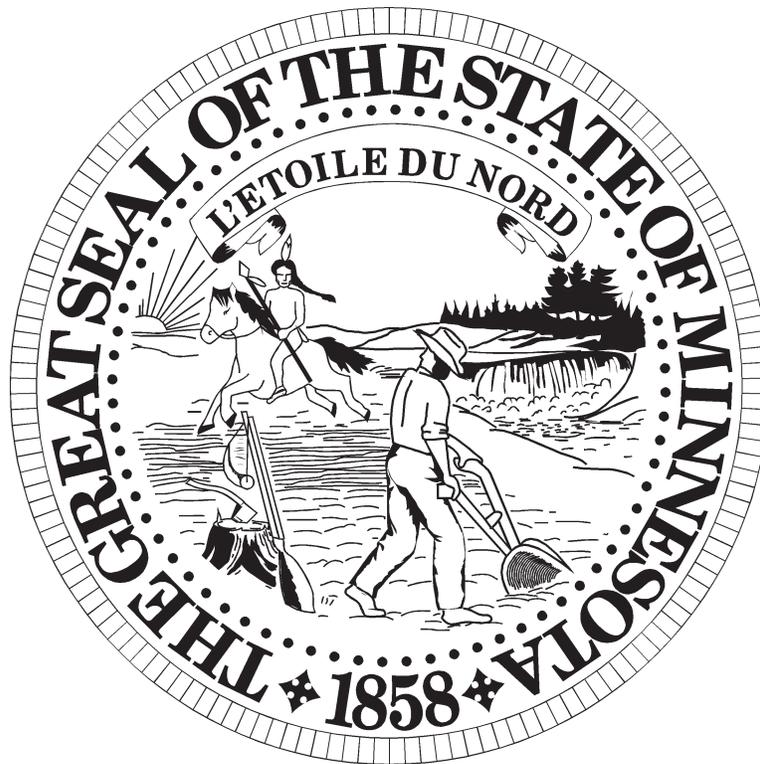


# Minnesota State Register

(Published every Monday (Tuesday when Monday is a holiday.)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  
Executive Orders; Appointments; Commissioners' Orders; Revenue Notices;  
Official Notices; State Grants & Loans; State Contracts;  
Non-State Public Bids, Contracts & Grants**

**Monday 8 September 2014  
Volume 39, Number 10  
Pages 303 - 336**

# Minnesota State Register

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The *Minnesota 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. It 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- Withdrawn Rules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. 39 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> shows altered publish date)	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
# 11	Monday 15 September	Noon Tuesday 9 September	Noon Thursday 4 September
# 12	Monday 22 September	Noon Tuesday 16 September	Noon Thursday 11 September
# 13	Monday 29 September	Noon Tuesday 23 September	Noon Thursday 18 September
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For additional grants go to the Office of Grants Management (OGM) at:  
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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. TTY relay service phone number: (800) 627-3529

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# Proposed Rules

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

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

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

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

## Minnesota Department of Corrections (DOC)

### Division of Community Services, Inspection and Enforcement Unit

#### Proposed Permanent Rules Relating to Municipal Lockup Facilities

#### NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendment to Rules Governing Municipal Lockup Facilities, *Minnesota Rules*, Chapter 2945; Revisor's ID Number 4058.

Repeal of *Minnesota Rules*, parts 2945.0100, subparts 2, 16, 18, 22, 25, 26, 28, 29, 30, 35, and 36; 2945.0110; 2945.0500; 2945.1000, subpart 2; 2945.2110; 2945.2120; 2945.2510, subpart 5; 2945.3400; 2945.3440; 2945.4700, subpart 2; 2945.4760; 2945.5410; and 2945.5440, subpart 4.

**Introduction.** The Department of Corrections 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. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until October 8, 2014.

**Agency Contact Person.** You must submit comments or questions on the rules and written requests for a public hearing to the agency contact person. The agency contact person is: Tracy Gerasch at Minnesota Department of Corrections, 1450 Energy Park Drive, Suite 200, St. Paul, MN 55108, **phone:** (651) 361-7581, **e-mail:** [tracy.gerasch@state.mn.us](mailto:tracy.gerasch@state.mn.us). TTY users may call the Minnesota Relay Service at 1-800-627-3529. Copies of the rules and SONAR are available by contact Diane Grinde at Minnesota Department of Corrections, 1450 Energy Park Drive, Suite 200, St. Paul, MN 55108, **phone:** (651) 361-7152, **e-mail:** [diane.grinde@state.mn.us](mailto:diane.grinde@state.mn.us).

**Subject of Rules and Statutory Authority.** The proposed rules are about the operation and inspection of municipal lockup facilities. The statutory authority to adopt the rules is *Minnesota Statutes*, section 241.021, subdivision 1. 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 Wednesday, October 8, 2014, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and the agency contact person must receive it by the due date. The Department encourages comment. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that the Department hold a hearing on the rules.

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# Proposed Rules

Your request must be in writing and the agency contact person must receive it by 4:30 p.m. on October 8, 2014. Your written request for a public hearing must include your name and address. 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 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.** Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The Department may modify the proposed rules as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules, unless the agency 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.

**Statement of Need and Reasonableness.** The statement of need and reasonableness statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review it or obtain copies for the cost of reproduction by contacting the agency contact person.

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

**Adoption and Review of Rules.** If no hearing is required, the agency may adopt the rules after the end of the comment period. The agency will then 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 Department submits the rules to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Dated: 25 August 2014

Tom Roy, Commissioner  
Minnesota Department of Corrections

## 2945.0100 DEFINITIONS.

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

Subp. 2. [See repealer.]

Subp. 3. **Approved capacity.** “Approved capacity” means the maximum number of ~~prisoners~~ detainees that any cell, room, unit, building, facility, or combination of them is approved for in compliance with the standards.

Subp. 4. **Average daily population.** “Average daily population” means the average number of ~~prisoners~~ detainees residing daily during the last calendar year. ~~Prisoners~~ Detainees on furlough or hospitalized are excluded.

Subp. 5. **Class I municipal holding lockup facility.** “Class I municipal ~~holding lockup~~ facility” means an adult detention facility operated by a municipal government used to confine ~~prisoners~~ detainees for more than 48 hours and no more than 72 hours, excluding weekends and holidays.

Subp. 6. **Class II municipal holding lockup facility.** “Class II municipal ~~holding lockup~~ facility” means an adult detention facility

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operated by a municipal government used to confine prisoners detainees for up to 48 hours excluding weekends and holidays.

Subp. 7. **Class III municipal holding lockup facility.** “Class III municipal holding lockup facility” means an adult detention facility operated by a municipal government used to confine prisoners detainees for up to 16 hours.

Subp. 8. **Class IV municipal holding lockup facility.** “Class IV municipal holding lockup facility” means an adult detention facility operated by a municipal government used to confine prisoners detainees for up to four hours.

[For text of subps 9 and 10, see M.R.]

Subp. 11. **Contraband.** “Contraband” means those items designated by the municipal jail lockup facility as prohibited on the physical premises of the facility.

[For text of subps 12 and 13, see M.R.]

Subp. 14. **Custody personnel.** “Custody personnel” means those staff members or employees who are responsible for the custody and supervision of prisoners detainees.

[For text of subp 15, see M.R.]

Subp. 15a. **Prisoner Detainee.** “Prisoner Detainee” means an individual, adult or juvenile, detained or confined in a local facility.

Subp. 16. [See repealer.]

Subp. 17. **Emergency.** “Emergency” means a significant incident or disruption of normal facility procedures, policies, routines, or activities arising from events such as: fire, riot, natural disaster, suicide, assault, or medical emergency.

Subp. 18. [See repealer.]

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

Subp. 20. **Holding cell.** “Holding cell” means a cell or room in a holding lockup facility used to hold one or more persons temporarily while awaiting release, booking, court appearance, transportation, or interrogation.

[For text of subp 21, see M.R.]

Subp. 22. [See repealer.]

Subp. 23. [Renumbered subp 32a]

Subp. 24. **Local facility.** “Local facility” means any ~~city, county, city and county, or multiple county corrections facility~~ lockup.

Subp. 25. [See repealer.]

Subp. 26. [See repealer.]

Subp. 27. **Medicine Medication.** “~~Medicine~~” “Medication” means a remedial agent that has the property of curing, preventing, treating, or mitigating diseases, or that is used for that purpose. For the purpose of this chapter, medicine medication includes ~~legend~~ prescription and ~~nonlegend drugs~~ nonprescription medications.

Subp. 28. [See repealer.]

Subp. 29. [See repealer.]

Subp. 30. [See repealer.]

