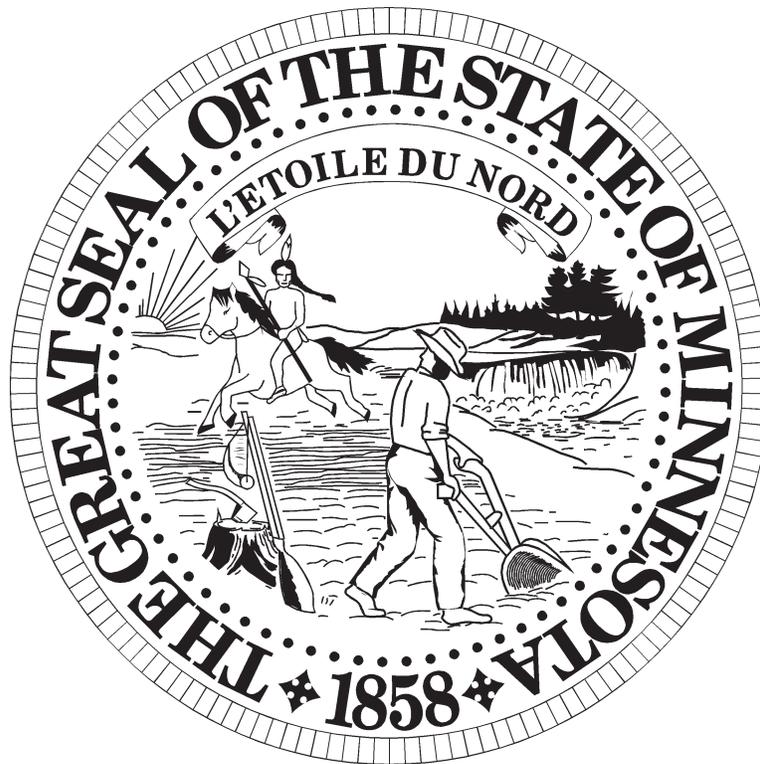


Minnesota State Register

(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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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**

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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- Withdrawn Rules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 (BOLDFACE 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)
Vol. 40 #1	Monday 6 July	Noon Tuesday 30 June	Noon Thursday 25 June
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Contract information is available from the Materials Management (MMD)

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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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Expedited Rules

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

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

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

Minnesota Department of Health (MDH) Adopted Expedited Permanent Rules Pertaining to Medical Cannabis Patient Registry and Health Care Practitioners Duties

The rules proposed and published at *State Register*, Volume 39, Number 24, pages 811-821, December 15, 2014 (39 SR 811), are adopted with the following modifications:

4770.4002 DEFINITIONS.

Subp. ~~17~~. **Public place.** "Public place" has the meaning given in *Minnesota Statutes*, section 144.413, subdivision 2.

Subp. ~~18~~ 17. **Qualifying medical condition.** "Qualifying medical condition" has the meaning given in *Minnesota Statutes*, section 152.22, subdivision 14.

Subp. ~~19~~ 18. **Qualifying patient.** "Qualifying patient" means a resident of Minnesota who has been diagnosed by a health care practitioner as having a qualifying medical condition.

Subp. ~~20~~ 19. **Registered.** "Registered" means licensed, permitted, or otherwise certified by the commissioner.

Subp. ~~21~~ 20. **Registered designated caregiver.** "Registered designated caregiver" has the meaning given in *Minnesota Statutes*, section 152.22, subdivision 11.

Subp. ~~22~~ 21. **Registry program.** "Registry program" has the meaning given in *Minnesota Statutes*, section 152.22, subdivision 12.

Subp. ~~23~~ 22. **Registry verification.** "Registry verification" has the meaning given in *Minnesota Statutes*, section 152.22, subdivision 13.

Subp. ~~24~~. **School.** "School" has the meaning given in *Minnesota Rules*, part 4770.0600.

Subp. ~~25~~ 23. **Telemedicine.** "Telemedicine" means the practice of medicine as defined in *Minnesota Statutes*, section 147.081, subdivision 3, when the health care practitioner is not in the physical presence of the patient.

Subp. ~~26~~ 24. **Therapeutic use.** "Therapeutic use" means the acquisition, possession, preparation, use, delivery, transfer, or transportation of medical cannabis or paraphernalia relating to the administration of medical cannabis to treat or alleviate a qualifying patient's qualifying medical condition or symptoms or results of treatment associated with the qualifying patient's qualifying medical condition.

Subp. ~~27~~ 25. **Transport.** "Transport" means the movement of medical cannabis products from a manufacturer's distribution site to the residence of a registered qualified patient, or as otherwise provided by law.

Subp. ~~28~~ 26. **Written certification.** "Written certification" means a document signed by a health care practitioner, with whom the

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patient has established a patient-provider relationship, which states that the patient has a qualifying medical condition and identifies that condition and any other relevant information required by *Minnesota Statutes*, section 152.28, subdivision 1.

4770.4003 PROCESS FOR ADDING A QUALIFYING MEDICAL CONDITION.

Subp. 6. **Requests for adding a delivery method.** Any person may request that the commissioner add a delivery method not listed in *Minnesota Statutes*, section 152.22, subdivision 6, to the list by applying on a form provided by the commissioner beginning ~~July~~ June 1, 2016.

4770.4005 REGISTRY ENROLLMENT APPLICATION FOR QUALIFYING PATIENTS.

Subpart 1. **Patient application.**

B. A patient must provide proof of the patient's Minnesota residency. If the patient is a minor, the patient's parent or legal guardian must provide proof of the parent or legal guardian's Minnesota residency. Proof of Minnesota residency can be established with:

(1) a copy of a Minnesota driver's license, learner's permit, or identification card; ~~or~~

(2) a copy of a state, federal, or tribal government-issued photo identification card; ~~or~~ and at least one form of

(3) other documentation that contains the name and current address of the patient, or the patient's parent or legal guardian and indicates Minnesota residency, such as:

4770.4009 REVOCATION OR SUSPENSION OF A QUALIFYING PATIENT OR DESIGNATED CAREGIVER REGISTRATION.

Subp. 2. **Suspension of qualifying patient enrollment.** The commissioner must suspend the registration of a qualifying patient under the following circumstances.

C. If the qualifying patient, together with the qualifying patient's designated caregiver where applicable, obtains more than a 30-day supply of medical cannabis within a ~~30-day~~ 23-day period and the commissioner has reason to believe the patient is abusing or diverting medical cannabis, the patient's registration must be suspended until the commissioner makes an eligibility determination.

Subp. 3. **Designated caregivers.** The commissioner must revoke the registration of a designated caregiver under the following circumstances:

~~A. the qualifying patient registers a different person to serve as the designated caregiver;~~

~~B. A. the designated caregiver has a disqualifying felony offense conviction as defined in Minnesota Statutes, section 152.22, subdivision 3; and~~ or

~~C. B. the designated caregiver, together with the designated caregiver's patient, obtains more than a 30-day supply of medical cannabis within a 30-day 23-day period and the commissioner has reason to believe the designated caregiver is abusing or diverting medical cannabis.~~

4770.4011 MEDICAL CANNABIS DISTRIBUTION.

Subp. 4. **Purchasing limits.** A registered qualifying patient, registered designated caregiver, or a patient's registered parent or registered legal guardian may purchase medical cannabis in quantities less than or equal to the patient's 30-day supply determined under subpart 3 from any Minnesota distribution site at any time. The total quantity of medical cannabis purchased for a patient in a ~~30-day~~ 23-day period must not exceed the patient's 30-day supply.

4770.4013 ANNUAL FEES.

Each patient application or renewal must be accompanied by the payment of an annual fee. Payment must be made by credit card ~~or~~, bank debit card, cashier's check, or personal check. Annual qualifying patient application fee and reduced fee for patients enrolled in the federal Social Security Disability Income (SSDI), the Supplemental Security Income (SSI) disability, or the medical assistance or MinnesotaCare programs are established in *Minnesota Statutes*, section 152.35. All fees are nonrefundable.

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4770.4014 HEALTH CARE PRACTITIONER REQUIREMENTS.

Subp. 2. **Requirements.** Before issuing a written certification of qualifying condition, a health care practitioner must:

B. ~~conduct a full assessment of~~ assess the patient's medical history and current medical condition, which includes:

(1) an in-person physical examination of the patient appropriate to confirm the diagnosis of a qualifying medical condition. This examination must not be performed by remote means, including telemedicine or via the Internet; and

~~(2) a medical history of the patient;~~

~~(3) consultations about the patient's qualifying medical condition before the patient applies for enrollment in the registry; and~~

~~(4) (2) the development of~~ developing a treatment plan for the patient; and

Subp. 3. **Duties.** When the certifying health care practitioner receives notice from the commissioner that a qualifying patient has been enrolled in the registry program, the certifying health care practitioner must:

A. participate in the patient registry reporting system as established by the commissioner for each patient for whom the practitioner has written a certification of qualifying condition. A health care practitioner must transmit patient ~~treatment, outcomes, and medical findings, including quality of life data, in a form and at intervals as prescribed by the commissioner~~ data as required by *Minnesota Statutes*, section 152.28, subdivision 1, paragraph (b);

B. be available to provide continuing treatment of the patient's qualifying medical condition. ~~“Continuing treatment” means following the patient clinically at appropriate intervals at the discretion of the provider to provide follow-up care and treatment to the patient for the patient's qualifying medical condition including, but not limited to, physical examinations, to determine the health effects of medical cannabis for treating the patient's qualifying medical condition or the symptom of the qualifying medical condition for which the written certification was issued;~~

G. notify the commissioner, in a manner prescribed by the commissioner, in writing within 14 calendar days of ~~becoming aware learning~~ of the death of a ~~qualifying registered patient whose medical condition was certified by the health care practitioner.~~

4770.4015 WRITTEN CERTIFICATION OF QUALIFYING CONDITION.

A certifying health care practitioner must complete a written certification of a patient's qualifying medical condition on a form provided by the commissioner. The written certification must:

E. contain an affirmation that the health care practitioner has:

~~(3) reviewed the patient's medical history, including any medical records relating to the qualifying medical condition from other treating physicians from the previous 12 months to confirm the diagnosis within the health care practitioner's professional standards of practice; and~~

Exempt Rules

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

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

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

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

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

Minnesota Pollution Control Agency (MPCA) Resource Management & Assistance Division Adopted Exempt Permanent Rules Relating to Duration of State Disposal System Permits and Solid Waste Management Facility Permits

Office of Administrative Hearings No. OAH 8-2200-32582
Governor's Tracking and Revisor's No. RD 4303

7001.0150 TERMS AND CONDITIONS OF PERMITS.

Subpart 1. **Term of permit.** Unless specifically otherwise provided by statute or rule, an agency permit is issued for a term not to exceed ~~five~~ ten years.

