

Minnesota State Register

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



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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

**Monday 14 July 2014
Volume 39, Number 2
Pages 21 - 50**

Minnesota State Register

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

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- Withdrawn Rules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)	
# 3	Monday	21 July	Noon Tuesday	15 July	Noon Thursday	10 July
# 4	Monday	28 July	Noon Tuesday	22 July	Noon Thursday	17 July
# 5	Monday	4 August	Noon Tuesday	29 July	Noon Thursday	24 July
# 6	Monday	11 August	Noon Tuesday	5 August	Noon Thursday	31 July

PUBLISHING NOTICES: We need to receive your submission **ELECTRONICALLY in Microsoft WORD format**. Submit ONE COPY of your notice via e-mail to: robin.panlener@state.mn.us. State agency submissions must include a "State Register Printing Order" form, and, with contracts, a "Contract Certification" form. Non-State Agencies should submit **ONE COPY in Microsoft WORD**, with a letter on your letterhead stationery requesting publication and date to be published. Costs are \$10.20 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page = 4/10s of a page in the *State Register*, or \$40.80. About 2-1/2 pages typed, double-spaced, on 8-1/2"x11" paper = one typeset page in the *State Register*. Contact editor if you have questions (651) 297-7963, or **e-mail:** robin.panlener@state.mn.us.

SUBSCRIPTION SERVICES: Copies are available at Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. **NO REFUNDS.** E-mail subscriptions are available by contacting (651) 297-8777. Send address changes to Minnesota's Bookstore, 660 Olive Street, St. Paul, Minnesota 55155.

SEE THE *Minnesota State Register* free at **website:** <http://www.minnesotasbookstore.com>

- **Minnesota State Register: On-line subscription** – \$180, includes links, index, special section "CONTRACTS & GRANTS," with Sidebar Table of Contents, Early View after 4:30 pm Friday (instead of waiting for early Monday), and it's sent to you via **E-mail**.
- **Single issues** are available for a limited time: *Minnesota State Register* \$5.00.
- **"Affidavit of Publication"** includes a notarized "Affidavit" and a copy of the issue: \$15.00.
- **Research Services** - will look up, photocopy, and fax or send copies from past issues at \$1.00 per page.

Governor: Mark Dayton (651) 296-3391
Lieutenant Governor: Yvonne Prettner Solon
(651) 296-3391
Attorney General: Lori Swanson (651) 296-6196
Auditor: Rebecca Otto (651) 296-2551
Secretary of State: Mark Ritchie (651) 296-2803

Administration Commissioner:
Spencer R. Cronk (651) 201-2555
Plant Management Division:
Christopher A. Guevin (651) 201-2350
Minnesota's Bookstore:
Mary Mikes (651) 297-3979

Editor: Robin PanLener
(651) 297-7963, robin.panlener@state.mn.us
Assistant editor: John Mikes
(651) 297-4616, john.mikes@state.mn.us
Subscriptions Manager: Loretta J. Diaz
(651) 297-8777, loretta.diaz@state.mn.us

Copyright © 2014 Plant Management Division, Department of Administration, State of Minnesota.
USPS Publication Number: 326-630 (ISSN: 0146-7751)

THE MINNESOTA STATE REGISTER IS PUBLISHED by Plant Management Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available on-line at website: <http://www.comm.media.state.mn.us/bookstore/mnbookstore>

Minnesota Legislative Information

Senate Public Information Office (651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
Website: www.senate.mn

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

Minnesota State Court System

Court Information Office (651) 296-6043
MN Judicial Center, Rm. 135,
25 Rev. Dr. Martin Luther King Jr Blvd.,
St. Paul, MN 55155 **Website:** www.mncourts.gov

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office – Fax: (202) 512-1262
Website: http://www.access.gpo.gov/su_docs/aces/aces140.html

Minnesota Rules: Amendments & Additions

Vol. 39, #1-2: Monday 7 - 14 July 2014..... 24

Proposed Rules

Office of the Secretary of State

Proposed Permanent Rules Relating to Election-Related
Safe at Home Program Provisions..... 25

Expedited Rules

Education Department (MDE)

Proposed Expedited Permanent Rules Relating to
Special Education Case Loads and Rule Alignment..... 31

Expedited Emergency Rules

Natural Resources Department (DNR)

Adopted Expedited Emergency Game and Fish Rules:
2014 August Canada Goose Management Harvest..... 36

Executive Orders

Office of the Governor

Emergency Executive Order 14-12:
Supplementing Emergency Executive Order 14-11,
Declaring a State of Peacetime Emergency in the
State of Minnesota..... 38

Official Notices

Human Services Department (DHS)

Continuing Care Administration:
Public Comment Period, Community First Services
and Supports, 1915(b)(4) Waiver..... 39

Pollution Control Agency (MPCA)

Watershed Division:
Availability of the Draft Crow Wing River Watershed
TMDL Study Request for Comment..... 40

Transportation Department (Mn/DOT)

Notice to Bidders: Suspensions/Debarments
as of July 15, 2014..... 42

State Contracts

Administration Department (Admin)

Real Estate and Construction Services:
State Real Property in Isanti Township for Sale..... 43

Colleges and Universities, Minnesota State (MnSCU)

Northland Community and Technical College:
Request for Comprehensive Banking Services for
Northland Community and Technical College..... 43

Cosmetologist Examiners Board

Availability of Contract for Development and
Administration of Cosmetology Examinations..... 43

Minnesota Historical Society (MHS)

Request for Proposal for Economic Analysis Study for
Oliver H. Kelley Farm and Historic Fort Snelling..... 44

Request for Proposals for Oliver H. Kelley Farm
Owners' Representative Construction Project Manager..... 44

Human Services Department (DHS)

Child Support Enforcement Division:

Request for Proposals from Qualified Responders
Operating Programs in Minnesota Which Support
and Facilitate Access and Visitation..... 45

Transportation Department (Mn/DOT)

Engineering Services Division:

Contracting Opportunities for a Variety of Highway
Related Technical Activities ("Consultant
Pre-Qualification Program")..... 45

Engineering Services Division:

Professional/Technical Contract Opportunities and
Taxpayers' Transportation Accountability Act Notices..... 46

Non-State Public Bids, Contracts & Grants

Metropolitan Council

Hennepin County
Hennepin County Regional Railroad Authority (HCRRA)

Public Hearing on the Southwest Light Rail Transit
(Green Line Extension) Physical Design Component
of the Preliminary Design Plans..... 47

Minnesota's Bookstore..... 48

Other Helpful Resources:

