St. Peter Regional Treatment Center in St. Peter, MN in accordance with *Minnesota Statute* 16C.34.

This project is a phased plan to preserve, renovate and upgrade Shantz Hall on the St. Peter Regional Treatment Center Campus in St. Peter, MN, to provide secure beds and program space for the Minnesota Sex Offender Program (MSOP). The project scope will include: the replacement of existing constant volume multi-zone air handling, heating, ventilating and air conditioning equipment and it’s retrofitted undersized cooling capacity, update and expand the existing fire protection (sprinkler) system to include the entire building. Update the fire alarm system and interface it with the campus system, replace the existing galvanized plumbing systems which are failing, upgrade the electrical distribution panels, install new energy efficient lighting, install new energy efficient windows and remodel some areas to enhance the operational program. Other considerations may include interior finishes, door replacement and modifications to the exterior security fencing to accommodate construction and for operational considerations. The emphasis is to sequence the entire construction phase to accommodate the replacement of the HVAC, plumbing, electrical systems, and provide the necessary living unit remodeling, while keeping the facility fully operational and secure.

Detailed tasks and scope of services required for the project are defined and included in the Request for Qualifications (RFQ) which can be found at *QuestCDN.com* under the Category “*Public Buildings*” with the Project Name “*CM@Risk Shantz Hall RFQ Re-solicitation*” and may be downloaded for a fee of \$10.00. To be considered for selection and a Contract, responses must be submitted by the date and time indicated in the RFQ.

The State reserves the right to cancel this solicitation if it is considered to be in its best interest. The RFQ is not a guarantee of work and it does not obligate the State to award any contracts. The State reserves the right to discontinue the use or cancel all or any part of the RFQ 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.

## Office of Administrative Hearings (OAH)

### Notice of Availability of Contract for Customization and Implementation of Client Profiles Software at the State of Minnesota, Office of Administrative Hearings

The OAH, requests proposals to customize Client Profiles software, a commercial-off-the-shelf (COTS) product, which will support all the processes and activities of the hearing function of the OAH. Customization of the Client Profiles software will include, but not be limited to, converting data from existing technology solutions, customizing all data fields, developing reports and training up to 100 State employees.

OAH seeks to select a Contract Vendor and begin work in December of 2011, and to complete implementation of the defined scope within nine (9) months of the project begin date. However, this shall not be construed as either the minimum or the maximum duration for

the project. It shall also be understood and accepted by the responder that this estimated beginning, end and duration imposes no obligation upon the State.

Work is proposed to start after December 1, 2011.

Responders will be required to demonstrate their experience customizing and implementing Client Profiles software in a law office or governmental setting with 50 or more employees and provide a list of at least three relevant law office or governmental agency references. Additional requirements can be found in the Request for Proposal.

Copies of the Request for Proposals will be available by email from this office through Friday, November 18, 2011. **A written e-mail request is required to receive the Request for Proposal.** Please note, Friday, November 11, 2011, is a State Holiday and the OAH will be closed.

The Request for Proposal can be obtained from:

AnnMarie S. O'Neill  
Court Administrator  
**E-mail:** [annmarie.oneill@state.mn.us](mailto:annmarie.oneill@state.mn.us)

Proposals must be submitted via email, in PDF or Microsoft Office format, to: [annmarie.oneill@state.mn.us](mailto:annmarie.oneill@state.mn.us) no later than 4:00 PM, CST, on Monday, November 21, 2011. **Late proposals will NOT be considered.** Faxed, mailed or delivered proposals will **NOT** be considered. It is the responsibility of the proposer to prove the proposal was submitted to the correct email address and in the proper format prior to the deadline.

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

## Minnesota Department of Education (MDE) Request for Proposals for Response to Intervention (RtI) Implementation Survey

The Minnesota Department of Education (MDE) is requesting proposals from contractors for the purpose of designing, developing content and administering an accessible survey tool and providing MDE with a report on the number of districts and schools, state-wide, who are implementing Response to Intervention (RtI). Their work will assist as a strategy for identifying students at-risk of not meeting grade-level benchmarks as well as those students who may be in need of special education services.