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

7001.3050 PERMIT REQUIREMENTS.

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

Subp. 3. **Permits-by-rule.** The owner or operator of a facility described in items A to H is deemed to have obtained a solid waste management facility permit without making application for it.

A. A transfer facility where all waste is managed and stored in containers or roll-off boxes constructed of impervious material or in a fully enclosed building that meets the standards in part 7035.2870, subpart 4, or where the commissioner has determined that the current design is adequate as provided in part 7035.2870, subpart 3, provided that in either case:

[For text of subitems (1) to (3), see M.R.]

(4) the owner or operator submits a written notice to the commissioner that includes the facility location, responsible party and telephone number, facility size, copies of the plans and schedules required under part 7035.2525, subpart 2, item H, and type of waste no later than 180 days following the effective date of this part for existing facilities and no later than ten working days before accepting waste for new facilities. Thereafter, new and existing facilities must submit the notice required under this unit every ~~five~~ ten years.

For the purposes of this item, "site" includes all property contiguous to the property where the containers or building are located that is controlled by the same person or related business entities. For the purposes of this item, source-separated recyclable materials received at the facility and stored on site do not count towards the volume limitations in subitems (1) and (2), and recyclable materials recovered from the waste on the site and stored on site do not count towards the volume limitations in subitem (1).

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

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

Exempt Rules

7001.3075 SOLID WASTE MANAGEMENT FACILITY PERMIT APPLICATION.

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

Subp. 3. **Transfer facilities extended permit term.**

A. For transfer facilities that have operated under an existing permit issued under parts 7001.0010 to 7001.0200, no application is required for permit reissuance upon the expiration date of the permit and the term of the permit shall be extended indefinitely unless (1) the commissioner requires the facility to be repermited as provided in part 7001.3410, subpart 3, or (2) the owner or operator of the facility plans to make a major modification to the facility. In either of these cases, the owner and operator shall submit an application for reissuance or modification of the permit as provided in this chapter. This application shall be approved or denied following the procedures in this chapter. As used in this part, “operated” means to have accepted waste at levels constituting normal expected volumes for facilities for a minimum of one year during the most recent ~~five-year~~ ten-year term of the permit, such that the agency can reasonably conclude that the facility is operating in compliance with applicable rules and its permit. For purposes of this part, a “major modification” means a change in the type of waste managed at the facility, an increase beyond the original permitted capacity, or a change that could significantly affect compliance with the design or operation standards of part 7035.2870, subparts 4 and 5. The owner or operator may request, in writing, that the agency make a written determination as to whether any planned changes significantly affect compliance with design or operation standards.

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

Subp. 4. **Source-separated organic material compost facilities extended permit term.**

A. For source-separated organic material compost facilities as defined in part 7035.2836 that have operated under an existing permit issued under parts 7001.0010 to 7001.0200, no application is required for permit reissuance upon the expiration date of the permit and the term of the permit shall be extended indefinitely unless (1) the commissioner requires the facility to be repermited as provided in part 7001.3410, subpart 3, or (2) the owner or operator of the facility proposes a major modification to the facility. In either of these cases, the owner and operator shall submit an application for reissuance or modification of the permit as provided in this chapter. The commissioner shall process the application following the procedures in this chapter. For purposes of this part, “operated” means to have accepted source-separated organic material as defined in part 7035.0300, subpart 105a, for composting at levels constituting normal expected volumes for facilities for a minimum of one year during the most recent ~~five-year~~ ten-year term of the permit, such that the agency can reasonably conclude that the facility is operating in compliance with applicable rules and its permit. For purposes of this part, a “major modification” means a change in the type of materials managed at the facility, an increase beyond the original permitted capacity, or a change that could significantly affect compliance with the design or operation standards of part 7035.2836, subparts 8 and 9.

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

7001.3410 EXTENDED PERMIT NOTIFICATION AND TERMINATION PROCEDURES.

Subpart 1. **Notification contents.** Owners or operators of transfer facilities or source-separated organic material compost facilities operating under an extended permit shall submit to the agency, upon the anniversary of the expiration date of the permit, and every ~~five~~ ten years thereafter, a notification containing the following information:

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

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

7001.3500 TERMS AND CONDITIONS OF SOLID WASTE MANAGEMENT FACILITY PERMITS.

Subpart 1. **Terms of permit.**

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

B. Except as modified by part 7001.3075, subpart 3, other solid waste management facility permits are effective for a fixed term not to exceed ~~five~~ ten years as determined by the agency.

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

Commissioners Orders

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

Minnesota Department of Natural Resources (DNR) Commissioner's Order – SNA Order #245: Antelope Valley Scientific and Natural Area

Date: June 11, 2015
Statutory Authority: *Minnesota Statutes* 84.033, 86A.05, Subd. 5, and 97A.093

BACKGROUND

WHEREAS, certain lands in Yellow Medicine County, Minnesota, described as:

The Southeast Quarter (SE 1/4) of Section Fourteen (14), Township One Hundred Fourteen (114) North, of Range Fortyfour (44) West, of the 5th P.M. and containing 160 acres according to Government survey thereof.

is under the control and possession of the Department of Natural Resources;

and

WHEREAS, such lands contain native plant communities including high-quality native Mesic Prairie (Southern) and Wet Saline Prairie (Southern) and habitat for rare plant and animal species including upland sandpiper (*Bartramia longicauda*), plains bluegrass (*Poa arida*), and state Special Concern Hall's sedge (*Carex hallii*);

WHEREAS, the most effective means by which such lands can be protected and perpetuated in their natural state and used for educational and research purposes in such a manner as will leave them conserved for future generations is by designation as a Scientific and Natural Area;

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to authority vested in me by law, including but not limited to *Minnesota Statutes*, sections 84.033; 86A.05, subd. 5; and 97A.093; that the above-described lands are designated as the Antelope Valley Scientific and Natural Area.

FURTHERMORE, the Antelope Valley Scientific and Natural Area is designated as a Public Use unit, open to the public for nature observation and general educational and research activities.

IT IS FURTHER ORDERED that the provisions of *Minnesota Rules* 6136.0100 through 6136.0600 shall apply to the above-designated area, except that the following uses will be allowed with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: hunting, trapping, and dogs under control for hunting purposes during the regular season.

This order takes effect upon signature publication in the *State Register*.

Dated: 11 June 2015

Signed: **Tom Landwehr, Commissioner**
Minnesota Department of Natural Resources

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 Agriculture (MDA) Rural Finance Authority Notice of Additional Scheduled Meeting for Wednesday 8 July 2015

A meeting of the Rural Finance Authority (RFA) Board has been scheduled for July 8, 2015 at 1:00 p.m. Future monthly meetings will be held on the first Wednesday of each month at 625 Robert Street North, St. Paul, MN at 1:00 p.m. Some members may participate in certain of these meetings by electronic means. In accordance with *Minnesota Statutes*, Section 471.705 (1997), the Agency, to the extent practicable, will allow a person to monitor those certain meetings electronically from a remote location. If such monitoring shall occur, the Agency may require the person making such a connection to pay for documented marginal costs that the Agency incurs as a result of the additional connection.

For additional information, contact James A. Boerboom, Minnesota Department of Agriculture, 625 Robert Street North, St. Paul, MN 55155-2538 or call (651) 201-6395.

James A. Boerboom, Deputy Commissioner
Minnesota Department of Agriculture

Minnesota Department of Commerce (COMM) Office of Energy Assistance Programs Division of Energy Resources Notice of Public Hearing and Comment Period for the FFY2016 Energy Assistance Program

THE PUBLIC IS INVITED TO COMMENT on the proposed Minnesota State Plan for the Energy Assistance Program for federal fiscal year 2016 at a public hearing or through written comment. The hearing will be held Thursday, July 30, 2015, from 3:00 p.m. to 5:00 p.m. in Room 300 North in the State Office Building, 100 Rev. Martin Luther King, Jr., Blvd., St. Paul. The public hearing will conclude after those present have had an opportunity to provide oral comment. Written comment must be received at the address below by 4:30 p.m. on July 30, 2015.

The Draft FFY2016 LIHEAP State Plan describes how federal Low Income Home Energy Assistance Program (LIHEAP) funds will be used to help low-income households reduce their energy burdens. Comments received at the public hearing and in writing during the comment period will be considered in the development of the final state plan.

The draft state plan will be available by Monday, June 29, 2015, and located at:

<http://mn.gov/commerce/energy/service-providers/For-EAP-Providers/EAP-State-Plan.jsp>

a webpage for the Minnesota Department of Commerce Energy Assistance Programs.

Written comments may be sent to:

John M. Harvanko, Director
Office of Energy Assistance Programs
Minnesota Department of Commerce

85 - 7th Place East, Suite 500
St. Paul, MN 55101-2198
Phone: (651) 539-1805
Fax: (651) 539-0109
E-mail: john.harvanko@state.mn.us

Minnesota Department of Human Services (DHS) Health Care Administration Public Notice Regarding Changes to Payment Rates and Methodologies, and Services under the Medical Assistance Program and the MinnesotaCare Program

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of certain statutory changes made to the Medical Assistance (MA) Program and the MinnesotaCare Program by the 2015 Minnesota Legislature.