For additional contracts go to:
<http://www.mmd.admin.state.mn.us/solicitations.htm>
Contract information is available from the Materials Management (MMD)
Helpline (651) 296-2600, or Web site: www.mmd.admin.state.mn.us
For additional grants go to the Office of Grants Management (OGM) at:
<http://www.grants.state.mn.us/public/>
Revisor of Statutes - RULES STATUS:
https://www.revisor.mn.gov/rules/rule_search.php
Statewide Integrated Financial Tools (SWIFT) Supplier Portal:
<http://supplier.swift.state.mn.us>
Contract information is available from the Materials Management (MMD)
Helpline (651) 296-2600, or Web site: www.mmd.admin.state.mn.us
Minnesota State Register information is available from Minnesota's
Bookstore (651) 297-3000, or (800) 657-3757, Web site:
www.minnesotasbookstore.com

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

Volume 39 - Minnesota Rules

Index for Rules Appearing in Issues # 1- 2:

Monday 7 July - Monday 14 July 2014

Education Department

3525.0210; .1335; .2340; .2710; .2900; .3010; .3600; .3700; .3900; .4770 (proposed expedited).....	31
3525.4010, change headnote to HEARING SYSTEM DATA (term change).....	31
3525.4010 s. 1, 2 (proposed expedited repealer).....	31

Natural Resources Department

6240.0650 (adopted expedited emergency).....	36
6262.0200; 6264.0400 (adopted).....	5
6264.0400 s. 3, (repealed).....	5

Secretary of State

8290.0200; .1100; .1300 (proposed).....	25
8290.0100 s. 17; .1300 s. 4 (proposed repealer).....	25

Proposed Rules

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

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

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

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

Minnesota Office of the Secretary of State

Proposed Permanent Rules Relating to Election-Related Safe at Home Program Provisions

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received; Revisor's Tracking No. 4268

Proposed Amendment to Rules of the Secretary of State Governing to Election-Related Safe at Home Program Provisions, *Minnesota Rules*, 8290.0100, 8290.0200, 8290.1100, 8290.1300

Introduction. The Office of the Secretary of State intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on August 13, 2014, the Office will hold a public hearing on the above-named rules in the State Retirement Systems of Minnesota Building, 60 Empire Drive, Saint Paul, Minnesota, 55103, starting at 10:00 a.m. on Tuesday, August 26, 2014. To find out whether the Office will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after August 13, 2014 and before August 26, 2014.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Julie Strother at the Office of the Secretary of State, 180 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, Minnesota, 55155; e-mail: julie.strother@state.mn.us; phone: (651) 201-1342; fax: (651) 215-0682. TTY users may call the Office of the Secretary of State through the Minnesota Relay Service at 711.

Subject of Rules and Statutory Authority. The proposed rule amendments are governing the election-related procedures of the Safe at Home Program. The statutory authority to adopt and amend the rules is *Minnesota Statutes*, sections 5B.08. A copy of the proposed rule amendments is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Wednesday, August 13, 2014, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

Proposed Rules

Request for a Hearing. In addition to submitting comments, you may also request that the Office of the Secretary of State hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on Wednesday, August 13, 2014. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, the Office will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format/Accommodation. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact Julie Strother, 180 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, Minnesota, 55155; e-mail: julie.strother@state.mn.us; phone: (651) 201-1342; fax: (651) 215-0682. TTY users may call the Office of the Secretary of State through the Minnesota Relay Service at 711.

Modifications. The Office might modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Office follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Office encourages you to participate in the rulemaking process.

Cancellation of Hearing. The Office will cancel the hearing scheduled for Tuesday, August 26, 2014, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at (651) 201-1342 after August 13, 2014, to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Office will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Office will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Chief Administrative Law Judge Tammy L. Pust is assigned to conduct the hearing. Chief Judge Pust's legal assistant, Denise Collins, can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone: (651) 361-7875, and fax: (651) 361-7936.

Hearing Procedure. If the Office holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the agency and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge before the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

Statement of Need and Reasonableness. The statement of need and reasonableness summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the Office contact person as well as available at the Secretary of State's website: www.sos.state.mn.us. You may

Proposed Rules

review the Statement of Need and Reasonableness on the Secretary of State's website or obtain copies at the cost of reproduction by contacting the Office contact person, Julie Strother, 180 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, Minnesota, 55155; e-mail: julie.strother@state.mn.us; phone: (651) 201-1342; fax: (651) 215-0682. TTY users may call the Office of the Secretary of State through the Minnesota Relay Service at 711.

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

Adoption Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period. The Office will submit the rules and supporting documents to the Office of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want either to receive notice of this, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date that the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date that the agency adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 1 July 2014

Mark Ritchie
Secretary of State

8290.0200 APPLICATION.

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

Subp. 9. **Voter registration through secretary of state.** At the time of application, the application assistant must also offer the applicant the opportunity to register to vote as ~~an ongoing a permanent~~ absentee voter with the secretary of state, pursuant to part 8290.1300 and *Minnesota Statutes*, section 5B.06. A voter registration application filled out in the presence of an application assistant and submitted by an application assistant is not considered registration by mail as provided in *Minnesota Statutes*, section 201.061.

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

8290.1100 RENEWAL OF PROGRAM CERTIFICATION.

Subpart 1. **Notification of option to renew.**

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

B. Along with the renewal form sent 30 days prior to expiration, the secretary of state must also offer the program participant the opportunity to register to vote as ~~an ongoing a permanent~~ absentee voter with the secretary of state, pursuant to part 8290.1300 and *Minnesota Statutes*, section 5B.06, if the program participant has not already done so.

[For text of subps 2 to 8, see M.R.]

8290.1300 VOTING BY PROGRAM PARTICIPANT.

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

Subp. 2. **Permanent absentee ballot recipient voter status.** A program participant who is eligible to vote may register to vote with the secretary of state as ~~an ongoing a permanent~~ absentee voter pursuant to *Minnesota Statutes*, section 5B.06. The secretary of state shall maintain a record of each program participant registering to vote as ~~an ongoing a permanent~~ absentee voter. If a program participant withdraws or is canceled from the program, the individual loses eligibility to vote through Safe at Home. In order to comply with the Help America Vote Act when registering to vote, the program participant must provide a copy of a photo identification with the combined voter registration and permanent absentee ballot request form if:

A. it was not submitted by an application assistant;

Proposed Rules

B. the statewide voter registration system indicates that the program participant voter has not previously voted in a federal election in Minnesota;

C. the application states that the participant possesses photo identification; and

D. the program participant voter has not already provided the secretary of state with a photocopy of photo identification.