[For text of subp 31, see M.R.]

Subp. 32. **Policy.** “Policy” means a written statement declaring ~~mission, and purpose, and ideological position.~~

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Subp. 32a. ~~Legend drug Prescription medication.~~ “Legend drug” “Prescription medication” means a drug medication required by federal law to bear the following statement: “Caution: Federal law prohibits dispensing without prescription.”

Subp. 33. [Renumbered subp 15a]

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

Subp. 34a. **Special management detainee.** “Special management detainee” means a detainee who presents a serious threat to safety or security of the facility, staff, general detainee population, or self.

Subp. 34b. **Special needs detainee.** “Special needs detainee” means a detainee whose mental or physical condition requires special handling and treatment by staff.

Subp. 35. [See repealer.]

Subp. 36. [See repealer.]

[For text of subp 37, see M.R.]

Subp. 38. **Variance.** “Variance” means ~~the waiver of an exception to~~ a specific rule or rules for a specified period of time.

## **~~2945.0120 INTENDED USE; NONCONFORMANCE; LIMITATIONS OF RULES AND NONCOMPLIANCE.~~**

Subpart 1. **Intended use.** A facility should be used only for classifications for which it is intended. This chapter does not regulate ~~municipal police facilities or court holding rooms; a Class IV municipal lockup facility or municipal police facility that:~~

A. includes an administrative processing area used to detain a person for up to four hours;

B. for a municipal police facility only, is specifically designed to be nonresidential;

C. has audio capacity, visual capacity, or both;

D. is normally not locked except for routine security reasons; and

E. is used long enough for identification, transfer arrangements, or release of a detained person to a responsible person.

~~A. Class I municipal holding facilities must meet the standards of chapter 2910.~~

~~B. Class II municipal holding facilities must meet all parts, subparts, items, and subitems which are designated as mandatory standards in this chapter and 70 percent of all parts, subparts, items, and subitems in this chapter which are directory standards.~~

~~C. Class III municipal holding facilities must meet all parts, subparts, items, and subitems which are designated as mandatory standards in this chapter and 70 percent of all parts, subparts, items, and subitems in this chapter which are directory standards and which are applicable to Class III municipal holding facilities.~~

~~D. Class IV municipal holding facilities must meet all parts, subparts, items, and subitems which are designated as mandatory standards in this chapter and 70 percent of all parts, subparts, items, and subitems in this chapter which are directory standards and which are applicable to Class IV municipal holding facilities.~~

~~E. When “shall” or “must” are used in conjunction with a directory standard, the mandatory implications of those terms are limited to the extent part 2945.0100, subpart 36, defines the requirement of 70 percent directory standard compliance as a prerequisite for facility licensing.~~

### Subp. 1a. Rule compliance.

A. A Class I municipal lockup facility must comply with rules governing adult detention facilities under chapter 2911.

B. A Class II or III municipal lockup facility must comply with 100 percent of the following rules unless specifically excluded under that rule:

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- (1) part 2945.0130, subpart 3;
- (2) part 2945.0510, subpart 1;
- (3) part 2945.0530, subparts 2, 3, 4, 5, and 6;
- (4) part 2945.1000, subparts 2 and 3;
- (5) part 2945.2100;
- (6) part 2945.2510, subpart 2;
- (7) part 2945.2520, subpart 1;
- (8) part 2945.2530, subparts 3 and 6;
- (9) part 2945.2540, subpart 2;
- (10) part 2945.2550, subparts 1 and 4;
- (11) part 2945.3420;
- (12) part 2945.3430;
- (13) part 2945.4700, subpart 1;
- (14) part 2945.4710, subpart 2;
- (15) part 2945.4740, subpart 3;
- (16) part 2945.4750;
- (17) part 2945.5400;
- (18) part 2945.5430, subparts 1, 4, and 5;
- (19) part 2945.5450, subparts 1 and 4, item B;
- (20) part 2945.5455;
- (21) part 2945.5460;
- (22) part 2945.5470; and
- (23) part 2945.5490, subparts 3, 6, 9, and 10.

C. A Class II or III municipal lockup facility must comply with at least 90 percent of parts 2945.0120 to 2945.5490 that are not listed in item B or do not specifically exclude that type of facility.

Subp. 2. **Nonconformance, Noncompliance; unsafe, unsanitary, or illegal conditions.** When conditions do not substantially conform to ~~this chapter subpart 1a,~~ or where specific conditions endanger the health, welfare, or safety of ~~prisoners detainees~~ or staff, the commissioner shall find the facility in nonconformance and condemn it by written order that it shall not be further used while the order is in force ~~facility's use is restricted according to Minnesota Statutes, section 241.021, subdivision 1, or legal proceedings to condemn the facility will be initiated according to Minnesota Statutes, section 641.26 or 642.10.~~

## 2945.0130 VARIANCES.

Subpart 1. **Variances; general.** The granting of a variance under this part does not constitute a precedent for any other ~~adult detention~~ municipal lockup facility. The granting and denial of all variances shall be in writing and made within 30 days of the request for a variance. The variance will be granted by the commissioner if, in the licensing procedure or enforcement of the standards in this chapter:

A. requirements for ~~an adult detention~~ a municipal lockup facility to strictly comply with one or more of the provisions will result in undue financial hardship or jeopardize the health, safety, security, detention, or well-being of the residents or facility staff;

B. the ~~adult detention~~ municipal lockup facility is otherwise in substantial conformity compliance with the standards contained in this chapter or making satisfactory progress toward substantial conformity compliance;

C. granting of the variance will not preclude the facility from making satisfactory progress toward substantial conformity compliance with this chapter;

D. ~~the~~ granting of the variance will not leave the interests and well-being of the residents detainees and staff unprotected; and

E. the facility will take action to comply with the general purpose of ~~the standards~~ this chapter to the fullest extent possible.

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

Subp. 3. **Notification of emergencies (mandatory).** The facility administrator shall immediately notify the sheriff of the county and the Department of Corrections of an emergency that results in the suspension of a rule. A formal written report must follow within 72 hours.

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

## 2945.0510 STAFF RECRUITMENT.

Subpart 1. [Renumbered 2945.0530, subp 1a]

Subp. 2. [Renumbered 2945.0530, subp 1b]

## 2945.0520 [Renumbered 2945.0530, subp 3a]2945.0530 STAFFING REQUIREMENTS.

Subpart 1. **Staffing plan.** The facility administrator shall prepare and retain a staffing plan indicating the personnel assigned to the facility and their duties. ~~For the purposes of this part, a work day is considered an eight-hour shift.~~

Subp. 1a. **Discrimination prohibited.** There must not be discrimination based on race, color, religion, sex, or national origin.

Subp. 1b. **Staff selection.** The selection, appointment, and promotion of facility personnel must be based on assessed ability. Custody personnel must be a minimum of 18 years old. Recruitment standards must set forth the basic requirements of ability, preparatory experience, physical condition, and character, and those qualities that may disqualify an individual from selection, appointment, or promotion.

Subp. 2. **Staff person in charge (mandatory).** There must be a designated staff person in charge of the facility. In the absence of the regular facility supervisor, a staff person must be designated in charge.

Subp. 3. **Condition of staff person on duty (mandatory).** No person may be detained without a staff person on duty, present in the facility, awake and alert at all times, and capable of responding to emergencies and the reasonable needs of the prisoner detainee.

Subp. 3a. **Extra duty.** An employee shall be scheduled for no more than 12 hours consecutive work in any 24 hours except where unusual circumstances require reasonable and prudent exception. Coverage needs for vacations, military leave, jury duty, scheduled training, and similar activities are not unusual circumstances requiring reasonable and prudent exception. Each of these coverage needs must be known to the facility administration with sufficient lead time to allow proactive scheduling to maintain compliance with the 12-hour standard requirements.

Subp. 4. **Opposite sex gender policy (mandatory).** There must be a policy consistent with state statute that provides procedures to be followed by staff with regards to the types of supervision provided to prisoners detainees of the opposite sex gender.

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Subp. 5. **Assistance for ~~dispatcher/ dispatch or custody staff person (mandatory)~~.** In facilities that use the ~~dispatcher/ dispatch or custody position as sole supervision, the dispatcher/ dispatch or custody staff person must be assisted on duty by another custody staff person when the jail lockup population exceeds 15. This requirement applies only during shifts when prisoners are not in lockup status.~~

Subp. 6. **Reporting incidents and responding to emergencies (mandatory).** A combination of staff and physical plant resources shall provide the capability of responding to emergencies and the completion of incident reports on all special occurrences.