This notice is published pursuant to 42 *United States Code* § 1396a(a)(13)(A) (§ 1902(a)(13)(A) of the Social Security Act), which requires the Department to publish final institutional payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates. It is also published pursuant to *Code of Federal Regulations*, title 42, part 447, section 205 (42 C.F.R. § 447.205), which requires publication of a notice when there is any significant proposed change in the methods and standards for setting payment rates for Medicaid services. Changes to the MinnesotaCare program are published pursuant to *Code of Federal Regulations*, title 42, part 600, section 115 (42 C.F.R. § 600.115), which requires publication of significant changes to the Basic Health Plan Blueprint.

The legislative changes are estimated to result in a net spending increase of \$51 million in the MA program for state fiscal year 2016 (July 1, 2015, through June 30, 2016), and a net spending decrease of \$24 million for state fiscal year 2017 (July 1, 2016, through June 30, 2017). Much of the increase in MA spending results from a provider rate increase for nursing facilities.

The legislative changes are estimated to result in a net spending decrease of \$24 million in the MinnesotaCare program for state fiscal year 2016 (July 1, 2015, through June 30, 2016), and a net spending decrease of \$51 million for state fiscal year 2017 (July 1, 2016, through June 30, 2017). Much of the MinnesotaCare spending decrease results from an increase in recipient premiums and cost sharing.

The actual text of most of the 2015 legislative changes is contained in *Laws of Minnesota 2015*, Regular Session, Chapters 71 and 78. These are available by calling the House of Representatives Public Information Office at (651) 296-2146 (voice) or (651) 296-9896 (TTY) or 1-800-657-3550 (Greater Minnesota) or 1-800-627-3529 (TTY); or the Senate Information Office at (651) 296-0504 (voice) or (651) 296-0250 (TTY); for Greater Minnesota call 1-888-234-1112 (voice) or 1-888-234-1216 (TTY). These laws are also available on the internet at: <http://www.revisor.mn.gov/laws/>

It is important to note that not all changes made to these programs by the 2015 legislature are mentioned in this notice.

Information relating to implementation of these provisions will be sent to local human services agencies through bulletins and manual updates, to recipients and enrollees through written notice, and to health care providers through newsletters and updates to the *Minnesota Health Care Programs Provider Manual*, available at: <http://www.dhs.state.mn.us>

Changes were made to the following program areas:

- I. MA and MinnesotaCare Services and Payment Rates
- II. MA Institutional Payment Rates
- III. MA Home and Community-Based Waivers and Payment Rates

I. MA and MinnesotaCare Services and Payment Rates

Effective July 1, 2015, the Commissioner shall reduce parental fees by ten percent for certain children receiving MA without regard to income. *Laws of Minnesota 2015*, Chapter 71, Article 7, section 24.

Effective July 1, 2015, the Commissioner shall increase reimbursement rates for chemical dependency treatment services by 2 percent
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over rates in effect on January 1, 2014. *Laws of Minnesota 2015*, Chapter 71, Article 2, section 36.

Effective July 1, 2015, MA covers high-intensity residential chemical dependency treatment services for clients who have been civilly committed to the Commissioner, present the most complex and difficult care needs, and are a potential threat to the community. *Laws of Minnesota 2015*, Chapter 71, Article 2, section 20.

Effective July 1, 2015, the Commissioner shall contract with a provider to establish inpatient psychiatric beds for children under 21 years of age. *Laws of Minnesota 2015*, Chapter 71, Article 2, section 5.

Effective July 1, 2015, MA covers psychiatric consultations to primary care practitioners performed by licensed independent clinical social workers and licensed marriage and family therapists. *Laws of Minnesota 2015*, Chapter 71, Article 2, section 35.

Effective July 1, 2015, the Commissioner shall increase reimbursement rates for mobile crisis services by 76 percent from those in effect on June 30, 2015, when provided by a mental health professional or practitioner. *Laws of Minnesota 2015*, Chapter 71, Article 14.

Effective July 1, 2015, the Commissioner shall increase payment rates by 90 percent from those in effect on June 30, 2015, for physical therapy, occupational therapy, speech pathology and related services, outpatient hospital facility fees, medical supplies and durable medical equipment not subject to a volume purchase contract, and prosthetics and orthotics when provided by an essential community provider as defined at section 62Q.19 subdivision 1, paragraph (a), clause (4). *Laws of Minnesota 2015*, Chapter 71, Article 11, sections 39 and 43.

Effective July 1, 2015, the Commissioner shall pay for durable medical equipment, and supplies not subject to a volume purchase contract, prosthetics, and orthotics using the January 1, 2008, medical assistance fee schedule, updated to include subsequent rate increases in the Medicare and medical assistance fee schedules, and including individually priced items for the following categories: enteral nutrition and supplies, customized and other specialized tracheostomy tubes and supplies, electric patient lifts, and durable medical equipment repair and service. This change does not apply to products subject to the preferred diabetic testing supply program, and items provided to dually eligible recipients when Medicare is the primary payer for the item. Additionally, the Commissioner shall increase payment for medical supplies and durable medical equipment not subject to a volume purchase contract, and prosthetics and orthotics by 3 percent. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 43.

Effective July 1, 2015, the Commissioner shall pay for wheelchairs and wheelchair accessories purchased for residents of an intermediate care facility for the developmentally disabled at the Medicaid fee schedule rate if payment for the wheelchair or accessory is not included in the facility's per diem. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 26.

Effective July 1, 2015, the Commissioner shall increase payment rates for dental services by 9.65 percent when delivered by dental providers located outside of the seven-county metro-area. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 40.

Effective July 1, 2015, the Commissioner shall increase payment rates by 10 percent for physical therapy, occupational therapy, and speech therapy when provided as home health services. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 42.

Effective July 1, 2015, the Commissioner may establish a health care delivery systems pilot in partnership with North Memorial Health Care. The payment rate for the pilot program shall be based on the total cost of care for the enrollees involved. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 32.

Effective January 1, 2016, or upon federal approval, whichever is later, MA covers the dispensing of over-the-counter drugs in a nursing facility through the use of an automated dispensing system. MA will pay a reduced dispensing fee of \$1.31 for such drugs when the amount dispensed is less than the amount contained in the manufacturer's original packaging. *Laws of Minnesota 2015*, Chapter 71, Article 9, sections 14 and 15.

Effective July 1, 2016, a payment rate reduction of 4.5 percent for ambulance services that was effective September 1, 2011, is repealed. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 22.

Effective July 1, 2016, the Commissioner shall reimburse non-emergency transportation as follows:

- \$0.22 per mile for client reimbursement;

- up to 100 percent of the Internal Revenue Service business deduction rate for volunteer transport;
- equivalent to the standard fare for unassisted transport when provided by public transit, and \$11 for the base rate and \$1.30 per mile when provided by a nonemergency medical transportation provider;
- \$13 for the base rate and \$1.30 per mile for assisted transport;
- \$18 for the base rate and \$1.55 per mile for lift-equipped/ramp transport;
- \$75 for the base rate and \$2.40 per mile for protected transport; and
- \$60 for the base rate and \$2.40 per mile for stretcher transport, and \$9 per trip for an additional attendant if deemed medically necessary.

The base rate for nonemergency medical transportation services in areas defined under RUCA to be super rural is equal to 111.3 percent of the respective base rate above. The mileage rate for nonemergency medical transportation services in areas defined under RUCA to be rural or super rural areas is: 125 percent of the respective mileage rate listed above for trips equal to 17 miles or less, and 112.5 percent of the mileage rate listed above for trips between 18 and 50 miles. *Laws of Minnesota 2015*, Chapter 71, Article 11, sections 21 and 23.

Effective July 1, 2015, the Commissioner shall limit cost sharing for MA recipients to 5 percent of family income. The Commissioner shall exempt from cost sharing:

- persons needing treatment for breast or cervical cancer as described in Section 256B.057;
- American Indians as described in *Code of Federal Regulations* title 42, sections 447.51 and 447.56;
- preventive services with an A or B rating from the United States Preventive services task force; and
- preventive services and screenings provided to women as described in *Code of Federal Regulations*, title 45, section 147.130. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 29.

Effective retroactively to January 1, 2014, the Commissioner shall assess a family deductible in the amount of \$2.75 per month per family enrolled in MA. This amount will adjust annually every January 1, by the percentage increase in the medical care component of the CPI-U for the period of September to September of the preceding calendar year, rounded to the next higher five-cent increment. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 29.

Effective September 1, 2015, the Commissioner shall reduce the minimum premium for those eligible as an employed person with disabilities, from \$65 per month to \$35 per month. The Commissioner shall also reduce the additional cost sharing amount for unearned income from 5 percent of the total unearned income to .5 percent of the total unearned income. *Laws of Minnesota 2015*, Chapter 71, Article 7, section 28.

Effective July 1, 2016, payments made to federally qualified health centers and rural health centers for an enrollee's cost-sharing associated with Medicare Part B are no longer capped at the Medical Assistance allowable payment rate for the service. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 27.

Effective upon enactment, the Commissioner shall exempt American Indians, as described in *Code of Federal Regulations* title 42, section 447.51, and enrolled in MinnesotaCare, from cost sharing. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 48.

Effective retroactively to January 1, 2014, the Commissioner shall assess a family deductible in the amount of \$2.75 per month per family enrolled in MinnesotaCare. This amount will adjust annually every January 1, by the percentage increase in the medical care component of the CPI-U for the period of September to September of the preceding calendar year, rounded to the next higher five-cent increment. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 48.

Effective January 1, 2016, the Commissioner shall revise cost sharing for MinnesotaCare recipients in order to reduce the actuarial value of the MinnesotaCare benefit to 94 percent. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 48.