Subp. 2a. Review and removal from voter registration system. Upon certification of an application, the secretary of state must suppress any record for a program participant found in the system. When a program participant withdraws or is canceled from the program, the secretary of state must unsuppress any voter record for the program participant in the statewide voter registration system.

Subp. 2b. Challenging voter records.

A. If a program participant or applicant provides information to the secretary of state that indicates that a program participant voter is not eligible to vote, or if the secretary of state is able to determine from information provided by the commissioner of corrections, the state court administrator, or the Department of Public Safety that the program participant voter is not eligible to vote, then the secretary of state must mark the voter's record as challenged.

B. If the secretary of state is able to determine from information provided by any of the sources in item A that a program participant whose voter record was challenged has become eligible to vote, the secretary of state must remove the challenge from the program participant's voter record.

Subp. 2c. Updates to voter records. If a program participant or applicant submits notification in accordance with part 8290.0700 that the program participant voter has moved or the voter's name has changed, the secretary of state must update the program participant's voter record.

Subp. 3. Identification of program participant voters. Whenever the secretary of state is notified that an election will be taking place, the secretary of state must, at least 45 60 days before the election, or in the case of a special election, within two business days after it is scheduled, identify all program participant voters who live in the jurisdiction.

Subp. 4. [See repealer.]

Subp. 5. Requesting absentee ballot request form ballots. The secretary of state shall provide program participant voters not currently registered in the statewide voter registration system at the actual address with an absentee ballot request form for each election in which the program participant is eligible to vote. Notwithstanding parts 8210.0200, 8210.0500, and 8210.0700, in order to receive a ballot, the program participant must return the absentee ballot request form to the secretary of state. A program participant voter must provide, in lieu of the verification process under the Help America Vote Act, a copy of the photo identification with the absentee ballot request form if the program participant voter's registration:

A. was not submitted by an application assistant;

B. the statewide voter registration system indicates that the program participant voter has not previously voted in a federal election in Minnesota;

C. the application states that the participant possesses photo identification; and

D. the program participant voter has not provided the secretary of state with a photocopy of photo identification.

Upon receiving the absentee ballot request form, The secretary of state must communicate to the appropriate election administrator of each jurisdiction for which requests have been received the number of ballots necessary for each jurisdiction to provide ballots to program participant voters whose records are not challenged. Notwithstanding parts part 8210.0200, 8210.0500, and 8210.0700, the election administrator must provide the appropriate ballots for that election to the secretary of state.

Subp. 6. Ballot distribution. The secretary of state must forward ~~the requested~~ ballots to each program participant whose voter record is not challenged by first class mail, accompanied by a notice of the criteria for being eligible to vote in Minnesota, absentee ballot instructions, a secrecy ballot envelope, a signature envelope, and a return envelope addressed to the secretary of state.

Proposed Rules

Subp. 6a. **Notice to challenged voters.** The secretary of state must send a notice to program participants whose voter records are challenged to explain the basis of the challenge and that the program participant will not be provided with a ballot unless the program participant returns a signed statement swearing or affirming that the program participant is eligible to vote. If the program participant returns the signed statement, the secretary of state must remove the challenge from the program participant's voter record, request a ballot for the program participant, and forward it to the program participant by first class mail.

Subp. 7. **Return of undeliverable ballots.** If the absentee ballot of any program participant is ~~declared returned as~~ undeliverable by the United States Postal Service, the secretary of state must return those materials to the appropriate county auditor.

Subp. 8. **Ballot handling.**

A. Notwithstanding ~~parts 8210.0200, part 8210.0500, and 8210.0700;~~ program ~~participant voters~~ participants must submit their return ~~ballot~~ envelopes to the secretary of state.

B. If the program participant ~~voter~~ submits a ~~return ballot signature~~ envelope, the secretary of state must review the ~~original return signature envelope and the program participant voter's record~~ to determine whether the secretary of state is satisfied that:

(1) ~~the individual has not withdrawn or been canceled from Safe at Home;~~

(2) ~~the program participant's voter record is not challenged;~~

(3) the program ~~participant voter's~~ participant's name and ~~identification number or~~ signature on the ~~original return signature~~ envelope appear in substantially the same form as on the absentee ballot request form described in subpart 5.2; and

(4) ~~that~~ the certificate on the ~~original return signature~~ envelope is properly executed.

C. The secretary of state must remove the ~~secrecy ballot~~ envelope from the ~~return signature~~ envelope received from the program participant ~~voter~~ and transfer the ~~secrecy ballot~~ envelope to a ~~blank, unused return an~~ envelope with the verification certificate printed on it. The secretary of state must complete and sign the verification certificate. The verification certificate includes the county, municipality, ward, and precinct/school district combination and states that the ballot is provided for a Safe at Home participant ~~voter~~, ~~and whether or not all of the following are true:~~

(1) ~~the individual is an active program participant;~~

(2) ~~the program participant's voter record is not challenged;~~

(3) the secretary of state is satisfied that the program ~~participant voter's~~ participant's name and ~~identification number or~~ signature on the ~~return signature~~ envelope appear in substantially the same form as on the ~~permanent~~ absentee ballot request form described in subpart 5.2; and

(4) whether the certificate on the ~~return signature~~ envelope is properly executed. The secretary of state must then forward these materials to the county auditor ~~by first class mail~~.

Subp. 9. **County auditor to forward ballot.** The county auditor shall forward the ~~substituted return~~ envelope bearing the verification certificate to the ~~municipal or school district clerk~~ appropriate absentee ballot board.

Subp. 10. **Receipt and counting of ballots.** ~~The municipality or school district clerk shall forward the verification certificate and substituted return envelope to the precinct. The election judges in the precinct absentee ballot board must review the verification certificate and may only reject the absentee ballot if the verification certificate indicates that the secretary of state was not satisfied that the program participant voter met the requirements of this part or if the secretary has subsequently notified the county auditor that the ballot should be rejected, in accordance with subpart 10e. If the election judges accept~~ absentee ballot board ~~accepts~~ the ballot, ~~they the election judges~~ must write "SAH" followed by a sequential number for each Safe at Home ballot processed and "AB" on the election day registration roster page. An accepted ballot is counted ~~in the polling place~~ as any other registered absentee ballot for statistical purposes.

Subp. 10a. **Replacement ballots.** If the secretary of state forwards a certification envelope to a county auditor at least five days before the election that indicates that the ballot should be rejected because of reasons identified in subpart 8, item C, subitem (3) or (4), the secretary of state must request a replacement ballot from the county auditor for the program participant. The county auditor must

Proposed Rules

promptly fulfill this request and the secretary of state must forward it to the program participant by first class mail.