Subp. 7. **A ncillary functions.** Personnel must be provided to perform ancillary functions such as transportation or court functions such as ~~transportation or court escort to the extent necessary to ensure security and supervision of prisoners detainees.~~

## 2945.1000 STAFF TRAINING PLAN.

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

Subp. 2. [See repealer.]

Subp. 3. **Other health and safety training (mandatory).** Each facility shall develop, ~~in cooperation with a responsible health authority,~~ a training program which provides instruction in the following areas:

A. procedures for responding to health-threatening situations ~~within four minutes;~~

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

D. recognition of signs and symptoms of mental illness, ~~retardation, suicide risk,~~ emotional disturbance, and chemical ~~dependency withdrawal;~~

[For text of items E and F, see M.R.]

## 2945.1600 GUIDELINES AND RESPONSIBILITIES.

Each facility supervisor shall develop written guidelines that define responsibilities, duties, and qualifications of the persons working in the ~~detention municipal lockup~~ facility.

## 2945.1610 POLICY AND PROCEDURE MANUALS.

Policies and procedures concerning the facility's operation must be ~~made available~~ accessible to employees at the time of employment and as when revised ~~after that time.~~ The policy and procedure manual shall be reviewed at least annually.

## 2945.2100 MAINTENANCE OF RECORDS AND REPORTS.

~~Subpart 1. **Mandatory Records.** The following records, reports, and statistics must be maintained (mandatory):~~

~~A. admission and release records;~~

~~B. special occurrence records; and~~

~~C. registers; facility logs;~~

~~Subp. 2. **Directory records.** The following records, reports, and statistics must be maintained:~~

~~A. D. prisoner detainee personal property records;~~

~~B. E. clothing, linen, and laundry records (not applicable except that this item does not apply to Class III and IV municipal holding lockup facilities);~~

~~C. records of budget requests and work orders (not applicable to Class III and IV municipal holding facilities);~~

~~D. records of policies and procedures;~~

~~E. F. employee personnel records;~~

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F. G records of staff training;

G. accounting records (not applicable to Class III and IV municipal holding facilities);

H. food service records;

F. ~~daily logs~~;

F. I. medical and dental records information identified at intake and treatment provided during detention; and

K. J. detainee disciplinary records.

The department shall make available on request sample approved forms of items A to K. Records shall be retained according to city policy. Space must be provided for the safe storage of records.

## **2945.2130 ACCESS TO PRISONER DETAINEE RECORDS (MANDATORY).**

Access to ~~prisoner~~ detainee records shall be provided in conformity with state data privacy law.

## **2945.2140 DETENTION INFORMATION SYSTEM REQUIREMENTS.**

The facility administrator shall designate a staff person to report to the department, at least weekly, information on persons detained in the facility.

## **2945.2500 SEPARATION OF PRISONERS (MANDATORY) DETAINEES.**

Subpart 1. **General.** A combination of separate living spaces, sanitation facilities, activity spaces, cell units, and detention rooms shall be provided to properly segregate ~~prisoners under Minnesota Statutes, section 641.14~~ detainees.

Subp. 2. **Prisoners Detainees to be housed separately.**

A. The following ~~prisoners~~ detainees must be housed separately:

A:

(1) female ~~prisoners~~ detainees from male ~~prisoners~~ detainees;

B:

(2) juvenile ~~prisoners~~ detainees from adult ~~prisoners~~ detainees; and

(3) special management detainees from other detainees.

C. ~~mentally ill prisoners from all other prisoners.~~

B. Special needs detainees may need to be housed separately from all other detainees.

Subp. 3. **Separation by sight and sound.** Juvenile ~~prisoners~~ detainees must be separated from adult ~~prisoners~~ detainees by sight and sound.

## **2945.2510 INFORMATION TO PRISONERS DETAINEES; DISCIPLINE; RESTRAINT.**

Subpart 1. **Information to ~~prisoners~~ detainees.** Minimal Rules for ~~prisoner~~ detainee behavior must be posted in a conspicuous place or provided to the ~~prisoner~~ detainee.

Subp. 2. **Official charge, legal basis for detention (mandatory).** Every ~~prisoner~~ detainee admitted to a facility must be advised of the official charge or legal basis for detention and confinement, information gathered, and to whom disseminated.

Subp. 3. **Limitations on disciplinary actions.** ~~The decision to deprive a prisoner of articles of clothing and bedding as a result of the prisoner's destruction of those items must be reviewed by the officer in charge during each eight-hour period, and the review must be documented. The delegation of authority to a prisoner~~ detainee or group of ~~prisoners~~ detainees to exercise the right of punishment over

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another prisoner detainee or group of prisoners detainees shall be prohibited.

No prisoner detainee may be deprived of the use of materials necessary to maintain an acceptable level of personal hygiene. Items such as toilet paper and soap and water must be made available and provided upon request.

Subp. 4. **Instruments of restraint.** Instruments of restraint, ~~such as handcuffs, chains, irons, and straitjackets~~ must not be used as punishment.

A. Instruments of restraint must not be used except in the following circumstances:

[For text of subitems (1) and (2), see M.R.]

(3) by order of the facility administrator or person in charge in order to prevent a prisoner detainee from injuring himself or herself, others, or from damaging property.

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

C. ~~Instruments of restraint must not be applied for any longer time than is strictly necessary~~ When reasons for restraint under item A no longer exist, the restraints must be removed.

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

Subp. 5. [See repealer.]

## 2945.2520 PRISONER DETAINEE VISITATION.

Subpart 1. **Initial visits for juveniles (mandatory).** The initial visit for parents, guardians, and attorneys must be permitted at any time. Visits by parents, guardians, and attorneys with juvenile detainees must be as unrestricted as administratively possible.

Subp. 2. **Visiting plan.** Each facility administrator shall develop and implement a prisoner detainee visiting policy. The policy shall be in writing and shall provide at a minimum:

A. that prisoners detainees be allowed nonmonitored visits with the prisoner's detainee's attorney; and

B. ~~A schedule that specifies days and times for visits (not applicable to Class III and IV municipal holding facilities.)~~

C. ~~A uniform number of permissible visits and the number of visitors permitted per visit (not applicable to Class III and IV municipal holding facilities):~~

D. ~~For adult prisoners, an initial visit with a member or members of their immediate family at the next regularly scheduled visiting period (not applicable to Class III and IV municipal holding facilities):~~

E. ~~B. that when a visit to a prisoner detainee is denied on the belief that the visit might endanger the security of the facility, the action and reasons for denial be documented.~~

F. ~~That visitors must register, giving name, address, relationship to prisoner, and nature of business:~~

G. ~~That visiting must not be audio-monitored:~~

H. ~~That visits by parents, guardians, and attorneys with juvenile prisoners be as unrestricted as is administratively possible:~~

I. ~~That prisoners be allowed private meetings for family problems with clergy, nuns, seminarians, and laypersons active in community church affairs, who provide appropriate credentials, to the extent that such visits do not compromise the facility's security (not applicable to Class IV):~~

## 2945.2530 CORRESPONDENCE.

Subpart 1. [Renumbered subp 5a]

Subp. 1a. **Exclusion.** Class III municipal lockup facilities are excluded from the requirements of subparts 2 to 6.

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Subp. 2. **Unrestricted volume of mail.** The volume of written mail to or from a prisoner detainee must not be restricted (~~not applicable to Class III and Class IV municipal holding facilities~~).

Subp. 3. **Inspection and censorship (mandatory).** Mail must not be read or censored if it is between a prisoner detainee and an elected official, officials of the department, ~~the ombudsman for corrections~~; attorneys, or other officers of the court. Inspection of incoming mail from this group is permitted in the presence of the prisoner detainee. ~~This subpart is not applicable to Class III and Class IV municipal holding facilities.~~

Subp. 4. **Money.** Cash, checks, or money orders should be removed from incoming mail and credited to a prisoner's account (~~not applicable to Class III and Class IV municipal holding facilities~~) put in the detainee's personal property.

Subp. 5. **Contraband.** If contraband is discovered in either incoming or outgoing mail, it must be removed (~~not applicable to Class III and Class IV municipal holding facilities~~).

Subp. 5a. **Plan for prisoner detainee mail.** A facility administrator shall develop a plan for prisoner detainee mail consistent with established legal rights of prisoners detainees and facility rules which are reasonable and necessary to protect the facility's security (~~not applicable to Class III and Class IV municipal holding facilities~~).

Subp. 6. **Sacred books (mandatory).** Upon request, a prisoner detainee must be provided a copy of the Bible or sacred book of another religion at the expense of the appointing authority when available. These books may be made available to detainees by the facility through the local library or other community resources and limited to the detainee's period of confinement.