Tasks will be comprised of:

- Use findings from the National Implementation Research Network in the development of an implementation survey. Findings available at <http://www.fpg.unc.edu/~nirn/resources/detail.cfm?resourceID=31>
- Convene a broad stakeholder group familiar with the critical features of the Response to Intervention (RtI) to develop an accessible survey with the intended purpose of establishing long-term trends in state-wide implementation of RtI.
- Construct content for an accessible survey that as accurately as possible reflects both the number of schools implementing the critical features of RtI as well as level of implementation achieved such that the state may have baseline data and map trends in implementation of RtI over time, for up to 3-5 years. Possible additional data up to 10 years may be gathered under a new contracting opportunity. MDE recommends that responders use SurveyMonkey which is a survey tool accessible to all end-users. Responders must identify the accessible survey tool to be used in their response.
- Deploy and actively manage collection of survey results to maximize the rate of return and accurate tabulation of schools and districts implementing the critical features of RtI.
- Communicate the survey results to MDE staff in a format useful for interpretation, mapping of trends across time, planning of technical assistance, as well as public consumption. It is possible that the contractor will prepare outlines or rough drafts of reports, which will be completed by department staff.

**Note:** Eligibility for evaluation of submitted proposals is based on meeting the pass/fail criteria as outlined in the solicitation document.

# State Contracts

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Additionally, interested responders who are currently providing training or technical assistance related to RTI or are involved in supporting, developing or guiding Minnesota RTI projects, RTI school districts, charters or developing proprietary content, materials or systems are not eligible to respond to this request for proposals.

## Expected Contract period

The term and activities of the initial contract period is anticipated to run from February 15, 2012 to February 14, 2014. Extensions are anticipated up to an additional 3 years in increments determined by the state and contingent upon additional funding and priorities. Responders should base their response on the initial anticipated two year contract period.

## Estimated Amount of Contract

The department has estimated that the cost of this contract should not exceed \$150,000-\$170,000 for the initial anticipated 2 year contract period. The Department has estimated that approximately \$75,000 to a maximum of \$85,000 is available annually for this project. All travel costs and other incidental costs to carry out this project must be considered in this estimate. The total amount estimated for a potential 5 year contract period is \$375,000 - \$425,000.

Responders will need to identify their total estimated costs for providing the services based on the two year period. However, they will also need to break out the costs on an annual basis. Price will be a factor in the evaluation of proposals. Responders should base their response on the initial anticipated 2 year contract period.

This RFP solicitation document will be available by **e-mail** from this office through **November 28, 2011, 4:00 pm, Central Time**.

The RFP can be obtained from:

Barbara Kizzee  
Minnesota Department of Education  
1500 Highway 36 West  
Roseville, Minnesota 55113-4266  
E-mail: Barbara.kizzee@state.mn.us  
Telephone: (651) 582-8452 (if e-mail is not available)  
TTY: (651) 634-2739 (for persons with speech or hearing disabilities)

The questions and answer due dates are outlined in the RFP solicitation document.

Due date and time for receipt of proposals is **November 30, 2011, 4:00 pm, Central Time**. Faxed or emailed proposals are not accepted.

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.

## Office of the Governor

### Notice of Availability of Contract for Federal Representation Services

The Minnesota Office of Governor Mark Dayton is requesting proposals for the purpose of contracting with a consultant(s) who will serve as a voice for the State and the Governor and is a persuasive advocate for the State of Minnesota on a national level. Federal actions have a significant impact on state government and budgets. The consultant will provide assistance in shaping federal program rules and guidance, pursue appropriation requests, comment on legislation, and serve as a liaison with government and non-government organizations.

The term of the contract will be January 1, 2012 to June 30, 2013, with an option to renew through December 31, 2014

The Request for Proposals is available to interested responders by contacting:  
Paula Brown

Office of the Governor  
130 State Capitol  
75 Dr. Rev. Martin Luther King, Jr. Blvd.  
St. Paul, MN 55155  
**Fax:** (651) 797-1866  
**E-mail:** *paula.brown@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 2:00 pm CT on Thursday, December 1, 2011. **Late proposals will NOT be considered.** Fax or emailed proposals will **NOT** be considered.

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

## **Minnesota Historical Society (MHS) Notice of Request for Proposals for a Comprehensive Summative Evaluation of “The 1968 Exhibit”**

The Minnesota Historical Society (Society) is seeking competitive proposals from qualified and experienced individuals or firms to conduct a comprehensive summative evaluation of “The 1968 Exhibit,” which opened at the Minnesota History Center in St. Paul, Minnesota, in October, 2011. In particular, the Society requires professional assistance to:

- design an evaluation strategy in consultation with Society staff
- prepare an evaluation form to be used by Society staff and volunteers to interview “The 1968 Exhibit” visitors
- oversee the evaluation process, and
- prepare a written summary and analysis of the results of visitor interviews.

The project must begin in January 2012 and be completed by April 1, 2012.