Subp. 10b. **Notice of rejected ballot.** If within five days before the election the secretary of state forwards a certification envelope to a county auditor that indicates that the ballot should be rejected because of reasons identified in subpart 8, item C, subitem (3) or (4), the secretary of state must attempt to contact the program participant by telephone to notify the program participant that the ballot will be rejected.

Subp. 10c. **Notice to canceled or withdrawn program participants who were sent ballots.** If, after a ballot was sent to a program participant for an upcoming election, the program participant withdraws or is canceled from the program, the secretary of state must inform the former program participant that the former program participant is no longer eligible to vote through Safe at Home. If the program participant was canceled from the program due to mail returned as undeliverable, the secretary of state is exempt from the requirement to provide the former program participant with the written notice required by this subpart or any other written notice required by this part.

Subp. 10d. **Challenges after ballots were sent.**

A. If, after a ballot was sent to a program participant for an upcoming election, the program participant's voter record is challenged in accordance with subpart 2b, the secretary of state must notify the program participant in writing that the ballot will not be counted unless the program participant returns a signed statement swearing or affirming that the program participant is eligible to vote.

B. If the challenged program participant returns the signed statement swearing or affirming that the program participant is eligible to vote, the secretary of state must remove the challenge from the program participant's voter record and process any returned ballot in accordance with subpart 8.

C. If the secretary of state has already forwarded the challenged program participant's ballot to the county auditor when the secretary of state receives a signed statement swearing or affirming that the program participant is eligible to vote and the verification certificate indicates that the ballot should be rejected, the secretary of state must provide the county auditor with a replacement verification certificate. The absentee ballot board must review the replacement verification certificate to determine whether the program participant's ballot should be accepted.

Subp. 10e. **Ineligibility after ballot is forwarded to county.** If, after a ballot was forwarded to the county auditor that otherwise would have been accepted,

A. a program participant withdraws or is canceled from the program; or

B. the program participant's voter record is challenged in accordance with subpart 2b; or

C. the program participant dies, then the secretary of state must promptly notify the county auditor in writing that the ballot board should reject the ballot if the ballot board has not already processed the ballot in accordance with *Minnesota Statutes*, section 203B.121, subdivision 4.

Subp. 10f. **Notice of ballot disposition.** Within six to ten weeks after the election, the secretary of state must send a notice to a program participant if the absentee ballot board was instructed to reject the program participant's ballot.

Subp. 11. **Review and determination by secretary of state.** By March 31 of each year, the secretary of state must determine whether any program ~~participant voters~~ participants who cast ballots in the preceding 12-month period are recorded in the statewide voter registration system as having both a record of casting a ballot under this part and also voting in the same election. If it is found that a program participant voter casting a ballot under this part also has a voting history record for the same election in the statewide voter registration system, the secretary of state shall notify the appropriate county attorney of that fact.

Subp. 12. **Cessation of ~~ongoing permanent~~ absentee ballot voter status.** The secretary of state must revoke the program ~~participant voter's ongoing ballot~~ participant's permanent absentee voter status under this part until the county attorney confirms that the issue has been resolved in favor of the program participant if voting records under this part and voting history records in the statewide voter registration system show that the program participant ~~voter~~ has not only cast a ballot under this part but also voted in the same election by other means.

Proposed Rules

Subp. 13. **Record keeping.** The secretary of state must maintain a record for each election with the number of ballots requested by precinct/school district combinations, blank ballots received from each county auditor, assembled ballots sent to program ~~participant voters~~ participants, ballots returned as undeliverable, ballot envelopes returned by program ~~participant voters~~ participants to the secretary of state, and ~~substituted return envelopes created by the secretary of state~~ certification envelopes forwarded to county auditors.

Subp. 14. **Biennial report.** By April 30 of each odd-numbered year, the secretary of state shall issue a report on the activities of program ~~participant voters~~ participants during the period of two calendar years ending on December 31 preceding the report date.

REPEALER. Minnesota Rules, parts 8290.0100, subpart 17; and 8290.1300, subpart 4, are repealed.

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 Education (MDE)

Proposed Expedited Permanent Rules Relating to Special Education Case Loads and Rule Alignment

NOTICE OF INTENT TO ADOPT EXPEDITED RULES WITHOUT A PUBLIC HEARING

Proposed Expedited Permanent Rules Relating to Special Education Case Loads and Rule Alignment;
Revisor's ID Number: RD4273; Proposed Repealer of *Minnesota Rules*, part 3525.4010, Subparts 1 and 2, Are Repealed

Introduction

The Department of Education intends to adopt rules under the expedited rulemaking process following the rules of the Office of Administrative Hearings, *Minnesota Rules*, part 1400.2410, and the Administrative Procedure Act, *Minnesota Statutes*, section 14.389. You may submit written comments on the proposed expedited rules until August 15, 2014.

Agency Contact Person

You must submit comments or questions on the rules to: Kerstin Forsythe Hahn at The Minnesota Department of Education, 1500

Expedited Rules

Hwy 36 West, Roseville, MN 55113; phone: (651) 582-8583; or e-mail: Kerstin.Forsythe@state.mn.us. TTY users may call the Department of Education at (651) 582-8201.

Subject of the Expedited Rules and Statutory Authority

The proposed expedited rules are about special education, including special education case loads. The proposed rules align the current special education rules to state statute and eliminate inconsistencies and outdated references in the rules. Topics addressed include a definition of “workload,” caseload limits, prior written notice, transition, other health disabilities criteria, evaluations and reevaluations, conciliation conference, due process hearings, and expedited hearings. A more in depth description of the proposed changes to the special education rules is available in the legislative report submitted to the legislature by the Department of Education on February 14, 2014. This report is available on the department’s legislative reports webpage:

<http://education.state.mn.us/MDE/Welcome/Legis/LegisRep/index.html>.

The legislative report is titled “Special Education Caseload Task Force Report.”

The statutory authority to adopt the rules under the expedited rulemaking process is the Omnibus Supplemental Budget bill, Chapter 312, Article 17, Section 12. A copy of the proposed rules is published in the State Register and attached to this notice as mailed. The proposed expedited rules may also be viewed on the department’s special education rulemaking webpage:

<http://education.state.mn.us/MDE/Welcome/Rule/ActiveRule/SpecialEducationRules/index.htm>.