Effective January 1, 2016, the Commissioner shall reduce administrative expenses paid to managed care organizations by .5 percent for contracts beginning January 1, 2016. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 34.

Effective January 1, 2016, the Commissioner shall delay capitation payment to managed care plans and county-based purchasing plans due in May 2017 and the payment due in April 2017 for special needs basic care until July 1, 2017. The payment shall be made no earlier than July 1, 2017, and no later than July 31, 2017. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 64.

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Effective July 1, 2017, or upon federal approval, whichever is later, MA covers services provided in a psychiatric residential treatment facility (PRTF) to persons under 21 years of age. *Laws of Minnesota 2015*, Chapter 71, Article 2, section 34.

For more information contact Diogo Reis at 651-431-2106.

II. MA Payment Rates for Institutional Providers

Pursuant to the Governor's 2015 budget, the Department proposed changes to payment rates for inpatient hospital services in the Medical Assistance (MA) program. The Minnesota Legislature considered the Department's proposed changes, gathered information, and held public hearings at which advocates, trade associations, providers, and the general public were invited to attend. The legislature considered the public's input and made the following changes:

Inpatient Hospital

Effective July 1, 2015, the hospital cost index shall be equal to the change in the Centers for Medicare and Medicaid Services Inpatient Hospital Market Basket for the midpoint of the prior rate year to the midpoint of the current rate year. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 11.

Effective July 1, 2015, the Commissioner shall pay critical access hospitals located in Minnesota or the local trade area using a new cost-based methodology. The commissioner shall establish within the methodology tiers of payment designed to promote efficiency and cost-effectiveness. Payment rates for hospitals with 2012 base year payment to cost ratios at or below 80 percent will be 85 percent of costs. Payment rates for hospitals with 2012 base year payment to cost ratios greater than 80 percent and at or below 90 percent will be 95 percent of costs. Payment rates for hospitals with 2012 base year payment to cost ratios greater than 90 percent will be 100 percent of costs. Payment rates for critical access hospitals shall be set at a level that does not exceed the total cost for critical access hospitals as reflected in base year cost reports. The new methodology shall result in no greater than a five percent decrease from the base year payments for any hospital, except a hospital that had payments that were greater than 100 percent of the hospital's costs in the base year shall have their rate set equal to 100 percent of costs in the base year. The rates paid for discharges on and after July 1, 2016, covered under this methodology shall be increased based on the hospital cost index. The new cost-based rate shall be the final rate and shall not be settled to actual incurred costs. *Laws of Minnesota 2015*, Chapter 71, Article 11, sections 12 and 38.

Effective July 1, 2015, the Commissioner's authority to adjust payments to hospitals such that no hospital experiences an annual aggregate gain or loss in payments greater than five percent when compared to aggregate payments for calendar year 2012, is extended from June 30, 2016, to the date on which the next rebasing occurs in July of 2017. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 12.

Effective July 1, 2015, the Commissioner's authority to pay an interim payment rate to inpatient hospitals is extended beyond June 30, 2015, to March 1, 2016. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 13.

Effective July 1, 2015, the Commissioner shall incorporate all rate adjustments for long-term and rehabilitative hospitals into the base rates and not apply the adjustments to each claim as ratable adjustments. *Laws of Minnesota 2015*, Chapter 71, Article 11, sections 14 and 15.

Effective July 1, 2015, disproportionate share hospital (DSH) payments shall be paid using a new, budget-neutral methodology that uses 2012 as the base year. DSH payments shall be based on the following factors. For licensed Children's Hospitals, the number of MA fee-for-service discharges is used to place the hospital in one of two volume tiers. Children's hospitals with fewer than 1,000 discharges will have a DSH factor of 0.7880, children's hospitals with more than 1,000 discharges will have a DSH factor of 0.8680. Children's hospitals are not eligible for any other DSH factors. Non-children's hospitals may qualify for an extended inpatient psychiatric contract factor, a transplant factor and one high volume tier factor. The psychiatric contract factor of 0.0160 is allowed for DSH qualified hospitals that also contract with the Department to provide extended inpatient psychiatric services. DSH qualified hospitals that perform at least twenty fee-for-service MA transplants per year qualify for a transplant DSH factor of 0.435. DSH qualified hospitals may also qualify for one of the following high volume tiers; hospitals with a Medicaid inpatient utilization rate (MIUR) of at least 20 percent and up to one standard deviation above the statewide average MIUR qualify for a DSH factor of 0.0486, hospitals with an MIUR that is between one standard deviation and three standard deviations above the statewide mean qualify for a DSH factor of 0.2300, hospitals with an MIUR equal to or greater than three standard deviations above the statewide average qualify for a DSH factor of 0.3711. The Commissioner is authorized to redistribute any returned payments proportionate to the number of fee-for-service discharges, to other DSH-eligible non-children's hospitals that have a medical assistance utilization rate that is at least one standard deviation above the mean. *Laws of Minnesota 2015*, Chapter 71, Article 11, sections 16.

Effective July 1, 2015, authority for the hospital payment adjustment described in *Minnesota Statutes* 2014 section 256.969, subdivision 23 is repealed. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 65.

Effective July 1, 2015, authority for the payment limit for vaginal and caesarean section deliveries described in *Minnesota Statutes* 2014 section 256.969, subdivision 30 is repealed. *Laws of Minnesota 2015*, Chapter 71, Article 11, section 65.

For more information contact Diogo Reis at 651-431-2106.

Nursing Facilities

Effective July 1, 2015, two nursing facilities with at least 120 active beds on January 1, 2015, that had moratorium-exception proposals approved in 2015 are approved to receive an additional rate increase above the existing rate increase provided, upon completion of the construction projects. *Laws of Minnesota 2015*, Chapter 71, Article 6, section 10.

Effective July 1, 2015, replacement projects are allowed for total of 129 beds from a nursing home in Polk County, destroyed by flood in 1997, with at least 25 beds to be located in Polk County and up to 104 beds distributed among up to three other counties with fewer than the median number of age intensity adjusted beds per thousand. Rates will be determined based on interim, settle-up and property payment provisions in 256B.431, 256B.434, or 256B.441. If replacement beds are combined with beds from other nursing facilities, the rates will be calculated as the weighted average of rates from sections 144A.071 and 256B.441, subdivision 60. *Laws of Minnesota 2015*, Chapter 71, Article 6, section 2.

Effective October 1, 2015, the nursing facility employee scholarship program is expanded to allow for broader participation. Allowable costs will now include reasonable child care and transportation expenses directly related to the educational program. Funding to establish the program in newly participating nursing facilities is provided for the period October 1, 2015 through December 31, 2017. *Laws of Minnesota 2015*, Chapter 71, Article 6, section 8.

Effective January 1, 2016, operating payment rates will be based on costs reported annually by each nursing facility, subject to limits. The care-related operating rate limit is partially based on quality of care and allowable health insurance costs are fully recognized in the rates. As a result of a hold-harmless provision, no nursing facility will receive an operating payment rate that is less than the operating payment rate as of December 31, 2015. *Laws of Minnesota 2015*, Chapter 71, Article 6, sections 7, 9, 11-35, 38-40, 44.

Effective January 1, 2016 to December 31, 2017, the authority to designate critical access nursing facilities is suspended. *Laws of Minnesota 2015*, Chapter 71, Article 6, section 35.

Effective January 1, 2016, or upon federal approval, whichever is later, nursing facilities owned by a city, county or hospital district may apply for payment rates higher than total payment rates as defined in 256B.441, subdivision 54, up to an amount determined to be allowable under the Medicaid upper payment limit. The local governmental entity must agree to pay the nonfederal share of the increase in MA costs. *Minnesota Laws 2015, Chapter 71, Article 6, Section 33.*

Effective January 1, 2016, the operating payment rate for a facility in Golden Valley with 44 licensed beds as of January 7, 2015, will be calculated without application of the operating-rate limits in law, allowing this facility to be reimbursed for actual costs. *Laws of Minnesota 2015*, Chapter 71, Article 6, section 36.

Effective January 1, 2016, a nursing facility in Breckenridge will receive operating payment rates equal to comparable nonprofit nursing facility rates in an adjacent city in North Dakota for years when the North Dakota rates exceed what the Minnesota rates would be. *Laws of Minnesota 2015*, Chapter 71, Article 6, section 37.

For more information contact Stacy Twite at 651-431-4859.

III. MA Home and Community-Based Waivers and Continuing Care Services Payment Rates

Effective upon enactment, the Commissioner shall manage HCBS disability waiver allocations in order to fully use available state and federal waiver appropriations. Counties and tribes that fail to spend at least 97% of their allocation for HCBS disability waivers, while maintaining a waiting list, shall submit a corrective action plan to the Commissioner. The Commissioner may determine a plan is unnecessary given the size of the allocation and capacity for new enrollment. *Laws of Minnesota 2015*, Chapter 71, Article 7, sections 30, 32 and 34.

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Effective upon enactment, the Commissioner shall recoup HCBS disability waiver allocation funding from counties and tribes only when statewide spending exceeds the total appropriation. *Laws of Minnesota 2015*, Chapter 71, Article 7, sections 31 and 33.

Effective July 1, 2018, county and tribal agencies will be responsible for spending in excess of the annual allocation made by the Commissioner for the Brain Injury (BI), Community Alternative Care (CAC), and Community Access for Disability Inclusion (CADI) waivers. *Laws of Minnesota 2015*, Chapter 71, Article 7, section 33.

Effective July 1, 2015, the Commissioner shall increase grants, allocations, reimbursement rates, individual limits or service rate limits, as applicable, by 1.53 percent for direct support services provided under PCA choice, consumer directed community supports (CDCS), community support grants (CSG), community first services and supports (CFSS). The Commissioner shall increase these payment rates by an additional .2 percent effective July 1, 2016. *Laws of Minnesota 2015*, Chapter 71, Article 7, section 53.