## 2945.2540 BEDDING, LAUNDRY, AND CLOTHING REMOVAL.

Subpart 1. **Bedding.** Upon request, or after eight hours, each prisoner shall be issued. After confinement of eight hours, a detainee shall be offered one set of clean, sanitary, and fire-retardant bedding (~~not applicable to Class IV municipal facilities~~).

Subp. 2. **Laundry (mandatory).** Mattresses and pillows must be sanitized between each detainee. Sheets must be laundered and blankets cleaned before reissuing them to another prisoner detainee.

Subp. 3. **Removing clothing and bedding.** The facility administrator shall develop a policy and procedure for dealing with incidents in which prisoners detainees misuse clothing or bedding. Clothing and bedding should be removed from a prisoner detainee only when the prisoner's detainee's behavior threatens the health, safety, or security of self, others, or property. The decision to deprive a detainee of articles of clothing and bedding as a result of the detainee's destruction of those items must be reviewed by the officer in charge during each eight-hour period, and the review must be documented. Clothing and bedding must be returned to the prisoner detainee as soon as it is reasonable to believe that the behavior that caused the action will not continue.

## 2945.2550 EMERGENCIES AND SPECIAL OCCURRENCES INCIDENTS.

Subpart 1. **Emergency plan (mandatory).** The facility administrator shall develop a written emergency plan. The plan must include:  
[For text of items A to D, see M.R.]

E. a procedure for evacuation of prisoners detainees; and

F. arrangements for temporary confinement of prisoners detainees.

Subp. 2. **Review of emergency procedures policies.** ~~There must be a documented quarterly review of emergency procedures by the person in charge of the facility that includes: The facility administrator or designee must review the emergency policies quarterly. Facilities with detention staff must have detention staff review the emergency policies quarterly.~~

A. ~~assignment of persons to specific tasks in case of emergency situations;~~

B. ~~instructions in the use of alarm systems and signals;~~

C. ~~systems for notification of appropriate persons outside the facility;~~

D. ~~information on the location and use of emergency equipment in the facility; and~~

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E. ~~specification of evacuation routes and procedures.~~

Subp. 3. **Reporting of special incidents.** Incidents ~~or special occurrences~~ which endanger the lives or safety of staff or ~~prisoners detainees~~ or the physical plant of the facility must be reported. Reports must include the names of staff members and ~~prisoners detainees~~ involved, the nature of the special ~~occurrence incident~~, actions taken, and the date and time of the ~~occurrence incident~~. Special ~~occurrences incidents~~ include, ~~but are not limited to for example:~~

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

F. ~~escape or runaway;~~

G. ~~fire causing serious damage or resulting in medical treatment for staff or detainees;~~

[For text of items H and I, see M.R.]

J. ~~other serious disturbances; or~~

K. ~~occurrences of infectious diseases and disposition of the occurrences; or~~

L. ~~sexual misconduct.~~

~~Special occurrences~~ An incident must be reported ~~on forms provided by the department or comparable forms used by the facility to the department within ten days of the date of the incident in a format established by the department.~~

In the event of an emergency such as serious illness, accident, imminent death, or death, the ~~prisoner's detainee's~~ family or others who maintain a close relationship must be notified.

Subp. 4. **Prisoner Detainee death (mandatory).** When a ~~prisoner's detainee's~~ death occurs:

A. the date, time, and circumstances of the ~~prisoner's detainee's~~ death must be recorded in the ~~prisoner's detainee's~~ record;

B. if the ~~prisoner detainee~~ dies in the facility, the ~~coroner~~; medical examiner; or sheriff must be notified immediately;

C. personal belongings must be handled in a responsible and legal manner; ~~and~~

D. records of a deceased ~~prisoner detainee~~ must be retained for a period of time in accordance with law; ~~and~~.

~~E. the facility administrator shall observe all pertinent laws and allow appropriate investigating authorities full access to all facts surrounding the death.~~

Subp. 5. **Mass arrest.** A facility shall have a written plan that governs procedures to be followed in the event of a mass arrest that exceeds the approved capacity of the facility.

## 2945.3410 FREQUENCY OF MEALS.

There must be no more than 14 hours between a ~~substantial an~~ evening meal and breakfast. ~~Where prisoners are not routinely absent from the facility for work or other purposes;~~ At least three meals must be made available at regular times during each 24-hour period (~~not applicable to Class IV municipal holding facilities~~).

## 2945.3420 THERAPEUTIC DIETS (MANDATORY).

A facility housing ~~prisoners detainees~~ in need of medically prescribed therapeutic diets must document that the diets are provided as ordered by the attending physician (~~not applicable to Class IV municipal holding facilities~~).

## 2945.3430 USE OF FOOD IN DISCIPLINE (MANDATORY).

Food must not be withheld as punishment (~~not applicable to Class IV municipal holding facilities~~).

## 2945.3450 HOT MEAL MINIMUM.

A minimum of one hot meal must be provided for each 24 hours of confinement (~~not applicable to Class III and Class IV municipal~~

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holding facilities). Class III municipal lockup facilities are excluded from the requirement of this part.

## 2945.4700 SECURITY POLICIES AND PROCEDURES, GENERAL.

Subpart 1. **Security policies and procedures** (~~mandatory~~). Each facility must have and adhere to written security policies and procedures which provide for at a minimum the following:

A. the control and recovery of contraband;

B. the prohibition on firearms in prisoner detainee areas; and

C. that all prisoners detainees are personally observed by an employee at least every 30 minutes, but on an irregular schedule; more frequent observation is required for those prisoners detainees who are ~~violent, suicidal, mentally disordered, or who demonstrate unusual or bizarre behavior~~ special management or special needs detainees.

Subp. 2. [See repealer.]

## 2945.4710 ADMISSIONS.

Subpart 1. **Admission policies**. Admission policies and procedures must ~~include~~ address the following:

A. a thorough search of all ~~admissions and prisoners on release status returning to the facility detainees~~;

B. showering and delousing ~~facilities (except that Class III and IV municipal holding lockup facilities must have some type of facilities for prisoners detainees to wash up if showers are not available);~~

C. an assessment of health status;

D. ~~security classification (not applicable to Class III and IV municipal holding facilities)~~ such as special management;

E. inventory and secure storage of prisoner's detainee's property;

[For text of items F and G, see M.R.]

Subp. 2. **Identification** (~~mandatory~~). No prisoners detainees may be received or released by the staff of a facility until the arresting or escorting officer has produced proper credentials or until the proper documents have been completed, identifying the purpose for detention or release.

Subp. 3. **Privacy**. All intake procedures must be conducted in a manner and location that assures the personal privacy of the prisoner detainee and the confidentiality of the transaction.

## 2945.4720 RELEASES.

Subpart 1. **Return of prisoner detainee property**. Upon release of a prisoner detainee, the property of that prisoner detainee, unless held for authorized investigation or litigation, must be returned with a receipt for the prisoner detainee to sign or for the transporting officer to sign.

Subp. 2. **Transportation**. Prisoners Detainees must be permitted to make arrangements for transportation before release.

Subp. 3. **No release in intemperate severe weather**. No prisoner detainee may be released in intemperate severe weather ~~without proper clothing to ensure in a manner to endanger the prisoner's detainee's health and comfort, safety, or well-being.~~

## 2945.4730 SEARCHES AND SHAKEDOWNS.

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

Subp. 2. **Regular inspection of facility**. The facility must be ~~regularly~~ inspected weekly for contraband, evidence of breaches in security, and inoperable security equipment. Facility inspections must be documented.

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

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## 2945.4740 LOCKS AND KEYS.

Subpart 1. **General (mandatory).** All keys to security locks must be properly tagged and stored in a secure cabinet within a secure area, and out of reach of the prisoners detainees or the public. At least one complete set of facility keys must be kept on hand for replacement purposes. Keys that serve a critical security purpose must be easily identifiable and never issued to facility staff except upon order of the facility administrator or person in charge, and in accordance with established procedure. No security keys may be made available to prisoners detainees regardless of status. All electronic locking systems must have a manual override. A set of keys must be available outside the secure perimeter in case of an emergency.

Subp. 2. **Regular inspection.** Locks to security doors or gates must be inspected regularly weekly by facility staff to ensure efficient operation. Inspections of locks must be documented.

Subp. 3. **Inoperable locks (mandatory).** No lock to a security door or gate may be permitted to be inoperable or left in an unsuitable condition. No prisoner detainee shall be placed in a cell or area that has inoperable locks.

## 2945.4750 DANGEROUS MATERIALS (MANDATORY).

Materials dangerous to either security or safety shall be properly secured and labeled and have a material safety data sheet.