Comments

You have until 4:30 p.m. on August 15, 2014, to submit written comment in support of or in opposition to the proposed expedited rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. The Department encourages comment. Your comment should identify the portion of the proposed expedited rules addressed and the reason for the comment. In addition, you are encouraged to propose any change desired. You must also make any comments on the legality of the proposed rules during this comment period.

Modifications

The agency may modify the proposed expedited rules using either of two avenues: The agency may modify the rules directly so long as the modifications do not make them substantially different as defined in *Minnesota Statutes*, section 14.05, subdivision 2, paragraphs (b) and (c). Or the agency may adopt substantially different rules if it follows the procedure under *Minnesota Rules*, part 1400.2110. If the final rules are identical to the rules originally published in the *State Register*, the agency will publish a notice of adoption in the *State Register*. If the final rules are different from the rules originally published in the *State Register*, the agency must publish a copy of the changes in the *State Register*. If the proposed expedited rules affect you in any way, the agency encourages you to participate in the rulemaking process.

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.

Lobbyist Registration

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

Adoption and Review of Expedited Rules

The agency may adopt the rules at the end of the comment period. The agency will then submit rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date that the agency submits the rules. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Dated: 24 June 2014

Brenda Cassellius, Commissioner
Minnesota Department of Education

3525.0210 DEFINITIONS.

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

Subp. 11. **Days.** “Days” means business day, calendar day, or school day as defined in *Code of Federal Regulations*, title 34, section 300.9 300.11.

[For text of subps 12 to 48, see M.R.]

Subp. 49. **Workload.** “Workload” means a special education teacher’s workload and is defined as the total number of minutes required for all due process responsibilities including direct and indirect services, evaluation and reevaluation time, IEPs managed, travel time, parental contact, and other services required in the IEPs.

3525.1335 OTHER HEALTH DISABILITIES.

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

Subp. 2. **Criteria.** The team shall determine that a pupil is eligible and in need of special education instruction and services if the pupil meets the criteria in items A and B.

A. There is:

[For text of subitem (1), see M.R.]

(2) in the case of a diagnosis of Attention Deficit Disorder or Attention Deficit Hyperactivity Disorder (ADD or ADHD), there is written and signed documentation of a medical diagnosis by a licensed physician, an advanced practice nurse, or a licensed psychologist. The diagnosis of ADD or ADHD must include ~~documentation that DSM-IV criteria in appropriate documentation using DSM criteria that~~ items A to E have been met. ~~DSM-IV DSM~~ criteria documentation must be provided by either a licensed physician or a mental health or medical professional licensed to diagnose the condition.

For initial evaluation, all documentation must be dated within the previous 12 months.

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

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

3525.2340 CASE LOADS.

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

Subp. 4. **Case loads for school-age educational service alternatives.**

A. The maximum number of school-age pupils that may be assigned to a teacher:

(1) for pupils who receive direct special instruction from a teacher ~~50 percent or more~~ than 60 percent of the instructional day, but less than a full school day:

(a) deaf-blind, autism spectrum disorders, developmental cognitive disability: severe-profound range, or severely multiply impaired, three pupils;

(b) deaf-blind, autism spectrum disorders, developmental cognitive disability: severe-profound range, or severely multiply impaired with one ~~program support assistant~~ paraprofessional, six pupils;

(c) developmental cognitive disability: mild-moderate range or specific learning disabled, 12 pupils;

(d) developmental cognitive disability: mild-moderate range or specific learning disabled with one ~~program support assistant~~ paraprofessional, 15 pupils;

(e) all other disabilities with one ~~program support assistant~~ paraprofessional, ten pupils; ~~and~~

(f) all other disabilities with two ~~program support assistants~~ paraprofessionals, 12 pupils; and

(g) under special circumstances, for children who receive special education services for 60 percent or more of the instructional day, that are highly disruptive or create an unsafe environment due to the high behavioral or mental health needs of the students, such as students who are identified with EBD, districts have the option of lowering the number of such students in the classroom, so that both

Expedited Rules

students and staff are safe and there is a functional learning environment in which all students have the opportunity to receive a free appropriate public education; and

(2) for pupils who receive direct special education for a full day:

(a) deaf-blind, autism spectrum disorders, developmental cognitive disability: severe-profound range, or severely multiply impaired with one ~~program support assistant~~ paraprofessional, four pupils;

(b) deaf-blind, autism spectrum disorders, developmental cognitive disability: severe-profound range, or severely multiply impaired with two ~~program support assistants~~ paraprofessionals, six pupils; and

(c) all other disabilities with one ~~program support assistant~~ paraprofessional, eight pupils.

B. For pupils who receive direct special education ~~less than 50 60 percent or less of the instructional day, caseloads are to be determined by the local district's policy based on the amount of time and services required by pupils' IEP plans the school district must establish a board-approved policy for determining workload limits for special education staff based on student contact minutes, evaluation and reevaluation time, indirect services, IEPs managed, travel time, and other services required in the IEPs of eligible students.~~

Subp. 5. **Case loads for early childhood program alternatives.** A teacher's case load must be adjusted downward based on pupils' severity of disability or delay, travel time necessary to serve pupils in more than one program alternative, and if the pupils on the teacher's case loads are receiving services in more than one program alternative or the pupils are involved with other agencies. The maximum number of pupils that can be assigned to a teacher in any early childhood program alternative is:

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

C. birth through six years: 14 pupils per teacher. District early childhood special education (ECSE) classes must have at least one paraprofessional employed while pupils are in attendance. The maximum number of pupils in an ECSE classroom at any one time with a teacher and a ~~program support assistant~~ paraprofessional is eight. The maximum number of pupils in an ECSE classroom at any one time with an early childhood team is 16.

3525.2710 EVALUATIONS AND REEVALUATIONS.

Subpart 1. **Initial evaluations.** A school district shall conduct a full and individual initial evaluation according to this part before the initial provision of special education and related services to a pupil under this chapter. The initial evaluation shall consist of procedures to determine whether a child is a pupil with a disability that adversely affects the child's educational performance as defined in *Minnesota Statutes*, section 125A.02, who by reason thereof needs special education and related services, and to determine the educational needs of the pupil. The district proposing to conduct an initial evaluation to determine if the child qualifies as a pupil with a disability shall obtain an informed consent from the parent of the child before the evaluation is conducted. ~~A district may not override the written refusal of a parent to consent to an initial evaluation or reevaluation.~~ Parental consent for evaluation shall not be construed as consent for placement for receipt of special education and related services. ~~If the parents of the child refuse consent for the evaluation, the district may continue to pursue an evaluation by utilizing mediation and due process procedures.~~

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

Subp. 4. **Additional requirements for evaluations and reevaluations.**

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

F. Prior to using any ~~conditional procedure~~ restrictive procedures, the IEP team must conduct a functional behavioral assessment (FBA) as defined in part 3525.0210, subpart 22. The team must also document that it has ruled out any other treatable cause for the behavior, for example, a medical or health condition, for the interfering behavior.