Effective July 1, 2015, the Commissioner may additionally grant an exception to the disability rate setting process in situations where an individual's service needs, including behavioral changes, require a level of service which necessitates a change in provider or which requires the current provider to propose service changes beyond those currently authorized. *Laws of Minnesota 2015*, Chapter 71, Article 7, section 41.

Effective July 1, 2015, the Commissioner shall continue to implement a new payment methodology for the disability HCBS waivers. Rate stabilization during 2016 is adjusted so that eligible rates will change from 2015 amounts by no more than 0.5% (changed from 1.0%). An additional year of rate stabilization is added so rates eligible for this protection will not increase or decrease during calendar year 2019. *Laws of Minnesota 2015*, Chapter 71, Article 7, section 35.

Effective October 1, 2015, or upon federal approval, whichever is later, the Commissioner shall establish an exception to the consumer-directed community supports budget methodology to provide up to 20 percent more funds for individuals who have graduated from high school and can demonstrate the need for employment supports beyond what can be funded through the existing methodology. The existing exception to the consumer-directed community supports budget methodology will expire upon implementation of this exception. *Laws of Minnesota 2015*, Chapter 71, Article 7, section 54.

Effective July 1, 2016, the Commissioner shall increase monthly case mix budget caps for elderly waiver and alternative care, and the service rate limits for customized living and 24-hour customized living, by the greater of the percent increase in nursing facility operating payment rates or any legislatively adopted home and community-based provider rate increases during that state fiscal year. *Laws of Minnesota 2015*, Chapter 71, Article 6, sections 3 – 6.

For more information contact Stacy Twite at 651-431-4859.

State Board of Investment Notice to Institutional Investment Management Firms for Consideration to Potentially Manage a Portion of the Pension Assets and Other Accounts

The Minnesota State Board of Investment (MSBI) retains institutional investment management firms to manage a portion of the pension assets and other accounts under its control. Periodically, the MSBI will conduct a search for institutional investment management firms on an as needed basis. For additional information on the domestic stock, international stock, or domestic bond portfolio programs for the MSBI, firms are asked to write to the following address for additional information:

External Manager Program
Minnesota State Board of Investment
60 Empire Drive, Suite 355
St. Paul, MN 55103-3555
Telephone: (651) 296-3328
Fax: (651) 296-9572
E-mail: minn.sbi@state.mn.us

Please refer to this notice in your written request.

**Minnesota Department of Labor and Industry (DLI)
Division of Occupational Safety and Health
REQUEST FOR COMMENTS on Possible Permanent Rules Relating to OSHA
Citation Notification Requirements, *Minnesota Rules*, Part 5210.0530;
Revisor's ID Number RD4336**

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its possible amendment to permanent rules relating to OSHA citation notification requirements. The Department is considering a rule amendment that requires the Commissioner to mail a copy of the citation and notification of penalty to the complainant in a complaint inspection.

Persons Affected. The amendment to part 5210.0530 would likely affect complainants in a complaint inspection.

Statutory Authority. *Minnesota Statutes*, section 182.657, authorizes the Commissioner to “promulgate rules as may be deemed necessary to carry out the responsibilities” of Chapter 182.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on Friday, August 28, 2015. The Department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Department does not plan to appoint an advisory committee to comment on the possible rules.

Rules Drafts. The Department will place a draft of the possible rules amendment to part 5210.0530 on its rulemaking docket, which can be located from: <http://www.dli.mn.gov/rulemaking.asp>.

Agency Contact Person. Written comments, questions, or requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Patricia Munkel-Olson at MN Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155, phone: (651) 284-5006, and e-mail: dli.rules@state.mn.us.

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.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: 25 June 2015

Ken B. Peterson, Commissioner
Minnesota Department of Labor and Industry

**Metropolitan Council
Notice of Public Hearing of Adoption of Public Housing Agency Plan - Section 8
Housing Choice Voucher Program**

The Metropolitan Council's Community Development Committee will conduct a public hearing to receive public comment on the proposed 2016 Public Housing Agency (PHA) Annual Plan.

The PHA Plan is a guide to public housing agency policies, programs, operations and strategies for meeting the housing needs of very low and extremely low income households. The Plan is intended to be a convenient source of information for program participants, the U.S. Department of Housing and Urban Development (HUD) and the general public. The Plan is prepared according to the format required by HUD.

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The public hearing will be held: Monday, August 17, 2015
4:00 PM
Metropolitan Council Chambers
390 Robert St.
St. Paul, MN 55101

The PHA Plan and the Housing Choice Voucher Administrative Plan are available for review at the HRA administrative offices located at 390 Robert St., St. Paul, and on the Metropolitan Council's website at www.metrohra.org. Interested persons may register to speak in advance by contacting Jennifer Keogh, (651) 602-1187, TTY (651) 291-0904 or via e-mail, jennifer.keogh@metc.state.mn.us. Upon request, the Council will provide a reasonable accommodation to persons with disabilities. In addition to speaking at the hearing, comments may be made to the attention of Jennifer Keogh. in the following ways:

- Send to Metro HRA, 390 Robert St., St. Paul, MN 55101
- Fax to (651) 602-1313
- Send electronically to: data.center@metc.state.mn.us
- Record comments on the Council's Public Comment Line: (651) 602-1500
- TTY: (651) 291-0904
- Comments must be received by 4:30 p.m., Thursday, August 27, 2015

Minnesota Pollution Control Agency (MPCA)

Metro Watershed Division

Public Notice of Availability of the Draft Watershed Restoration and Protection Strategies Report and Total Maximum Daily Loads for the Vermillion River Watershed (Mississippi River – Lake Pepin Major Watershed) and Request for Comment

Public Comment Period Begins: *June 29, 2015*
Public Comment Period Ends: *July 29, 2015*

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the Watershed Restoration and Protection Strategies (WRAPS) Report and Total Maximum Daily Loads (TMDLs) for the Vermillion River Watershed, which is a subwatershed in the Mississippi River – Lake Pepin Major Watershed. The draft WRAPS Report and TMDLs are available for review at:

<http://www.pca.state.mn.us/w4ypk3y>

Written comments on the draft WRAPS Report and TMDLs must be sent to the MPCA contact person listed below by July 29, 2015. The comments should indicate as to whether they are about the WRAPS Report or the TMDLs, and specifically which TMDL. The MPCA will prepare responses to comments received and make any necessary revisions of the two documents. Subsequent to the revision(s), the draft TMDLs will be submitted to the U.S. Environmental Protection Agency (EPA) for approval; the WRAPS Report will be forwarded to the MPCA Commissioner for approval.

Required by the state Clean Water Legacy Act, a WRAPS Report is a document summarizing scientific studies of a major watershed no larger than a hydrologic unit code 8. In the case of this project, the WRAPS and TMDLs cover the Vermillion River Watershed Joint Powers Board jurisdictional area. The WRAPS Report includes the physical, chemical, and biological assessment of the water quality in the watershed; identification of impairments and water bodies needing protection; and identification of biotic stressors and sources of pollution, point and nonpoint. The science, analysis and strategy development described in this Report began before accountability provisions were added to the Clean Water Legacy Act in 2013 (*Minnesota Statutes* 114D); thus, this Report does not address all of those provisions. When this watershed is revisited (according to the 10-year cycle), the information will be updated according to the statutorily required elements of a Watershed Restoration and Protection Strategy Report. TMDLs are explained for the impairments and an implementation table is included with the strategies to achieve and maintain water quality standards and goals.

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The TMDL Report is a scientific study that calculates the maximum amount of a pollutant that a water body can receive (known as the “loading capacity”) without exceeding water quality standards for those waterbodies currently listed as impaired in the Vermillion River Watershed. This TMDL Report addresses one turbidity impairment and 12 bacteria (fecal coliform and E. coli) impairments on several main stem and tributary reaches of the Vermillion River. The TMDL Report also addresses nutrient impairments for two lakes in the Vermillion River Watershed. The two lakes include Alimagnet Lake in the cities of Burnsville and Apple Valley, as well as East Lake (Unnamed Lake) in the city of Lakeville.

The Vermillion River Watershed covers approximately 364 square miles in Scott, Dakota and Goodhue Counties. The watershed drains to the Vermillion River and ultimately the Mississippi River near Lock and Dam 3 northwest of Red Wing, Minnesota. The water bodies addressed in this study are located in the upper portion of the Vermillion River Watershed, which drains a mixture of agricultural land and developed suburban land approximately 10-15 miles south of Minneapolis and St. Paul, Minnesota. The goal of this TMDL is to quantify the pollutant reductions needed to meet State water quality standards for turbidity, E. coli and nutrients in the impaired streams and lakes in the upper portion of the watershed.

The Watershed Restoration and Protection Strategies Report and TMDLs for the Vermillion River Watershed were developed in partnership with the Vermillion River Watershed Joint Powers Board, local Cities and Counties, state and federal agencies, and local watershed stakeholders. Both reports build on significant work that has been done in the watershed, as well as work that is currently underway.

It should be noted that the science, analysis and strategy development described in this Report began before the accountability provisions were added to the Clean Water Legacy Act in 2013 (*Minnesota Statutes* 114D); thus, this Report does not address all of those provisions. When this watershed is revisited (according to the 10-year cycle), the information will be updated according to the statutorily required elements of a Watershed Restoration and Protection Strategy Report.

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

Christopher Klucas
Metro Watershed Division
520 North Lafayette Road
St. Paul, Minnesota 55155
Phone: (651) 757-2498
Fax: (651) 297-8324
E-mail: christopher.klucas@state.mn.us
Website: <http://www.pca.state.mn.us/water/tmdl>
TTY users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

Preliminary Determination on the draft WRAPS and TMDL Reports: The MPCA Commissioner has made a preliminary determination to approve this WRAPS Report and submit this TMDL Report to the EPA for final approval. A draft TMDL Report and WRAPS Report are available for review at the MPCA office at the address listed below and at the MPCA Website:

<http://www.pca.state.mn.us/index.php/water/water-types-and-programs/watersheds/mississippi-river-lake-pepin.html#overview>

Suggested changes will be considered before the documents are finalized and the TMDL Report is sent to the EPA for approval.