The Request for Proposals is available by contacting Mary Green-Toussaint, the Society’s Purchasing Coordinator, via e-mail at: *mary.green-toussaint@mnhs.org*.

Proposals are due no later than 2:00 P.M. Local Time, on Thursday, November 17, 2011. Late proposals will not be accepted.

Dated: 31 October 2011

## **Legislative Coordinating Commission (LCC) Contract Available for Providing Telecast Services for the Minnesota Legislature**

The Legislative Coordinating Commission is requesting proposals from qualified individuals and organizations interested in providing telecast services of the 2012-2013 legislative sessions for the Minnesota Legislature. For a copy of the full text of the RFP, please go to <http://www.lcc.leg.mn/lcc/RFPs.htm> or contact:

Diane Henry-Wangenstein  
Legislative Coordinating Commission  
Room 72 State Office Building  
100 Rev. Dr. Martin Luther King, Jr. Blvd.  
St. Paul, MN 55155-1298  
**Phone:** (651) 296-1121 (voice)  
**E-mail:** *diane.henry@lcc.leg.mn*

# State Contracts

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All proposals must satisfy the criteria as outlined in the full text of the RFP.

Proposals must be received by November 28 at 4:00 p.m. Late applications may not be accepted. All expenses incurred in responding to this notice must be borne by the responder.

## Office of Secretary of State Notice of Publication of the *Fiscal Year 2011 Open Appointments Annual Compilation and Statistical Report*

The Office of the Secretary of State has published the *Fiscal Year 2011 Open Appointments Annual Compilation and Statistical Report*. The full publication is available on the OSS website at: <http://www.sos.state.mn.us/index.aspx?page=360>

Vacancies are published one time per month. Current vacancies can be found on the OSS website at:

<http://www.sos.state.mn.us/index.aspx?page=308>

You may join our e-mail list-serve by completing the subscription form at: <http://www.sos.state.mn.us/index.aspx?page=20> or submitting your e-mail address to: [open.appointments@state.mn.us](mailto:open.appointments@state.mn.us).

For further information please contact Nancy Breems at (651) 297-5845.

## Minnesota Department of Transportation (Mn/DOT) Metro District Request for Proposals for Bridge Inspection – Ground Penetrating Radar (GPR)

**NOTE:** This document is available in alternative formats for persons with disabilities by calling Linn Moline at (651) 234-7687 or for persons who are hearing or speech impaired by calling the Minnesota Relay Service at 1-800-627-3529.

This RFP does not obligate MnDOT to award a Contract or complete the project, and MnDOT reserves the right to cancel the solicitation if it is considered to be in its best interest.

### Project Specific Information

#### Project Overview

MnDOT requests proposals for non-destructive bridge deck inspection to detect delamination using ground penetrating radar. This is anticipated to inspect approximately 50 to 75 decks this year, with the possibility to extend up to two years with the identification of more bridge decks. MnDOT may award multiple contracts from this RFP.

There will be bridge decks identified that were constructed with different standards over the years. We expect an evaluation of the delamination on the top part of all decks surveyed and are hoping that the GPR process will provide an analysis of any concrete delaminations on the bottom of the deck on selected bridges. Deck thickness is generally uniform but the type of re-bar used in the second layer, has changed over the past 50 years. Chloride ions have penetrated through various decks, causing significant delaminations in the upper level on many of the structures, along with delaminations at the bottom layer of steel on some of the older structural decks.

#### Project Goal

It is the goal of this project to inspect and assess the condition of numerous bridge decks. Data will be collected, analyzed and reported. See attached Scope of Services for details.

## Scope of Work and Deliverables

Tasks will include

- Perform bridge deck inspection using ground penetrating radar
- Collect testing data
- Analyze data
- Written report
- Photo documentation of the condition of the site and under the bridge deck (minimum of eight photos under the deck for each bridge)

Field work is to be completed this fall with the final report due within 90 days of completing field work. In the event inspection or analysis reveals a significant safety concern, MnDOT will be notified immediately and a report will be submitted as soon as possible.

## Questions

Responders who have any questions regarding this RFP must submit questions by e-mail only to:

Linn Moline, Senior Consultant Administrator

**E-mail:** *Linda.moline@state.mn.us*

No other MnDOT personnel are allowed to discuss the RFP before the proposal submission deadline. Contact regarding this RFP with any personnel not listed above may result in disqualification.