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

3525.2900 TRANSITION AND BEHAVIORAL INTERVENTION PLANNING.

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

Subp. 4. **Transition planning.** By grade nine ~~or age 14, whichever comes first~~, the IEP plan shall address the pupil's needs for transition from secondary services to postsecondary education and training, employment, and community living.

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

Subp. 5. MR 2011 [Repealed, L 2009 c 96 art 3 s 22]

3525.3010 EDUCATIONAL PLACEMENT.

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

Subp. 2. **General least restrictive environment requirements.** Each district must ensure that pupils are placed in the least restrictive environment according to ~~part 3525.0400 and~~ *Code of Federal Regulations*, title 34, section ~~300.552~~ 300.113.

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

3525.3600 PRIOR WRITTEN NOTICE.

When a district proposes or refuses to initiate or change the identification, evaluation, or educational placement of a pupil, or the provision of FAPE to the pupil, the district must serve prior written notice on the parent. The district must serve the notice on the parent within a reasonable time, and in no case less than 14 calendar days before the proposed effective date of change or evaluation. If the notice only includes a refusal of a request, it must be served on the parent within 14 calendar days of the date the request was made.

The notice must meet the requirements of *Minnesota Statutes*, section 125A.091, subdivisions 3 and 4. The notice must also:

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

B. inform the parents that except for the initial placement and provision of services, the district will proceed with the proposed placement and provision of services unless the parents object in writing on the enclosed response form or otherwise in writing within 14 calendar days ~~after the receipt of~~ when the district sends the prior written notice to the parent; and

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

3525.3700 CONCILIATION CONFERENCE.

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

Subp. 1a. **When and where held; results.** A conciliation conference must be held in accordance with items A to E.

A. A conciliation conference must be held within ten calendar days from the ~~district's receipt of the parent's agreement or request to participate in a conciliation conference~~ date the district receives a parent's objection and at a time and place mutually convenient to the parent and school district representatives.

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

D. Within five ~~business school~~ days after the final conciliation conference, the district must serve the parent with a written memorandum that conforms with *Minnesota Statutes*, section 125A.091, subdivisions 3 and 4, and must provide the parent with any proposed IEP resulting from the conciliation conference. The memorandum and IEP are admissible evidence in a due process hearing.

E. If the proposed action is an initial evaluation ~~or, initial placement, or the initial provision of special education~~, the district must not proceed until the parents give written informed consent. For all other proposed actions, the district must proceed ten business days after the memorandum is ~~served on~~ provided to the parents, unless the parent objects in writing to the proposed action within that time period.

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

3525.3900 INITIATING A DUE PROCESS HEARING.

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

Subp. 4. **Requirements of basic procedures and safeguards notice.** The statement of the basic procedures and safeguards in subpart 3, item J, must include:

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

F. a statement that the burden of proof at a due process hearing is on the ~~district to demonstrate~~ party seeking relief, by a preponderance of the evidence, that it is complying with the law and offered or provided a free appropriate public education to the child in the least restrictive environment. If the district has not offered or provided a free appropriate public education in the least restrictive environment and the parent wants the district to pay for a private placement, the burden of proof is on the parent to demonstrate, by a preponderance of the evidence, that the private placement is appropriate;

Expedited Rules

[For text of items G to N, see M.R.]

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

3525.4770 EXPEDITED HEARINGS, TIMELINES.

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

Subp. 8. **Decision.** A written decision for an expedited hearing shall be rendered by the hearing officer in ten ~~calendar~~ school days from the date the hearing was requested. An extension of up to five calendar days may be granted by the hearing officer for good cause shown on the record. The decision is effective upon issuance consistent with *Code of Federal Regulations*, title 34, section 300.514. All regulations in this chapter apply to expedited due process hearings to the extent not modified by this part.

TERM CHANGE. *Minnesota Rules*, part 3525.4010, change the part headnote to HEARING SYSTEM DATA.

REPEALER. *Minnesota Rules*, part 3525.4010, subparts 1 and 2, are repealed.

Expedited Emergency Rules

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

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

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

Minnesota Department of Natural Resources (DNR)

Adopted Expedited Emergency Game and Fish Rules: 2014 August Canada Goose Management Harvest

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, section 97B.731.

The conditions that do not allow compliance with *Minnesota Statutes*, Section 97A.0451, are as follows: Bag limits and season structure for an August management harvest are determined annually based on depredation, Canada goose population levels and authorization by the federal government.

Dated: June 19, 2014

Tom Landwehr, Commissioner
Department of Natural Resources

Expedited Emergency Rules

6240.0650 AUGUST CANADA GOOSE MANAGEMENT HARVEST.

Subpart 1. **Open period.** Canada geese may be taken from August 9 to 24.

Subp. 2. **Open area.** Canada geese may be taken in that portion of the state lying within the following boundary:

Beginning at the junction of U.S. Highway 2 and the North Dakota boundary, Polk County; thence along U.S. Highway 2 to Minnesota Highway 32; thence along Minnesota Highway 32 to Minnesota Highway 92; thence along Minnesota Highway 92 to Minnesota Highway 200; thence along Minnesota Highway 200 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 10; thence along U.S. Highway 10 to Minnesota Highway 101; thence along Minnesota Highway 101 to Interstate 94; thence along Interstate 94 to Interstate 494; thence along Interstate 494 to U.S. Highway 212; thence along U.S. Highway 212 to Minnesota Highway 23; thence along Minnesota Highway 23 to U.S. Highway 14; thence along U.S. Highway 14 to the South Dakota border; thence along the South Dakota border to the North Dakota border; thence along the North Dakota border to the point of beginning.

Subp. 3. **Exceptions to federal and state regulations.** Federal and state waterfowl hunting regulations that apply during the September Canada goose season are also in effect for the August goose management harvest, except:

A. shooting hours for Canada geese are one-half hour before sunrise to one-half hour after sunset;

B. no federal duck stamp or HIP certification is required during the August Canada goose management harvest; and

C. a person may not take more than ten Canada geese per day and there is no possession limit.

Subp. 4. **Permit requirements.**

A. A fall special goose permit is required to take geese under this part.

B. To purchase a fall special goose permit, hunters must not have their small game hunting privileges revoked.

C. A hunter must have the permit in possession when taking or possessing Canada geese during the August goose management harvest.