## 2945.5400 AVAILABILITY OF MEDICAL AND DENTAL RESOURCES (MANDATORY).

Subpart 1. **Availability of resources.** Each facility must have a licensed physician or medical resource such as a hospital or clinic designated for the medical supervision and treatment of prisoners detainees. Resources must insure service 24 hours a day.

Subp. 2. **Emergency dental care.** Each facility must have emergency dental care available to prisoners detainees.

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

Subp. 4. **Examination of ~~prisoner where detainee when~~ medical attention is necessary.** A prisoner detainee must be examined by trained medical personnel if the prisoner detainee is visibly ill, chronically ill, or when it is suspected that medical attention is necessary.

## 2945.5420 HOSPITALIZATION OF A PRISONER DETAINEE.

Subpart 1. **~~Agreement between facility and hospital Policy.~~** Each facility must have an agreement with a hospital in the same or nearby community permitting a policy for admission of a prisoner detainee to a hospital on the recommendation of the attending physician.

Subp. 2. **Guarding of prisoner detainee.** When a prisoner detainee requires hospitalization, the prisoner detainee must be guarded 24 hours a day unless the prisoner detainee is not in need of supervision or the prisoner detainee is medically incapacitated in the opinion of the attending physician.

## 2945.5430 FIRST AID.

Subpart 1. **~~First aid and CPR training of personnel (mandatory).~~** Custody personnel responsible for the supervision, safety, and well-being of prisoners must be trained in emergency first aid. A facility must have a training program to provide instruction on the administration of first aid and cardiopulmonary resuscitation (CPR). All staff must be trained in first aid and CPR at least once every two years.

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

Subp. 4. **Medical or dental records (mandatory).** Records must be maintained on prisoners under medical or dental care. The records must If a detainee receives medical or dental care while in custody, records must be maintained and include at a minimum:

A. the limitations and disabilities of the prisoner detainee;

B. instructions for prisoner detainee care;

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

F. times and dates when the prisoner detainee was seen by medical personnel and the names of the personnel.

Subp. 5. **Data practices.** The medical record file must be maintained according to the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13.

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# Proposed Rules

## 2945.5440 PREVENTIVE HEALTH SERVICES.

Subpart 1. **Written plan for personal hygiene.** The facility administrator shall develop and implement a written plan for personal hygiene practices of all prisoners detainees with special assistance for those prisoners detainees who are unable to care for themselves (~~not applicable for Class III and Class IV municipal holding facilities~~).

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

Subp. 3. **Bathing.** A prisoner detainee must be permitted daily washing (~~not applicable to Class IV municipal holding facilities~~). Upon request, detainees shall receive personal hygiene items including, at a minimum, soap, toothbrush, toothpaste, and, if appropriate, feminine hygiene items.

Subp. 4. [See repealer.]

## 2945.5450 DELIVERY, SUPERVISION, AND CONTROL OF MEDICINE MEDICATION.

Subpart 1. ~~Legend drugs (mandatory)~~ **Prescription medication.** Facility policy shall prohibit stock supplies of ~~legend drugs~~ prescription medications.

Subp. 2. **Delivery by unlicensed staff.** The delivery of ~~legend drugs~~ prescription medications by unlicensed staff must be under the direction of a ~~consulting~~ physician.

Subp. 3. **Policy for storage, delivery, and control of medicine medication.** A facility administrator, ~~in consultation with a licensed physician or physician trained paramedic~~, shall develop procedures for the secure storage of medicine medication. The policy must include at a minimum the following storage requirements:

A. medicine medication be stored in a locked area;

B. the storage area be kept locked at all times;

C. medicine medication requiring refrigeration be refrigerated and secured;

D. prisoners detainees not be permitted in the medicine medication storage area;

E. only staff authorized to deliver medicine medication may have access to keys for the medicine medication storage area;

F. prescribed medicine medication be kept in its original container, bearing the original label; and

G. poisons and medicine medication intended for external use be clearly marked and stored separately from medicine medication intended for internal use.

Subp. 4. **Procedures for delivery of medicine medication.**

A. Each facility must adopt procedures for the delivery of medicine medication.

~~A~~ B. The procedures must include the following (~~mandatory~~):

(1) requirements that medicine medication administered by injection must be administered by a physician, registered nurse, or licensed practical nurse. Diabetics under physician order and direct staff supervision must be permitted to self-administer insulin;

(2) requirements that no prisoner detainee while receiving ~~legend drugs~~ prescription medication may receive any ~~nonlegend drug~~ nonprescription medication without the approval of the attending physician;

(3) procedures for reporting to the physician any adverse reactions to drugs. Any reports shall be included in the prisoner's detainee's file;

(4) procedures for reporting the attending physician a prisoner's detainee's refusal of ~~prescribed medicine~~ prescription medication, and an explanation made in the prisoner's detainee's record;

# Proposed Rules

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(5) procedures for ensuring that no prisoner detainee is deprived of medicine medication as prescribed because of penalty or staff retaliation;

(6) procedures that prohibit the delivery of medicine medication by prisoners; detainees; and

(7) ~~Procedures requiring that a physician be contacted for instructions before the next prescribed medicine dosage time for all newly admitted prisoners who are either in possession of prescribed medicine or indicate a need for prescribed medicine. procedures for verifying prescription medication before administering the medication.~~

B.C. Procedures must also include at a minimum the following:

(1) medicine medication delivered to a prisoner detainee is to be self-administered under staff supervision;

(2) there is to be a means for the positive identification of the recipient of medicine medication;

(3) procedures and records to assure that medicine medication is delivered in accordance with physician instructions, and by whom; and

(4) procedures for confirming that medicine medication delivered for oral ingestion has been ingested.

Subp. 5. **Records of receipt; disposition of ~~drugs medication~~.** Records of receipt, the quantity of the drugs medication, and the disposition of ~~legend drugs prescription medication~~ must be maintained in sufficient detail to enable an accurate accounting.

Subp. 6. **Medicine Medication given to prisoner detainee upon release.** Prescription medicine medication belonging to a prisoner detainee must be given to the prisoner detainee or to the appropriate authority upon transfer or release and shall be recorded in the prisoner's detainee's file.

Subp. 7. **Destruction of ~~unused prescribed medicine medication~~.** ~~Unused prescribed medicine should be destroyed by incineration or by flushing into the sewer system. The destruction of medication on expiration dates or when retention is no longer necessary or suitable must be consistent with requirements of the Pollution Control Agency. A notation of the destruction must be made in the prisoner's detainee's record and a statement of what was destroyed, who destroyed it, and how it was destroyed.~~

## **2945.5455 TUBERCULOSIS SCREENING.**

Employees of municipal lockup facilities shall be screened for tuberculosis according to Minnesota Statutes, section 144.445. The facilities shall follow Department of Health requirements for tuberculosis screening of employees.

## **2945.5460 REPORTING SUSPECTED COMMUNICABLE DISEASE (MANDATORY).**

It is the responsibility of the facility administrator or person in charge in consultation with the attending physician to report to the Minnesota Department of Health any known or suspected communicable disease.

## **2945.5470 SEPARATION OF PRISONERS DETAINEES SUSPECTED OF HAVING A COMMUNICABLE DISEASE (MANDATORY).**

Prisoners Detainees suspected of having a communicable disease must be separated from other prisoners detainees.

## **2945.5480 MENTALLY ILL PRISONERS SPECIAL NEEDS DETAINEES.**

A policy must be developed for the management of mentally ill prisoners special needs detainees and include a procedure for managing prisoners detainees who are suspected of being mentally ill and having special needs or are considered to be a danger to self or others.

## **2945.5490 HOUSEKEEPING, SANITATION, AND PLANT MAINTENANCE.**

Subpart 1. **General.** The facility must be kept in good repair to protect the health, comfort, safety, and well-being of prisoners detainees and staff.

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

Subp. 3. **Compliance with rules (mandatory).** Housekeeping, sanitation, water supplies, plumbing, sewage disposal, solid waste

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## Proposed Rules

disposal, and plant maintenance conditions must comply with rules required by the ~~Minnesota~~ State Building Code, the ~~Minnesota~~ State Fire Marshal's Office, the ~~Minnesota Department of Health~~, the ~~Minnesota~~ Department of Labor and Industry (O.S.H.A. rules), and other departmental rules having the force of law.

[For text of subps 4 and 5, see M.R.]

Subp. 6. **Reporting of unsanitary and unsafe conditions (mandatory).** Facility staff must report to the facility administrator any unsanitary and unsafe conditions as well as physical plant and equipment repairs or replacement needs.

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

Subp. 9. **Elimination of conditions conducive to vermin (mandatory).** A condition in the facility conducive to harborage or breeding of insects, rodents, or other vermin must be eliminated immediately.