Written Comments: You may submit written comments on the conditions of the draft WRAPS and TMDL Reports or on the Commissioner’s preliminary determination. Written comments must include the following:

1. A statement of your interest in the draft WRAPS and/or TMDL Reports;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft documents that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

Petition for Public Informational Meeting: You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that may be held to solicit public comment and statements on matters before the MPCA, and help clarify parts of the document and resolve issues. A petition requesting a public informational meeting must include the following information:

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1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of “Written Comments,” identified above;
3. A statement of the reasons for holding a public informational meeting; and
4. The issues that you would like addressed at the public informational meeting.

Petition for Contested Case Hearing: You also may submit a petition for a contested case hearing. A contested case hearing is a formal hearing before an administrative law judge that provides evidence on issues requested to be change. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the application or draft WRAPS and/or TMDL Reports; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft WRAPS and/or TMDL Reports. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision. A petition for a contested case hearing must include the following information:

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

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

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

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

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

Office of the Minnesota Secretary of State (OSS)

Request for Comments on Possible Amendment to Rules Governing Election Administration, Voter Registration, Petitions, Absentee Ballots, Voting System Testing, Recounts, Election Judge Training Program, and Ballot Preparation, *Minnesota Rules*, 8200, 8205, 8210, 8220, 8230, 8235, 8240, and 8250; Revisor’s ID Number R-04339

Subject of Rules. The Office of the Minnesota Secretary of State requests comments on its possible amendment to rules governing Election Administration, Voter Registration, Petitions, Absentee Ballots, Voting System Testing, Recounts, Election Judge Training Program, and Ballot Preparation. The Office is considering rules and rule amendments including but not limited to amendments to reflect statutory changes made in recent years as well as: affecting voter registration generally, including but not limited to the manner, format, content of and procedures relating to voter registration materials and records; petitions generally, including but not limited to the manner,

format, content and procedures relating to petitions; absentee and mail balloting generally, including but not limited to the manner, format, content of and procedures for absentee and mail balloting materials and records; voting system testing generally, including but not limited to the scope and standards for voting system examination and testing, the examination and certification of voting systems, the preparation and testing of election programs, the security of voting systems and programs; optical scan voting systems generally, including but not limited to procedures for central count optical scan voting systems and precinct-count optical scan voting systems; election judge training programs generally, including but not limited to training requirements and standards, training methods and programs, courses and materials, records, plans, certifications, feedback and schedules; and ballot preparation generally, including but not limited to the format and layout of partisan and nonpartisan ballots and ballots for electronic voting systems as well as other elections-related rule provisions that may arise but only as time permits, as well as changes suggested by the recipients of this request for comments, or the general public.

Persons Affected. The amendment to the rules would likely affect voters, local election officials and election staff, political parties, elected officials and candidates, election equipment manufacturers and vendors, private and county attorneys and election advocacy groups.

Statutory Authority. *Minnesota Statutes*, sections 201.022, 201.061, 201.071, 201.091, 201.221, 203B.04, 203B.08, 203B.09, 203B.125, 203B.14, 204B.071, 204B.25, 204B.45, 204C.361, 204D.08, 204D.11, 205.17, 205A.08, 206.57, 206.81, 206.82, 206.84, 206.882, 211C.03, 211C.04 and 211C.06, authorize the Office: to adopt rules for the administration of the statewide voter registrations system; to define documentation sufficient for election day registration; to define the form of the voter registration application and the voter certificate of eligibility; to provide for public information list or statewide information system requests; governing the general administration of voter registration and the format and use of polling place rosters; governing absentee ballot procedures for persons permanently unable to go to the polling place due to illness or disability; providing procedures for the accurate and timely return of absentee ballots; establishing methods and procedures for issuing ballot cards and related absentee ballot forms; establishing the form, content and type size and style for the printing of blank applications for absentee ballots, absentee voter lists, return envelopes, certificates of eligibility to vote by absentee ballot, ballot envelopes and directions for casting an absentee ballot; providing for the reconciliation of voters and ballot cards; governing the manner in which petitions required for any election are circulated, signed, filed and inspected; establishing programs for the training of county auditors, local election officials and election judges; providing for the conduct of mail balloting, including instructions to voters, procedures for the challenge of voters, public observation of the counting of ballots, and procedures for the proper handling and safeguarding of ballots to ensure the integrity of the election; adopting uniform recount procedures; providing for the format and preparation of the state primary ballot and the state general election ballot as well as municipal and school district ballots; providing for the examination and use of electronic voting systems; providing for the experimental use of electronic voting systems; specifying test procedures for electronic voting systems and electronic ballot markers; providing for procedures to instruct election judges and voters in the use of electronic voting systems and electronic ballot markers, as well as standard ballot formats for electronic voting systems; governing the rotation of candidate names; and prescribing the manner and form of a recall petition as well as the evaluation of the number and eligibility of signers of a recall petition.

Public Comment. Interested persons or groups may submit comments or information on these possible rule amendments in writing until 4:30 p.m. on Friday, August 28, 2015. The Office does **NOT** plan to appoint an advisory committee to comment on the possible rule amendments. The Office of the Secretary of State also requests comments about the “cumulative effect of the rule with other federal and state regulations,” as required by *Minnesota Statutes*, section 14.131(8).

Rules Drafts. The Office has not yet drafted the possible rule amendments and does not anticipate that a draft of the rules and amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to: Julie Strother, Government Relations Director at the Office of the Secretary of State, 180 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, MN 55155; **Phone:** (651) 201-1342; **Fax:** (651) 296-3073; **e-mail:** julie.strother@state.mn.us. **TTY** users may call the Office of Secretary of State at 711.

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.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and

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you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: 23 June 2015

Steve Simon
Secretary of State

Minnesota Teachers Retirement Association (TRA) Notice of Meeting of the Board of Trustees on Thursday 9 July 2015

The Board of Trustees, Minnesota Teachers Retirement Association will hold an orientation for new board members on Thursday, July 9, 2015 at 8:30 a.m. in Suite 400, located at 60 Empire Drive, St. Paul, MN.

Minnesota Department of Transportation (Mn/DOT) Notice to Bidders: Suspensions/Debarments as of January 12, 2015

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

NOTICE IS HEREBY GIVEN that MnDOT has ordered that the following vendors be debarred for a period of three (3) years, effective September 17, 2014 until September 17, 2017:

- Jeffrey Plzak and his affiliates, Loretto, MN
- Laurie Plzak and her affiliates, Loretto, MN
- Honda Electric Incorporated and its affiliates, Loretto, MN
- Jeffrey and Laurie Plzak doing business as Honda Electric Logistics, and its affiliates, Loretto, MN

NOTICE IS HEREBY GIVEN that MnDOT has ordered that the following vendors be debarred for a period of three (3) years, effective January 12, 2015 until January 12, 2018:

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

Minnesota Department of Transportation (Mn/DOT)**Office of Transportation System Management****Notice of Solicitation for Public Review and Comment on the Draft State****Transportation Improvement Program (STIP) for State Fiscal Years 2016-2017-2018-2019 (July 1, 2015 through June 30, 2019)**

The Minnesota Department of Transportation is offering an opportunity for public review and comment on a draft list of projects to be included in the *State Transportation Improvement Program (STIP)* for state fiscal years 2016-2017-2018-2019 (July 1, 2015 through June 30, 2019). The program of transportation projects annually utilizes about \$570 million federal funds, \$290 million of state trunk highway funds, plus funds from trunk highway bonds, local agencies and other sources. Projects include local road and bridge projects utilizing federal funds; transit capital investments; state highway road and bridge projects; Transportation Alternative Program (TAP) projects; Congestion Mitigation and Air Quality (CMAQ) projects; and other projects intending to utilize federal highway funds, federal transit funds, or state trunk highway funds. The draft list of projects in the STIP is available for review at the Department of Transportation District Offices:

- District 1 – Duluth, 1123 Mesaba Avenue, Duluth, MN 55811 (Phone 218-725-2700)
- District 2 – Bemidji, 3920 Highway 2 West, Bemidji, MN 56601 (Phone 218-755-6500)
- District 3 – Baxter, 7694 Industrial Park Road, Baxter, MN 56425-8096 (Phone 800-657-3971)
- District 4 – Detroit Lakes, 1000 Hwy. 10 West, Detroit Lakes, MN 56501 (Phone 800-657-3984)
- District 6 – Rochester, 2900 48th Street NW, Rochester, MN 55901-5848 (Phone 507-286-7500)
- District 7 – Mankato, 2151 Bassett Dr, Mankato, MN 56001-6888 (Phone 800-657-3747)
- District 8 – Willmar, 2505 Transportation Road, Willmar, MN 56201 (Phone 800-657-3792)
- Metro District – Water’s Edge Building, 1500 W. Co. Rd. B-2, Roseville, MN 55113-3174 (Phone 651-234-7500)

Or the Office of Transportation System Management, Mail Stop 440, 395 John Ireland Boulevard, Third Floor South, St. Paul, MN 55155.

You have 30 days to submit written comments. Comments must be received by 4:30 p.m. on **July 29, 2015**. Comments are encouraged and should identify the portion of the STIP addressed, reason for the comment, and any change proposed.