Subp. 5. **Penalties.** A violation of this part or the conditions of any permit issued under this part results in revocation of the permit and any other penalties provided by state or federal law.

Subp. 6. **Refuges.** All state game refuges closed to migratory waterfowl hunting are closed to taking Canada geese under this part. All refuges closed by posting to taking ducks or geese during any portion of the fall waterfowl seasons are closed to taking Canada geese under this part.

EFFECTIVE PERIOD. Minnesota Rules, part 6240.0650, expires December 31, 2014.

Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

Office of the Governor

Emergency Executive Order 14-12: Supplementing Emergency Executive Order 14-11, Declaring a State of Peacetime Emergency in the State of Minnesota

I, MARK DAYTON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and applicable statutes do hereby issue this Executive Order:

WHEREAS, on June 19, 2014 I issued an executive order declaring a peacetime emergency for 35 counties across the state in response to severe summer storms causing flooding, road washouts, mudslides, and wind damage necessitating road closures and creating life safety issues; and

WHEREAS, on June 23, 2014 the Executive Council extended the peacetime emergency for 30 days; and

WHEREAS, roads eligible for Federal Highway Administration emergency funds were damaged in counties that were not included in Emergency Executive Order 14-11; and

WHEREAS, the Minnesota Department of Veteran's Affairs can provide assistance to veterans with damaged homes in counties included in Emergency Executive Order 14-11; and

WHEREAS, available resources of the affected county and state governments are inadequate to cover the costs of the repairs and assistance.

NOW, THEREFORE, I hereby order that:

1. A state of Emergency pursuant to *Minnesota Statutes* 2013, Section 12.31 exists in the counties of Anoka, Chippewa, Chisago, Dakota, Hennepin, Itasca, Kandiyohi, Lac Qui Parle, Martin, Marshall, Stearns, Wabasha, Washington, Watonwan, Wright, and Yellow Medicine.
2. Emergency Executive Order 14-11 is hereby supplemented and all terms apply to the counties listed in paragraph 1.

Pursuant to *Minnesota Statutes*, section 4.035, subdivision 2, this Emergency Executive Order is effective immediately and must be filed with the Secretary of State and published in the *State Register* as soon as possible after its issuance. This peacetime emergency shall remain in effect for five days, unless extended in accordance with *Minnesota Statutes*, section 12.31, subdivision 2.

IN TESTIMONY WHEREOF, I have set my hand on this 9th day of July, 2014.

Signed: **Mark Dayton**
Governor

Filed According to Law

Signed: **Mark Ritchie**
Secretary of State

Official Notices

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

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

Minnesota Department of Human Services (DHS) Continuing Care Administration Notice of Public Comment Period, Community First Services and Supports, 1915(b)(4) Waiver

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is extending a 30-day public comment period from Monday July 7, 2014 to Wednesday, August 13, 2014 to provide an opportunity for the public to comment on the proposed waiver.

The Department of Human Services is seeking public comment on the 1915 (b)(4) waiver application to Centers for Medicare and Medicaid Services. If federally approved, the 1915 (b)(4) waiver would allow the Department to selectively contract for two types of service providers in the forthcoming Community First Services and Supports program (CFSS). The Department plans to contract for Financial Management Services and Consultation Services to support individuals in the new program.

CFSS will replace the current Personal Care Assistance (PCA) service with a different service called Community First Services and Supports (CFSS). CFSS will be a service available as part of the Medical Assistance benefit set to persons who meet the current PCA access criteria. Like PCA services, CFSS will assist a person with accomplishing activities of daily living (ADLs) instrumental activities of daily living (IADLs), and health related tasks. In addition, CFSS will assist a person with acquiring, maintaining, or enhancing the skills necessary for the person to accomplish ADLs, IADLs, and health-related tasks and will allow the purchase of goods that replace the need for human assistance or increase independence.

Under CFSS, people may directly employ and pay qualified support workers and/or purchase goods or environmental modifications that relate to an assessed need identified in their service delivery plan. Spending must be limited to the authorized amount. A Financial Management Services contractor (FMS) will be the employer-agent assisting participant-employers to comply with state and federal employment laws and requirements and for billing and making payments on behalf of participant-employers. In addition, participants will utilize a consultation services provider to learn about CFSS, select a service delivery model, and develop a person-centered service delivery plan and budget and to obtain information and support about employing, training, supervising and dismissing support workers.

DHS has submitted a 1915 (b)(4) waiver to Centers for Medicare and Medicaid Services. You can view a copy of the waiver (PDF) at http://www.dhs.state.mn.us/main/groups/manuals/documents/pub/dhs16_185029.pdf.

Comments in response to this waiver must be received no later than **4:00 p.m., Central Time, Wednesday August 13, 2014**. Submit comments to ***DSD.PublicComments@state.mn.us***.

Official Notices

Minnesota Pollution Control Agency (MPCA)

Watershed Division

Public Notice of Availability of the Draft Crow Wing River Watershed TMDL Study Request for Comment

Public Comment Period Begins:

July 14, 2014

Public Comment Period Ends:

August 12, 2014

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Crow Wing River Watershed Total Maximum Daily Load (TMDL) Study (Study). The draft TMDL Study is available for review at:

<http://www.pca.state.mn.us/index.php/water/water-types-and-programs/minnesotas-impaired-waters-and-tmdls/tmdl-projects/upper-mississippi-river-basin-tmdl/project-crow-wing-watershed-tmdls-multiple-impairments.html>.

Following the comments, the MPCA will revise the draft TMDL Study and submit it to the U.S. Environmental Protection Agency (EPA) for approval. Comments must be sent to the MPCA contact person listed below by August 12, 2014.

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

This TMDL Study addresses aquatic recreation use impairments due to eutrophication (phosphorus) in 7 lakes, aquatic recreation use impairments due to *E. coli* in 10 streams, and aquatic life use impairments due to dissolved oxygen and/or biological indicators in 3 streams in the Crow Wing River Watershed in central Minnesota. The goal of this TMDL is to provide wasteload allocations (WLAs) and load allocations (LAs) and to quantify the pollutant reductions needed to meet the state water quality standards. These TMDLs are being established in accordance with section 303(d) of the Clean Water Act, because the State of Minnesota has determined that these lakes and streams exceed the state established standards.