Subp. 10. **Fire inspection (mandatory).** Fire inspections of the facility must be conducted on an annual basis by a state fire marshal or local fire official. Documentation of the inspection and any resulting orders must be maintained and available for inspection by the regulatory authority. Failure to comply with fire safety requirements ~~will~~ shall result in a denial of approval to continue facility operations.

**REPEALER.** Minnesota Rules, parts 2945.0100, subparts 2, 16, 18, 22, 25, 26, 28, 29, 30, 35, and 36; 2945.0110; 2945.0500; 2945.1000, subpart 2; 2945.2110; 2945.2120; 2945.2510, subpart 5; 2945.3400; 2945.3440; 2945.4700, subpart 2; 2945.4760; 2945.5410; and 2945.5440, subpart 4, are repealed.

# 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.

## Minnesota Department of Human Services (DHS) Transition to Economic Stability MFIP Transitional Standard with Supplemental Nutrition Assistance Program (SNAP) Cost of Living (COLA) Adjustment for October 1, 2014

*Minnesota Statute* 256J.24, Subd. 5a requires the Commissioner of Human Services to adjust the food portion of the Minnesota Family Investment Program (MFIP) transitional standards on October 1 of each year to reflect the COLA to the Supplemental Nutrition Assistance Program (SNAP). The statute also requires the Commissioner to annually publish the adjusted transitional standards for assistance unit sizes one to ten. The transitional standard consists of a cash and food portion. The MFIP transitional standards and cash and food portions effective October 1, 2014 are listed below.

Family Size	1	2	3	4	5	6	7	8	9	10	Over 10
Transitional Standard	\$422	\$754	\$991	\$1,207	\$1,391	\$1,595	\$1,739	\$1,922	\$2,104	\$2,279	\$174
Cash Portion	\$250	\$437	\$532	\$621	\$697	\$773	\$850	\$916	\$980	\$1,035	\$53
Food Portion	\$172	\$317	\$459	\$586	\$694	\$822	\$889	\$1,006	\$1,124	\$1,244	\$121

## Minnesota Pollution Control Agency (MPCA) Watershed Division Re-Notice of Availability of the Draft Sauk River Chain of Lakes Site-Specific Standards and Request for Comment

Public Comment Period Begins: 9/8/2014  
Public Comment Period Ends: 10/8/2014, 4:30 PM

The Minnesota Pollution Control Agency (MPCA) is requesting comments on proposed site-specific water quality standards for Sauk River Chain of Lakes in Stearns County. This re-notice is identical to the July 28, 2014 notice, with the exception of the addition of Bolfling Lake to the tables. The technical document supporting the site-specific standards was also edited to include Bolfling on Table 2 (page 18). That document is available for review at: <http://www.pca.state.mn.us/irypa38>.

Note that comments received during the July 28 – August 27 public comment period will still be considered. Comments received during the September 8 – October 9 comment period may pertain to any part of this notice and the site-specific standard technical document, not just the amended portions.

### Background

The MPCA designates beneficial uses for all waterbodies and develops water quality standards to protect those uses. One use common to lakes is recreation—the ability to swim and boat on the water. Excess nutrients such as phosphorus can deter recreation by causing algae

to grow which can result in a green and slimy condition. This problem of excess nutrients causing algal growth is called eutrophication. The MPCA has adopted regional eutrophication standards to protect aquatic recreation in lakes and reservoirs. These standards include a phosphorus “cause” variable and two “response” variables, chlorophyll-*a* and Secchi disk, that measure algae growth and water clarity, respectively. A high amount of chlorophyll-*a* in a lake means there is a lot of algae. A higher Secchi disk depth means you can see deeper into the water. Minnesota’s eutrophication standards require numbers for all three of these. The state’s existing regional eutrophication standards can be found in *Minnesota Rule* Chapter <https://www.revisor.leg.state.mn.us/rules/?id=7050.0222>). Occasionally, site-specific data shows that slightly different standards are appropriate to protect swimming and boating uses in a particular lake. In these cases the MPCA can modify existing standards with a site-specific standard approved by the U.S. Environmental Protection Agency (EPA). Such a modification requires public notice and comment.

## The Sauk River Chain of Lakes

The Sauk River Chain of Lakes is comprised of thirteen waterbodies and drains an area almost 595,000 acres in central Minnesota. MPCA staff are in the process of completing a study of the impacts of phosphorus on the Sauk River Chain of Lakes. As part of this process, staff found that data available for some these lakes suggest that a modification to the regional lake eutrophication standards is appropriate to protect swimming and boating uses. Staff therefore developed draft site-specific eutrophication standards for ten of the thirteen lakes in the chain. These proposed site-specific water quality standards are the subject of this public notice and comment period.

For the purpose of the study and the proposed site-specific water quality standards, these lakes are divided into two categories based upon mainly their hydrology (the ways in which water moves through them) and their morphology (their shape). Flowage lakes like those in the Sauk River Chain of Lakes are generally shallow, with a lot of places for rooted plants to grow (called the littoral area or zone). Flowage lakes also have a short residence time in which water moves through them faster. Non-flowage lakes, in contrast, are generally bigger and deeper than the flowage lakes, and the water in them remains there for longer periods of time. The table below outlines some of the important characteristics of the Sauk River Chain of Lakes subject to this site-specific standard development effort.

Waterbody Name	Hydrology Category	Acreage	Mean depth (ft)	Percent Littoral Area	Residence Time (days)
Horseshoe North	Flowage	62.8	5.2	64%	0.4
East	Flowage	269.8	2.6	100%	1.9
Koetter	Flowage	129.1	3.6	94%	0.9
Zumwalde	Flowage	120.6	6.2	98%	0.8
Great Northern	Flowage	186.8	6.2	99%	1.2
Krays	Flowage	90.3	6.9	96%	0.6
Knaus/Park	Flowage	211.1	6.6	99%	1.4
Bolfing	Non-Flowage	106.3	13.1	63%	821.0
Horseshoe West	Non-Flowage	251.0	19.4	15%	4937.9
Horseshoe South	Non-Flowage	313.8	11.5	9%	84.7
Cedar	Non-Flowage	505.0	14.1	21%	704.3

## Proposed Site-Specific Standards

The site-specific water quality standards shown in the table below reflect the difference between the proposed standards for flowage lakes and those for non-flowage lakes. This proposal calls for these in-lake total phosphorus, chlorophyll-*a* and Secchi standards to be used

# Official Notices

for these specific lakes.

## Site-Specific Standard Basis and Rationale

The Clean Water Act, federal regulations, Minnesota’s State Water Pollution Control Act and Minnesota’s water quality rules establish opportunities to use site-specific approaches. Site-specific options allow the MPCA to consider data on local lake characteristics to apply more precise numeric standards to protect the beneficial uses of an individual lake.

*Minnesota Rule* Chapter 7050 provides water quality standards for waterbodies as well as the legal basis for consideration and adoption of site-specific water quality standards. The MPCA considered many factors in the development of these site-specific standards. Some of the most important factors were:

- The Sauk River Chain of Lakes is a reservoir system. Given the unique characteristics of this reservoir system, it is appropriate to propose and use site-specific eutrophication standards to protect swimming and boating uses (i.e. aquatic recreation beneficial uses).
- The flowage lakes are very shallow and combined with a large watershed to lake surface area (555:1) water residence times are very low.
- The non-flowage lakes are influenced by their connection to the flowage lakes and were adjusted accordingly to utilize appropriate standards.
- The site-specific standards focus on reduction in the frequency and intensity of algal blooms so that aquatic recreational uses are protected for the majority of the summer.

Waterbody Name	Hydrology	Proposed Site-Specific Water Quality Standards		
		Total Phosphorus (µg/l)	Chlorophyll-a (µg/l)	Secchi Disk Depth (M)
Horseshoe North	Flowage	90	45	0.8
East	Flowage	90	45	0.8
Koetter	Flowage	90	45	0.8
Zumwalde	Flowage	90	45	0.8
Great Northern	Flowage	90	45	0.8
Krays	Flowage	90	45	0.8
Knaus/Park	Flowage	90	45	0.8
Bolfing	Non-Flowage	55	32	1.4*
Horseshoe West	Non-Flowage	55	32	1.4*
Horseshoe South	Non-Flowage	55	32	1.4*
Cedar	Non-Flowage	55	32	1.4*

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## Official Notices

For further detail and explanation regarding this proposal, see the supporting technical document entitled “Sauk River Chain of Lakes Proposed Site-Specific Standards” at: <http://www.pca.state.mn.us/irypa38>. This document is also available at the MPCA office at the address listed below.