## Proposal Submittal

All proposals must be mailed (United States Postal Service), expressed (UPS, FedEx or other similar express carrier) or dropped off to the attention of:

Linn Moline, Senior Consultant Administrator  
Minnesota Department of Transportation  
Metro District, Waters Edge Building  
1500 West County Road B2  
Roseville, MN 55113-3174

All proposals must be received no later 2:00 p.m. Central Standard Time on Monday, November 21, 2011. Please note that MnDOT procedures do not allow non-MnDOT employees to have access to the elevators or the stairs. You should plan enough time and follow these instructions for drop-off:

- Enter through the East building, main doors.
- Once you enter through the doors, you should walk straight ahead to the Information Desk.
- **Proposals are accepted at the Information Desk only.** The receptionist will call the Contract Administrator to come down and will time stamp the proposal.

Submit six copies of the proposal. Proposals are to be submitted in a sealed mailing envelope or package, clearly marked "Proposal" on the outside. An authorized member of the firm must sign each copy of the proposal in ink.

**This is an abbreviated Request for Proposals. The full Request for Proposals (RFP) may be found at the MnDOT Consultant Services web site at:** <http://www.dot.state.mn.us/consult/notices.html>

## Minnesota Department of Transportation (Mn/DOT) Policy, Analysis, Research and Innovation Request for Proposals (RFP) ONLINE CUSTOMER COMMUNITY

In 2010 MnDOT initiated its first online customer community and experienced great success. This RFP is for conducting another year (calendar 2012 and completing in the spring of 2013) of an online customer community with Minnesota citizenry. An online research community provides a new input mechanism while at the same time a forum to address these increasingly complex public issues. This online research community Contract will serve to advance MnDOT's understanding of public expectations with regard to planning, service

# State Contracts

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delivery and public communications. In order to fully understand complex issues, MnDOT needs authentic, three-way research communications. This three-way research includes: MnDOT to Community Members, Community Members to MnDOT and Community Members to Community Members about MnDOT. The primary purpose of this online research community is to provide MnDOT with an active forum for gathering representative input from the public on an ongoing basis, without having to create a separate research study for each new topic of study. This forum would allow MnDOT increased flexibility and access to public feedback, as needed.

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](mailto:ashley.duran@state.mn.us)  
**Telephone:** (651) 366-4627

Note: RESPONSES WILL BE DUE ON **November 22, 2011 AT 2:00 PM CENTRAL STANDARD TIME**

## Department of Transportation (Mn/DOT) Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of General Organizational Related Activities

**(This document is available in alternative formats for persons with disabilities by calling Melissa McGinnis at 651-366-4644; for persons who are hearing or speech impaired by calling the Minnesota Relay Service at 800-627-3529.)**

Mn/DOT, in conjunction with the Department of Administration, have developed a streamlined approach for fast-tracking select general organization service projects. These general organizational projects may include, but are not limited to, work in the following categories: 1) Develop, implement and summarize internal and external surveys; 2) Recommend best practices in an organizational structure; 3) Assist with organizational health structure; 4) Provide marketing support; 5) Develop, implement and provide support of ad hoc forums; 6) Establish and facilitate collaborative groups, including cross-organization and public-private teams; 7) Provide project management for non-technical initiatives; and 8) Facilitate non-technical activities and events.

This streamlined approach includes developing an email list of firms that are interested in receiving direct notification of general organizational projects. Firms will be added on an on-going basis. Fast-tracked projects will have a shorter advertising period and turn-around time. Firms will be asked to submit responses within 5 business days and will be required to work diligently with Mn/DOT toward establishing a contract upon selection. All projects will be advertised to the public. Your firm will be directly notified that there is a project posted on the Consultant Services Website ([www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult)) that requires general organizational skills. Please note that this notice is not a solicitation or request for proposals of any kind. Being placed on the list does not guarantee work nor does it obligate Mn/DOT to provide any contracting opportunities under this program.

Interested firms should send the following information to the e-mail address below: Firm name, firm contact person, phone number, and email address.

Contact: Melissa McGinnis, Contract Administrator  
**E-mail:** [melissa.mcginnis@state.mn.us](mailto:melissa.mcginnis@state.mn.us)  
**Telephone:** (651) 366-4644

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

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

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

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

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

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

Send completed application material to:

Kelly Arneson  
Consultant Services  
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](http://www.dot.state.mn.us/consult)

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

# 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.

## Other Funding

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).

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.