Please direct all correspondence to: Deb Peña
Office of Transportation System Management
Minnesota Department of Transportation
Mail Stop 440
395 John Ireland Boulevard
St. Paul, MN 55155
E-mail: Debbie.Pena@state.mn.us
Phone: (651) 366-3775
Office Phone: (651) 366-3798

Minnesota Public Utilities Commission (PUC)**Notice of Filing and Comment Period in the Matter of the Application of Great River Energy and Minnesota Power for a Certificate of Need for the Menahga Area 115 kV Transmission Line Project in Hubbard, Wadena and Becker Counties in Minnesota****Public Utilities Commission Docket No. ET2, E015/CN-14-787**

NOTICE IS HEREBY GIVEN that Great River Energy and Minnesota Power (“Applicants”) have filed a Certificate of Need application to construct approximately 22.5 miles of new 115 kV transmission line from the existing Hubbard substation westward to a
(Cite 39 SR 1779) *Minnesota State Register*, Monday 29 June 2015 Page 1779

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new Straight River substation in the SW corner of Straight River Twp., and then southward to a new Blueberry substation near the city of Menahga and to a new Red Eye substation approximately 3 miles north of Sebeka, MN.

The Project known as the “Menahga Area Project” will be located in Hubbard, Wadena and Becker counties and specifically entails: 1) construction of 4.5 miles of double-circuit 115 kilovolt (kV) transmission and approximately 2.5 miles of single-circuit 115 kV transmission, 2) construction of approximately 15.5 miles of primarily single-circuit 115 kV transmission, and 3) construction of three new substations and modifications of another two existing substations.

The stated need for the project is to address transmission system overload issues in the Menahga area and to serve the new Todd-Wadena Red Eye substation and the new Sebeka pump station proposed by Minnesota Pipe Line Company as part of the Minnesota Pipe Line Reliability Project (see MPUC Docket No. PL-5/CN-14-320). The applicants indicated that the existing transmission system serving this area of the state has reached its maximum peak load-serving capability and is not sufficiently robust to serve the new pump station.

The Applicants plan to commence construction of the Project in late spring 2016 and complete it by spring 2017. The construction will take approximately 11 months to complete and the entire Project will be energized in April 2017.

The proposed project is a large energy facility as defined by *Minnesota Statutes* § 216B.2421, subd. 2(3), because it is a high-voltage transmission line with a capacity greater than 100 kV and greater than ten miles in length. Under *Minnesota Statutes* § 216B.243, Subd. 2, no large energy facility shall be sited or constructed in Minnesota without the issuance of a certificate of need by the Commission.

The proposed project is a 22.5-mile 115 kV transmission line and therefore requires both a certificate of need and a route permit before it can be constructed.

Minnesota Rules, Chapter 7850 sets forth the requirements for making an application for a certificate of need, as well as the ultimate criteria for demonstrating need. Where material facts are in dispute, the Commission refers cases to the Office of Administrative Hearings for a contested case proceeding under *Minnesota Rules* 7829.1000. Otherwise, the Commission may develop the record using its informal proceedings under *Minnesota Rules* 7829.1200.

The Commission in cooperation with Office of Administrative Hearings will hold a public hearing the week of October 12, 2015 in the project area (City of Menahga). Members of the public may participate without the necessity of intervening as a party. Representation by legal counsel is permitted but not required. Citizens will have the opportunity to question witnesses and offer oral and written comments into the record. Representatives of GRE and MP and staff from the Commission and the Department of Commerce will be available to answer questions about the project and the state review process.

Interested persons are encouraged to submit written comments on the merits of the proposed project, particularly whether there are any contested issues of fact with respect to the representations made in the application for a certificate of need. Comments should be filed by **Friday, September 25, 2015**. Comments received after comment period closes will not be accepted. Comments should be submitted as follows:

Online:	Visit mn.gov/puc , select “Comment on an Issue,” find this docket (14-787), and add your comments to the discussion.
U.S. Mail:	Minnesota Public Utilities Commission 121 - 7th Place East, Suite 350 St. Paul, MN 55101

Please include the Commission’s docket number (14-787) in all communications.

Questions on the certificate of need application may be directed to Commission staff member Cezar Panait at Cezar.Panait@state.mn.us or (651) 201-2207.

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 Commerce (Comm) Division of Energy Resources Notice of REQUEST FOR PROPOSAL Community Energy Efficiency and Renewable Loan Program - Reference Number: COMM-REV01-20150629

The Minnesota Department of Commerce (“Commerce”) is soliciting request for proposals from units of local governmental seeking low-cost, long-term capital to finance community energy efficiency and renewable energy systems projects, under its Rev It Up Program (“Program”). This competitive Request for Proposal (“RFP”) allows units of local government to compete for funding designed to increase community energy efficiency systems in the built environments and to increase renewable energy production throughout the state that result in reductions in energy consumption and greenhouse gas emissions.

Under *Minnesota Statutes* §216C.145 and 146—Community Energy Efficiency and Renewable Energy Loan Program—the Minnesota legislature provided Commerce with the authority to issue up to \$100 million in revenue bonds, of which up to \$20 million shall be reserved for community energy efficiency and renewable energy projects taking place in small businesses and public buildings; with the balance of funding authority reserved to provide loans or other aids to industrial or commercial businesses or healthcare facilities for cost-effective energy efficiency projects or to install renewable energy systems.

A Request for Proposals (RFP) and required forms will be available for download on the Department’s website:

<http://mn.gov/commerce/>

through Friday, August 7, 2015. Potential responders may also request a hard copy of the RFP by mail from this office. Requests for hard copies must be received by the Department no later than 10:00 a.m. Central Time (CT) on Wednesday, July 5, 2015.

The RFP and forms can be obtained from:

Preferred Method:

<http://mn.gov/commerce/>

Hover over “BUSINESSES”, then click on “Request for Proposals”

U.S. Postal Service:

Energy Grants & Contracts
Minnesota Department of Commerce
Division of Energy Resources
85 - 7th Place East, Suite 500
St. Paul, MN 55101-2198

Proposals submitted in response to this RFP must be received electronically and no later than 11:59pm, CT, Friday, August 7, 2015. **Late proposals will not be considered.** Instructions for submitting proposals are detailed in the RFP.

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

State Contracts

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 Colleges and Universities (MnSCU)

Campus Service Cooperative

REBID - Notice of Request for Bids for Armored Car Services for Various Colleges and Universities

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of the various colleges and universities, is soliciting bids from qualified vendors to provide armored car services daily Monday-Friday to participating MnSCU institutions.

The full Request for Bid is available at: <http://www.csc.mnscu.edu/Sourcing/RFP.html>

Bids must be delivered to Michael Noble-Olson, Chief Procurement Officer, Campus Service Cooperative, Educational Services Building, 7411 85th Ave. N., Brooklyn Park, MN 55445 not later than **2:00 PM, Tuesday, July 7, 2015**. Late responses will **NOT** be considered.

Minnesota State Colleges and Universities is not obligated to award a contract and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota State Colleges and Universities (MnSCU)

Lake Superior College

Request for Bids for Fitness Center Equipment

NOTICE IS HEREBY GIVEN that bids are being solicited for pricing of Fitness Center Equipment for use at Lake Superior College located in Duluth, Minnesota.

For additional information or to request a copy of the Request for Bids, please contact:

Michelle Phernetton, Purchasing
E-mail: purchasing@lsc.edu
Lake Superior College
2101 Trinity Road
Duluth MN 55811
Telephone: (218) 733-5976
Fax: (218) 733-5977

Proposals are due at the Lake Superior College Business Office by 5:00 PM CT on Monday, July 13, 2015.

This notice and the Request for Proposal do not obligate the State of Minnesota, Minnesota State Colleges and Universities or Lake Superior College to award a contract; and reserves its right to withdraw from the RFP if it is considered to be in its best interest.

**Minnesota State Colleges and Universities (MnSCU)
Lake Superior College
Request for Proposal for Food Service**

NOTICE IS HEREBY GIVEN that proposals are being solicited for Pricing and Service of Cafeteria Food Supplies and Sundries for the in-house Cafeteria Food Service at Lake Superior College located in Duluth, Minnesota.

Lake Superior College seeks to enter into an agreement for the upcoming school year, August 1, 2015 through June 30, 2016. For additional information or to request a copy of the Request for Proposal, please contact:

Michelle Phernetton, Purchasing
E-mail: *purchasing@lsc.edu*
Lake Superior College
2101 Trinity Road
Duluth MN 55811
Telephone: (218) 733-5976
Fax: (218) 733-5977

Proposals are due at the Lake Superior College Business Office by 5:00 PM CT on Monday, July 6, 2015.

This notice and the Request for Proposal do not obligate the State of Minnesota, Minnesota State Colleges and Universities or Lake Superior College to award a contract; and reserves its right to withdraw from the RFP if it is considered to be in its best interest.

**Minnesota State Colleges and Universities (MnSCU)
Lake Superior College
Request for Proposal for Public Workforce System Services**

NOTICE IS HEREBY GIVEN that Lake Superior College (LSC) of Duluth, MN is accepting proposals from the public workforce system to provide services specifically for LSC's TAACCCT Minnesota Advanced Manufacturing Partnership (MnAMP) Learn, Work, Earn grant.

For additional information or to request a copy of the Request for Proposal, please contact:

Michelle Phernetton, Purchasing
E-mail: *purchasing@lsc.edu*
Lake Superior College
2101 Trinity Road
Duluth, MN 55811
Telephone: (218) 733-5976
Fax: (218) 733-5977

Proposals are due at the Lake Superior College Business Office by 5:00 PM CST on Monday, July 6, 2015.

This notice and the Request for Proposal do not obligate the State of Minnesota, Minnesota State Colleges and Universities or Lake Superior College to award a contract; and reserves its right to withdraw from the RFP if it is considered to be in its best interest.

State Contracts

Minnesota State Colleges and Universities (MnSCU) Metropolitan State University Request for Proposal (RFP) for Digital Marketing

Metropolitan State University is requesting proposals from qualified, cost-conscious, and proven growth-success **digital** marketing vendors with an all-inclusive and/or specialized digital expertise in higher education, to identify, recommend, and implement online marketing initiatives using, but not limited to, online banner, SEO, SEM, mobile and social media, targeting prospective students through results-driven online platforms. Vendor/s will also provide dashboards and reports with measurable results.