### **Preliminary Determination on the Draft Site-Specific Standard**

The MPCA Commissioner has made a preliminary determination to submit these site-specific standards to the EPA for final approval. Comments to the proposed site-specific eutrophication standards will be considered before being sent to the EPA for approval.

### **Written Comments**

You may submit written comments on the proposed site-specific eutrophication standards for the Sauk River Chain of Lakes or on the Commissioner’s preliminary determination. Written comments must include:

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

Written comments on the proposed site-specific standards must be postmarked or received by the MPCA contact person listed below by 4:30 PM on 10/8/2014.

In addition to submitting comments, a request may be made for a public information meeting or for the proposed site-specific standards to come before the MPCA Citizens’ Board as an informational item. Information on these events and how to request them follows.

### **Public Information Meeting**

A public information meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA and to help clarify and resolve issues. You can request a public meeting but such a request must include:

1. A statement identifying the matter of concern;
2. A statement of the reasons the MPCA should hold a public meeting; and
3. The issues that you would like the MPCA to address at the public meeting.

### **Request for a MPCA Citizens’ Board Information Item**

The MPCA Citizens’ Board considers and makes decisions on varied and complex pollution problems that affect areas of the state. You can request that the proposed site-specific standards be presented as an informational item at a MPCA Citizens’ Board. Such a request must include:

1. A statement identifying the matter of concern;
2. A statement of the reasons the MPCA should hold a Citizens’ Board informational item; and
3. The issues that you would like the MPCA to address at the Citizens’ Board informational item.

The need for a public meeting or a MPCA Citizens’ Board informational item will be considered by the Commissioner. The requesting party will receive written notification of the Commissioner’s decision.

### **Agency Contact Person**

Written comments and requests for more information should be directed to:

Greg Van Eeckhout  
Minnesota Pollution Control Agency  
Watershed Division - Watershed Section  
7678 College Rd Suite 105  
Baxter, MN 56425

**Phone:** (218) 316-3896

**Toll free:** 1-800-657-3864

**Fax:** (218) 828-2594

**E-mail:** [greg.vaneekhout@state.mn.us](mailto:greg.vaneekhout@state.mn.us)

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

# Official Notices

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## Teachers Retirement Association (TRA) Notice of Board of Trustees Meeting 17 September 2014

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Wednesday, September 17, 2014 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.

## Minnesota Department of Transportation (Mn/DOT) Notice to Bidders: Suspensions/Debarments as of July 28, 2014

### NOTICE OF SUSPENSION

**NOTICE IS HEREBY GIVEN** that MnDOT has ordered that the following vendors be suspended effective July 8, 2014:

- Marlin Dahl, Granada, MN
- Dahl Trucking, Elmore, MN
- Elmore Truck and Trailer, Inc., Elmore, MN

**NOTICE IS HEREBY GIVEN** that MnDOT has ordered that the following vendors be suspended effective July 16, 2014:

- Jeffrey Plzak, Loretto, MN
- Laurie Plzak, Loretto, MN
- Honda Electric Incorporated, Loretto, MN
- Honda Electric Logistics, Loretto, MN

### NOTICE OF DEBARMENT

**NOTICE IS HEREBY GIVEN** that MnDOT has ordered that the following vendors be debarred for a period of three (3) years, effective May 6, 2013 until May 6, 2016:

- Gary Francis Bauerly and his affiliates, Rice, MN
- Gary Bauerly, LLC and its affiliates, Rice, MN
- Watab Hauling Co. and its affiliates, Rice, 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.

SEE ALSO: Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

## Minnesota Department of Transportation (Mn/DOT)

### Office of Transit

#### Notice of Intent to Extend Open Application Period to Fund Public Transit Participation Program (Non-Urbanized Area Formula Program) and Enhanced Mobility of Seniors and Individuals with Disabilities Program

MnDOT is extending the current application process for 2015 funding for of the above mentioned programs until Friday, October 3, 2014. Due to Federal Transit Administration guidance regarding the grant approval process, we agreed to extend the open application period.

Applications are posted on the MnDOT Office of Transit Website at <http://www.dot.state.mn.us/transit/>

#### Notice of Release of State Management Plans for the Non-Urbanized Area Formula Program and Enhanced Mobility of Seniors and Individuals with Disabilities Program

The State Management Plans for both programs are posted on the MnDOT Office of Transit Website at <http://www.dot.state.mn.us/transit/>. MnDOT will be receiving comments on the State Management Plans through September 30<sup>th</sup>, 2014.

Comments on the Non-urbanized Area Formula Program should be directed to:

Sarah Lenz  
395 John Ireland Blvd. Mail Stop 430  
St. Paul, MN 55155  
**Phone:** (651) 366-4177  
**E-mail:** [sb.lenz@state.mn.us](mailto:sb.lenz@state.mn.us)

Comments on the Enhanced Mobility of Seniors and Individuals with Disabilities Program should be directed:

John Groothuis  
395 John Ireland Blvd. Mail Stop 430  
St. Paul, MN 55155  
**Phone:** (651) 366-4187  
**E-mail:** [john.groothuis@state.mn.us](mailto:john.groothuis@state.mn.us)

## State Contracts

In addition to the following listing of state contracts, readers are advised to check the Statewide Integrated Financial Tools (SWIFT) Supplier Portal at: <http://supplier.swift.state.mn.us> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

**Informal Solicitations:** Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be advertised in the Supplier Portal (see link above) or posted on the Department of Administration, Materials Management Division's (MMD) Web site at: <http://www.mmd.admin.state.mn.us/solicitations.htm>.

**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 advertised in the SWIFT Supplier Portal or alternatively, in the *Minnesota State Register* if the procurement is not being conducted in the SWIFT system.

## Minnesota State Department of Administration (Admin) State Designer Selection Board Project No. 14-10) (RECS#44DA0018 Notice of Availability of Request for Proposal (RFP) for Designer Selection for: New Frechette Hall Minnesota State Academy for the Deaf in Faribault Minnesota

The State of Minnesota, Department of Administration is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota Department of Administration's website at <http://mn.gov/admin/government/construction-projects/sdsb/sdsb-projects.jsp> (click 14-10).

A **MANDATORY** informational meeting is scheduled for **Thursday, September 18, 2014 at 10:00 AM CT at the existing Frechette Hall building on Minnesota State Academy for the Deaf campus located at 615 Olof Hanson Drive, Faribault MN 55021-5336.**

Any questions should be directed to Bee Yang at: [bee.yang@state.mn.us](mailto:bee.yang@state.mn.us). Project questions will be taken by this individual only. Questions regarding this RFP must be received by **Monday, September 22, 2014** no later than **4:00 PM** Central Time.

Proposals must be delivered to Talia Landucci Owen, Executive Secretary, State Designer Selection Board, Real Estate and Construction Services, Room 309, Administration Building, 50 Sherburne Ave., St. Paul, MN 55155 (651) 201-2372 not later than **12:00 noon on Monday, September 29, 2014**. Late responses will not be considered.

The Minnesota Department of Administration is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

## Minnesota State Colleges and Universities (MnSCU) Northwest Technical College Notice of Request for Proposals for Customized Training Provider for Computer Numeric Controlled Machining (CNC) and Mechatronics

**NOTICE IS HEREBY GIVEN** that Northwest Technical College will receive sealed proposals for Customized Training Provider for Computer Numeric Controlled Machining (CNC) and Mechatronics. Specifications will be available September 8, 2014, at the following website: [http://www.bemidjistate.edu/offices/procurement\\_logistics/rfps\\_bids/](http://www.bemidjistate.edu/offices/procurement_logistics/rfps_bids/)

Instructions for delivering proposals, as well as all other requirements and contact information, will be contained in the RFP to be posted at the above website.

Sealed proposals must be received by Rebecca Wilkinson, Procurement and Contracts Officer, Bemidji State University & Northwest Technical College, Deputy 204, Box 8, 1500 Birchmont Drive NE, Bemidji, MN 56601, by 2:00 PM, September 25, 2014. Late proposals

will not be considered.

Northwest Technical College reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received. This Request for Proposal does not obligate the College to complete a proposed contract, and the College reserves the right to cancel the solicitation if it is considered to be in its best interest.