Here’s what you receive via e-mail:

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

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

## Dakota County

### Transportation Department

### Notice of Request for Proposals (RFP) for Design Engineering Services on the Cedar Avenue Transitway - Transit Signal Priority Study and Implementation Plan (CP 23-60)

**NOTICE IS HEREBY GIVEN** that the Dakota County Transportation Department is requesting proposals for professional engineering services to provide full management, assessment and implementation of the following: Transit Signal Priority (TSP) Implementation Plan, including preparation of an RFP to supply and install TSP, project oversight and updated signal timing (optional task) for Cedar Avenue Transitway Implementation from 179th Street to 138th Street in the Cities of Lakeville and Apple Valley.

The following is the anticipated solicitation schedule:

Monday, October 31, 2011	-	Issue Request for Proposals
Wednesday, November 30, 2011	-	Receive Proposals by 1:00 pm
Tuesday, December 13, 2011	-	Award of Contract

For more information on the Request for Proposals contact:

Jeanne Hoffmann, (952) 891-7005 or e-mail: [jeanne.hoffmann@co.dakota.mn.us](mailto:jeanne.hoffmann@co.dakota.mn.us)

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# Non-State Bids, Contracts & Grants

## Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport

### Notice of Call for Bids for Art Space 2011

**MAC Contract No.:** 106-2-638  
**Bids Close At:** 2:00 p.m. November 15, 2011

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated.

The work includes construction of built-in display areas (large cabinets) including glazing, tile and lighting.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 5%.

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction/Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable) \$150. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on October 24, 2011, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids.)

## Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport

### Notice of Call for Bids for Concourse E and F Pedestrian Bridge Rehabilitation

**MAC Contract No.:** 106-2-645  
**Bids Close At:** 2:00 p.m. November 15, 2011

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated.

The work includes the removal of the metal bridge skin and replacement with new insulated wall panels, aluminum window system, metal soffit, and work with roofing and flashing. There are some minor structural modifications and fire protection system modifications, as well as new exterior lighting.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 6%.

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges, McGraw Hill Construction/Dodge and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable) \$150.

# Non-State Bids, Contracts & Grants

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Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on October 24, 2011, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids.)

## Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for 2011 MUFIDS and EVIDS

**MAC Contract No.:** 106-2-639  
**Bids Close At:** 2:00 p.m. November 15, 2011

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated.

The MUFIDS (Multi-user Flight Information Displays) and EVIDS (Electronic Visual Information Displays) work is primarily located in Terminal 1 and to a lesser extent in Terminal 2.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 7%.

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges, McGraw Hill Construction/Dodge and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable) \$150.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding document in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on October 24, 2011, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids.)

## Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for 2011 Passenger Boarding Bridge Replacement – Phase 2

**MAC Contract No.:** 106-2-654  
**Bids Close At:** 2:00 p.m. November 15, 2011

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated.

Work includes but is not limited to demolition and replacement of passenger boarding bridges and foundations including group power and pc air units and misc. electrical work.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 1%.

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## Non-State Bids, Contracts & Grants

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges, McGraw Hill Construction/Dodge and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable) \$150. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on October 24, 2011, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids.)

### Metropolitan Airports Commission (MAC) Minneapolis Saint Paul International Airport Notice of Call for Bids for 2011 Restroom Upgrade

**MAC Contract No.:** 106-2-626  
**Bids Close At:** 2:00 p.m. November 15, 2011

**Notice to Contractors:** Sealed Bid Proposals for for project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated.

The work consists of General, Mechanical, and Electrical interior remodeling work bid as a single lump sum contract.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 4%.

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges, McGraw Hill Construction/Dodge and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable) \$150.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on October 24, 2011, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids.)

### Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for 2011 Technology Room Equipment Continuity (TREC)

**MAC Contract No.:** 106-2-636  
**Bids Close At:** 2:00 p.m. November 15, 2011

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the  
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# Non-State Bids, Contracts & Grants

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office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated.

The work includes lockable cabinets and cabinet parts, door security, penetration sealing, masonry wall, hollow metal door, painting and electrical work.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 5%.

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction/Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable) \$150. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on October 24, 2011, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

## Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for 2011 Wayfinding Signage Improvements

**MAC Contract No.:** 106-2-640  
**Bids Close At:** 2:00 p.m. November 15, 2011

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated.

The work includes new, relocations and modifications to illuminated and non-illuminated signs throughout Terminal 1-Lindbergh and Terminal 2-Humphrey. Cutting and patching at floors, walls and ceilings and electrical modifications associated with sign modifications are included.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 6%.

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges, McGraw Hill Construction/Dodge and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable) \$150.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on October 24, 2011, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

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