Objectives of this **digital** marketing proposal include:

- Increasing awareness of Metropolitan State University
- Increasing enrollment at the university
- Positioning the university as the leading provider of high quality, accessible, affordable higher education to a diverse and non-traditional student population
- Driving traffic to university website

To receive a complete copy of the proposal specifications, or for questions about the RFP, please contact Poh Lin Khoo, Director of Marketing and Communications, **e-mail:** pohlin.khoo@metrostate.edu

PROPOSAL CLOSE DATE IS FRIDAY, JULY 17, 2015 – 3:00 PM CDT. Sealed proposals received after this date and time will be returned to the responder unopened. Fax and e-mail responses will not be considered.

Minnesota State Colleges and Universities (MnSCU) System Office Request for Proposals for Brand Identity System

The Minnesota State Colleges and Universities system office is requesting proposals to assist with the development and implementation of a Brand Identity System.

With each MnSCU college and university maintaining its own identity system, the MnSCU system operates as a house of brands.

Critical to the project is the need to convey a single, unified system message, with multiple routes of delivery, to those constituents and partners who can advocate and carry support for the mission of the system. Through this project, we expect to:

- Introduce a new naming structure
- Implement an endorser brand strategy to communicate the collective value of the 31 colleges and universities of MnSCU

Specifications for each proposal are available by visiting the Web site:

<http://www.advancement.mnscu.edu/rfp/brandingRFP/index.html>

or by contacting Carmen Shields, Minnesota State Colleges and Universities, Wells Fargo Place, 30 - 7th St. E., Suite 350, St. Paul, Minnesota 55101, **phone:** (651) 201-1566, or request by **e-mail:** carmen.shields@so.mnscu.edu.

Sealed bids must be received by 5:00 PM CDT, TUESDAY, JULY 21, 2015.

This request does not obligate Minnesota State Colleges and Universities to complete the proposed project, and the system reserves the right to cancel this solicitation if it is considered to be in its best interest.

The Minnesota State Colleges and Universities system is an Equal Opportunity employer and educator.

Minnesota State Colleges and Universities (MnSCU) Riverland Community College Notice of Request for Proposal (RFP) for Public Workforce System

NOTICE IS HEREBY GIVEN that Riverland Community College is accepting proposals from the public workforce system to provide services for the TAACCCT Minnesota Advanced Manufacturing Partnership (MnAMP) Learn, Work, Earn grant. Services are requested for all three of Riverland's service regions (Albert Lea, Austin and Owatonna communities).

Proposals

Interested parties must contact Peggy Young at peggy.young@riverland.edu to obtain proposal specifications. Proposals submitted by parties without having obtained specifications will not be considered. Deadline for any questions regarding this project is 3:00 PM on July 9, 2015.

Sealed proposals must be received by 3:00 pm CST, July 13, 2015.

Address sealed proposals to: Peggy Young
MnAMP Project Coordinator
Riverland Community College
1900 - 8th Ave NW
Austin, MN 55912

Riverland Community College reserves the right to reject any or all proposals or portion thereof, to waive technicalities in bids, and to delay final award for a period of 15 days. This RFP does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota Housing Finance Agency (Minnesota Housing) Notice of Contract Opportunity for Rent Comparability Study (RCS) Reviewer

PROJECT NAME: The Minnesota Housing Finance Agency (Minnesota Housing) seeks to contract with multiple qualified Minnesota licensed real estate appraisers to serve as Rent Comparability Study (RCS) Reviewers.

DETAILS: A person serving as an RCS Reviewer will be required to perform "Substantive Review" on owner-supplied RCSs for "rent reasonableness" and the appropriateness of selected comparable multifamily properties, to justify proposed Section 8 rent levels for the subject property, per HUD's Section 8 Renewal Policy Guidebook.

Work is anticipated to start after September 1, 2015.

COPY REQUEST: To obtain a copy of the Request for Proposals, please send a written request, by e-mail, to:
cameron.oyen@state.mn.us

PROPOSAL DEADLINE: Proposals submitted in response to the Request for Proposals in this advertisement must be received by mail or in-person delivery to:

Cameron M. Oyen
Housing Program/Policy Specialist
Minnesota Housing
400 Sibley Street, Suite 300
Saint Paul, MN 55101

no later than 2:00 P.M. CDT, on Friday, July 24, 2015. **Late proposals will NOT be considered.** E-mail or fax proposals will **NOT** be considered.

State Contracts

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

Minnesota State Retirement System (MSRS) Request for Proposals for Infrastructure-as-a-Service (IaaS) Hosting

Minnesota State Retirement System (MSRS) requests proposals from vendors for hosting its participant-account system. This system, named "Aurora," is a custom-built Java application. Aurora leverages IBM DB2 to store its data and the IBM Websphere application stack to perform business-critical MSRS functions. Aurora is developed onsite at MSRS, and currently hosted at the State of Minnesota's Information Technology agency, MN.IT Services (MN.IT).

The goal of this Request for Proposal (RFP) is to find a new vendor to provide third-party Infrastructure-as-a-Service (IaaS) hosting and provide managed services to support that solution.

The project implementation period, including final planning, configuration, testing, and migration to the new host is expected to take fewer than six (6) months, after which with hosting service to continue for the remainder of up to three (3) years, with options to extend an additional two (2) years in increments determined by the State. The total maximum length of a contract under this RFP, including the implementation and hosting period will be a maximum of five (5) years.

The initial term of a Contract resulting from this RFP is expected to run from **October 1, 2015 to September 30, 2018**.

To receive a copy of this RFP, send a request via e-mail (in subject line: "RFP22") to:

Daniel McLean, Contract Administrator
Minnesota State Retirement System (MSRS)
E-mail: daniel.mclean@msrs.us

Proposals submitted in response to this RFP must be received by email at the email address above no later than **July 31, 2015 at 3:00 p.m.** Central Time (CT). Late proposals and proposals received any way other than email will not be considered.

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

Minnesota 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.

State Contracts

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

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-St. Paul International Airport Notice of Call for Bids for Fire Alarm System Transition Program – 2015 Phase

MAC Contract No.: 106-3-505
Bids Close At: 2:00 p.m. July 14, 2015

Notice to Contractors: Sealed Bid Proposals for the 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 above. The Contractor shall supply all materials, tools, equipment, transportation and labor necessary for the entire project

Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business opportunities or go directly to https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE_RED and choose this and other topics about which you are interested.

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

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

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Michaud Cooley Erickson; at the Minnesota Builders Exchange; Dodge Data & Analytics; 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 June 29 & July 6, 2015, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids.)

Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Minneapolis-St. Paul International Airport

Notice of Call for Bids for 2015 Concourse A-B Reconfiguration

MAC Contract No.
Bids Close At:

106-2-795
2:00 PM on July 14, 2015

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. This project provides for the switch of four jet bridges on the "A" Concourse with four jet bridges on the "B" Concourse. It also includes closing three gates on the "A" Concourse and eight gates on the "B" Concourse to allow for larger aircraft at the concourses. Work also includes relocating Great Lakes Aviation from Gate B14 to Gate B15. Site work includes miscellaneous removals, extensive pavement marking, and relocation of four fuel pits.

Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business opportunities or go directly to https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE_RED and choose this and other topics about which you are interested.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization or TGB on this project is 2%.

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: Plans and Specifications are on file for inspection at the office of TKDA, the Minnesota Builders Exchange, Dodge Data and Analytics, and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: TKDA; 444 Cedar Street, Suite 1500; St. Paul, MN 55101; **phone:** (651) 292-4400; **fax:** (651) 292-0083. Make checks payable to: TKDA. Deposit per set (refundable): \$100.00. 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 June 29 & July 6, 2015, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids.)

Metropolitan Airports Commission (MAC)

Minneapolis-St. Paul International Airport

Request for Qualifications for Architectural Consulting Services

The Metropolitan Airports Commission (MAC) is requesting Statements of Qualifications (SOQs) from firms interested in providing Architectural consulting services for building studies, design, construction, and remodeling projects on all seven of MAC's airports.

The selected firms will work closely with MAC staff and construction coordination consultant and with the airlines and other airport tenants. All submittals must be received by MAC prior to 2:00 p.m. on August 3, 2015.

For a copy of the RFQ, please go to the following link on or after July 6, 2015: <http://metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx>.

Direct questions to: Heather J. Leide, AIA, Senior Project Manager, Metropolitan Airports Commission, 6040 28th Ave. S., Minneapolis, MN 55450, **phone:** (612) 726-8128, **fax:** (612) 794-4407, **e-mail:** heather.leide@mspmac.org.

Non-State Public Bids, Contracts & Grants

Middle St. Croix Watershed Management Organization (MSCWMO) Request for Letters of Interest Proposals—Professional Services for Legal and Engineering Consulting Services

NOTICE IS HEREBY GIVEN that pursuant to *Minnesota Statutes Annotated* 103B.227, Subd. 5, the Middle St. Croix Watershed Management Organization (MSCWMO) hereby solicits Letters of Interest Proposals for legal and engineering consulting services for fiscal years 2015 and 2016. The MSCWMO's 2015 operating budget is \$109,000 and the annual capital projects budget is approximately \$50,000.

Letters should include a brief description of the company and the experience of the individual(s) and hourly fee schedules by labor category. Letters of interest proposals shall be in a sealed envelope clearly marked, "MSCWMO – Letter of Interest Proposal." The Watershed Management Organization will review the letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest Proposals shall be submitted on or before July 17, 2015 electronically or in paper to:

Administrator Mikael Isensee
MSCWMO – Letter of Interest Proposal
455 Hayward Avenue
Oakdale, MN 55128
E-mail: misensee@mnwcd.org
(NO CALLS)

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