## **Minnesota State Colleges and Universities (MnSCU) Board of Trustees Notice of Request for Qualifications (RFQ) for Job Order Contracting Construction Master List of Contractors**

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities (“MnSCU”), requests qualifications of Minnesota registered contractors providing commercial general contracting, plumbing, HVAC, fire suppression, electrical work or low voltage services to assist MnSCU in construction projects as needed for up to a five-year period. Projects will vary in scope and may involve new construction or renovations, which includes, but is not limited to buildings, infrastructure, utilities and site work. One informational webinar will be held for contractors: Wednesday, September 17, 2014 at 1:00 pm, local time. Information on attending the online webinar, the Request for Qualifications (RFQ) and associated documents can be found on line at:

**<http://www.finance.mnscu.edu/facilities/design-construction/index.html>**, click on “Announcements.”

Questions should be addressed in the manner as noted in the RFQ to:

Barry Schaub  
Minnesota State Colleges and Universities  
**Phone:** (651) 201- 1787, or  
**E-mail:** [barry.schaub@so.mnscu.edu](mailto:barry.schaub@so.mnscu.edu)

Proposals must be delivered to:

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

Qualifications must be received NOT later than October 1, 2014, by 12:00 Noon, local time; late responses will not be considered.

MnSCU reserves the right to cancel this solicitation if it is considered to be in MnSCU’s best interest. The RFQ is not a guarantee of work and does not obligate MnSCU to award any contracts. MnSCU reserves the right to discontinue the use or cancel all or any part of this Job Order Contracting Construction Services Program if it is determined to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## **Minnesota State Colleges and Universities (MnSCU) Request for Proposals (RFP) for Minnesota State University Moorhead Banking Services**

Minnesota State University Moorhead is requesting proposals from banking institutions for the University’s business banking services, including merchant card processing. The five year contract begins December 1, 2014.

*Sealed* proposals must be received no later than **2:00 p.m. CT on Monday, September 29, 2014**

# State Contracts

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**Institution:** *Minnesota State University Moorhead*  
**Name:** Karen Lester  
**Title:** Comptroller  
**Address:** 1104 7th Ave South  
Owens Hall 106  
Moorhead, MN 56563

**Information Contact:** Karen Lester, e-mail: [lesterka@mnstate.edu](mailto:lesterka@mnstate.edu) or phone: (218) 477-2062

This request for proposal does not obligate Minnesota State University Moorhead to award a contract or complete the project, and Minnesota State University Moorhead reserves the right to cancel the solicitation if it is considered to be in its best interest.

## **Minnesota State Colleges and Universities (MnSCU) St. Cloud Technical and Community College Notice of Call for Bids for 2014/15 House Project Building Materials, Westwood Parkway, Lot 4 Block 2, 1147 Parwood Loop, St. Cloud**

**NOTICE IS HEREBY GIVEN** that sealed bids will be received by the St. Cloud Technical and Community College, 1540 Northway Drive, St. Cloud, Minnesota, until 2:00 P.M. Central Daylight Time, Tuesday, September 16, 2014, for the purchase of **2014/15 HOUSE PROJECT BUILDING MATERIALS at Westwood Parkway, 1147 Parkwood Loop** according to specifications on file in the Business Office, Room 1-401, St. Cloud Technical and Community College, 1540 Northway Drive, St. Cloud, Minnesota. St. Cloud Technical and Community College reserves the right to reject any or all bids, or portions thereof, or to waive any irregularities or informalities, in bid received.

Bids containing any alteration or erasure will be rejected unless initialed as required by law. Bids made in pencil will be rejected. Bids must be signed and dated.

It is understood that this is NOT a Purchase Order but a request for bid.

Specifications may be obtained at <http://www.sctcc.edu/rfp> or from the St. Cloud Technical and Community College Business Office, Room 1-401, Susan Meyer, 1540 Northway Drive, St. Cloud, MN, phone: (320) 308-5973.

The complete Request for Bid will be available on Tuesday, September 2, 2014 on the website <http://www.sctcc.edu/rfp>.

## **Minnesota Board of Dentistry Notice of Availability of Contract for Computer-Based Professional License Examinations Vendor**

The State intends to contract with a vendor (hereafter referred to as the Contractor) to develop and administer proctored, computer-based examinations to qualified candidates. The State will expect the Contractor to administer examinations at assessment centers operated by the Contractor, or at equally secure centers available for the Contractor's use. The State estimates that the Contractor will administer approximately 860 jurisprudence examinations and 400 licensure examinations per year. If the Contractor intends to partner with another firm to separate the examination development from the administration of the exam, details of that partnership must be clearly outlined in the proposal(s).

The Contractor will charge fees directly to examination candidates. Revenue from the fees will fund all aspects of the Contractor's work, including examination development, examination administration, reporting, operations, and examination maintenance. The Contractor's examination fees will be set by the contract. With respect to additional tasks and services proposed by the Contractor, the State may

choose to pay the Contractor directly, or authorize the Contractor to recover costs through fees.

The contract is expected to run from October 15, 2014 through June 30, 2016, with an option to extend up to one additional year in increments determined by the State. The October 15, 2014 effective date assumes that the Contractor will have the existing computer-based examinations available for candidates by January 1, 2015. The contract will require that by July 1, 2015 the Contractor will have developed sufficient numbers of test items such that pools of questions of satisfaction to the State for the examinations will be integrated into the exam for randomized selection.

**A Request for Proposals will be available by e-mail from this office through September 10, 2014.** The Request for Proposals can be obtained from:

Minnesota Board of Dentistry  
Attn: Sheryl Herrick  
2829 University Ave SE, Suite 450  
Minneapolis, MN 55414  
**Phone:** (612) 548-2123  
**Fax:** (612) 617-2260  
**E-mail:** *Sheryl.Herrick@state.mn.us*

**The RFP will also be posted on the Board's website ([www.dentalboard.state.mn.us](http://www.dentalboard.state.mn.us))** throughout the submission period.

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the postal or e-mail address above no later than 3:30 p.m., Central Time, Monday, September 15, 2014. **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.

## Legislative Branch

### Legislative Coordinating Commission (LCC)

#### Notice of Request for Proposals for Fabrications of Sign Frames for Mississippi River Trail Informational Kiosks

The Legislative Coordinating Commission (LCC) on behalf of the Mississippi River Parkway Commission of Minnesota (MN-MRPC) and Minnesota Department of Transportation (MnDOT) is requesting proposals to enter into a contract for fabrication of sign frames for Mississippi River Trail informational kiosks.

The selected vendor will be responsible for fabricating and painting seven sign frames and shipping them to seven addresses as provided.

For a copy of the full text of the RFP, please go to <http://www.lcc.leg.mn/RFPs.htm> or contact:

Diane Henry-Wangenstein  
Minnesota 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*

All proposals must satisfy the criteria as outlined in the full text of the RFP. **Proposals must be received by Friday, September 26, 2014 at 4:00 p.m. Late applications may not be accepted.** All expenses incurred in responding to this notice shall be borne by the responder.

# State Contracts

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## Minnesota Department of Transportation (Mn/DOT)

### Engineering Services Division

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

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

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

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

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT’s Consultant Services web site, indicated below, to 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

## Minnesota Department of Transportation (Mn/DOT)

### Engineering Services Division

#### Notice Concerning Professional/Technical Contract Opportunities and Taxpayers’ Transportation Accountability Act Notices

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

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

Besides the following listing, readers are advised to check: <http://www.mmd.admin.state.mn.us/solicitations.htm> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>.

### Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for Plumbing Infrastructure Rehabilitation - 2014

MAC Contract No.:

106-2-741

Bids Close At:

2:00 p.m. September 16, 2014

**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 replacement of piping, valves, lift pumps and other miscellaneous plumbing upgrades.

**Targeted Group Businesses (TGB):** The goal of the MAC for the utilization of TGB on this project is 3%.

**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 of Michaud Cooley Erickson; at the Minnesota Builders Exchange; McGraw-Hill Construction; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Park, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to: Michaud Cooley Erickson. 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 September 2, 2014, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

## Minnesota's Bookstore

660 Olive Street (Williams Hill Business Development), St. Paul, MN 55155

(1 block east of I-35E Bridge, 1 block north of University Ave.) **FREE PARKING**

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

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

Order Online at: [www.minnesotasbookstore.com](http://www.minnesotasbookstore.com)



**Several convenient ways to order:**

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

**PREPAYMENT REQUIRED. Prices and availability subject to change.**

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

Stock No.	Title	Quantity	Unit Price	Total

Send my order to:

Company \_\_\_\_\_

Name \_\_\_\_\_

Street Address (Not deliverable to P.O. boxes) \_\_\_\_\_

City ( ) State Zip

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

Credit card number: \_\_\_\_\_

Expiration date: \_\_\_\_\_ Signature: \_\_\_\_\_

**Shipping Charges**

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

Product Subtotal \_\_\_\_\_

Shipping \_\_\_\_\_

Subtotal \_\_\_\_\_

Sales tax \_\_\_\_\_

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

**TOTAL** \_\_\_\_\_

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