The findings from this TMDL Study will be used to aid the selection of implementation activities as part of the Crow Wing River Watershed Restoration and Protection Strategy (WRAPS) process. The purpose of the WRAPS report is to support local working groups and jointly develop scientifically-supported restoration and protection strategies to be used for subsequent implementation planning.

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

Bonnie Finnerty
Minnesota Pollution Control Agency
7678 College Road, Suite 105
Baxter, Minnesota 56425
Telephone: (218) 316-3897
Minnesota Toll Free: 1-800-657-3864
Fax: (218) 828-2594
E-mail: bonnie.finnerty@state.mn.us

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

Preliminary Determination on the draft TMDL Study: The MPCA Commissioner has made a preliminary determination to submit this TMDL Study to the EPA for final approval. A draft TMDL Study is available for review at the MPCA office at the address listed above, and at the MPCA Web site:

<http://www.pca.state.mn.us/index.php/water/water-types-and-programs/minnesotas-impaired-waters-and-tmdls/tmdl-projects/upper-mississippi-river-basin-tmdl/project-crow-wing-watershed-tmdls.html>

Suggested changes will be considered before the final TMDL Study is sent to the EPA for approval.

Official Notices

Written Comments: You may submit written comments on the conditions of the draft TMDL Study or on the Commissioner's preliminary determination. Written comments must include the following:

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

Petition for Public Informational Meeting: You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.

Petition for Contested Case Hearing: You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that:

1. There is a material issue of fact in dispute concerning the application or draft TMDL Study;
2. The MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and
3. There is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL Study. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

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

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

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

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

MPCA Decision: You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board (Board) consider the TMDL Study approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL Study 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 Study; or
3. A timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this TMDL Study. 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 Study.

Daetted: July 2014

Official Notices

Minnesota Department of Transportation (Mn/DOT)

Notice to Bidders: Suspensions/Debarments as of July 15, 2014

NOTICE OF SUSPENSION

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

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

NOTICE OF DEBARMENT

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

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

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

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

State 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 SWFT system.

Minnesota Department of Administration (Admin) Real Estate and Construction Services Notice of State Real Property in Isanti Township for Sale

The State of Minnesota is offering for sale approximately 0.32 acres of vacant land in Section 1, Township 35 North, Range 23 West in Isanti Township, Isanti County, Minnesota.

For a bid package, see <http://mn.gov/admin/government/real-estate/sales-acquisitions/for-sale-and-lease.jsp>

Minnesota State Colleges and Universities (MnSCU) Northland Community and Technical College Notice of Request for Comprehensive Banking Services for Northland Community and Technical College

NOTICE IS HEREBY GIVEN that Northland Community & Technical College Request for Proposal (RFP) for comprehensive banking services. To receive a copy of the full RFP, please contact Michelle Bakken either by telephone (218) 683-8572 or e-mail at michelle.bakken@northlandcollege.edu.

Proposals are due by 5:00 p.m. central time, Friday, August 1, 2014 and are to be addressed to Michelle Bakken, Northland Community and Technical College, 1101 Highway One East, Thief River Falls, MN 56701. Any questions should be in the form of an RFI and directed to Michelle Bakken at e-mail michelle.bakken@northlandcollege.edu. Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation.

Minnesota Board of Cosmetologist Examiners Notice of Availability of Contract for Development and Administration of Cosmetology Examinations

The Minnesota Board of Cosmetologist Examiners is requesting proposals for the purpose of developing and administering computer based examinations to candidates for licensure and one practical examination for Instructors.

Work is proposed to start after November 1, 2014.

A Request for Proposals will be available by mail from this office through the Board of Cosmetologist Examiners through August 1,

State Contracts

2014 (4:30p.m.). A **written request (by direct mail or fax) is required to receive the Request for Proposal**. After August 1, 2014, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Tami Thein
Minnesota Board of Cosmetologist Examiners
2829 University Avenue SE, Suite 710
Minneapolis, MN 55449
Fax: (612) 617-2601
E-mail: tami.thein@state.mn.us

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than August 14, 2014 (12:30p.m.), CST. **Late proposals will NOT be considered.** Fax or emailed proposals will **NOT** be considered.

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

Minnesota Historical Society (MHS) Notice of Request for Proposal for Economic Analysis Study for Oliver H. Kelley Farm and Historic Fort Snelling

The Minnesota Historical Society requests proposals from qualified consultants to conduct an Economic Analysis Study for Oliver H. Kelley Farm in Elk River, MN and Historic Fort Snelling in Saint Paul, MN.

The Study will be broken into two phases that will align with capital projects already underway for the two sites. Phase 1 will include Kelley Farm and must be completed by **September 30, 2014**, aligning with final design development. Phase 2 will include Fort Snelling and must be completed by **January 31, 2015**, aligning with a master plan study.

The RFP is available by email to mary.green-toussaint@mnhs.org Acting Contracting Officer.

Proposals must be received by the Society's Acting Contracting Officer, Mary Green Toussaint, or her agent by **Thursday, July 31, 2014, by 2:00 PM Central Time**. **Late proposals will not be accepted.** Authorized agents for receipt of proposals are staff located at the Information Desk on the 1st floor the Minnesota History Center, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102.

Minnesota Historical Society (MHS) Notice of Request for Proposals for Oliver H. Kelley Farm Owners' Representative Construction Project Manager

The Minnesota Historical Society requests proposals from qualified consultants for Owners' Representative / Construction Project Management for the revitalization project at Oliver H. Kelley Farm in Elk River, MN.

The construction must be completed and a certificate of occupancy must be received by **April 1, 2016**.

Request for Proposals are available by emailing Mary Green Toussaint, Acting Contracting Officer at mary.green-toussaint@mnhs.org

Proposals must be received by the Society's Acting Contracting Officer, Mary Green Toussaint, or her agent by **Wednesday, August 6, 2014, by 2:00 PM Central Time**. **Late proposals will not be accepted.** Authorized agents for receipt of proposals are staff located at the Information Desk on the 1st floor the Minnesota History Center, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102.

Minnesota Department of Human Services (DHS)**Child Support Enforcement Division****Notice of Request for Proposals from Qualified Responders Operating Programs in Minnesota Which Support and Facilitate Access and Visitation**

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals from qualified Responders operating programs in Minnesota which support and facilitate access and visitation by non-custodial parents with their children. Successful Responder(s) will receive project funds to be used to address critical needs in providing access and visitation programming, irrespective of marital status and whether or not the parties are currently living separately on a permanent or temporary basis.

Work is proposed to start October 1, 2014. For more information, or to obtain a copy of the Request for Proposal, contact:

Jill Roberts
Department of Human Services
Child Support Enforcement Division
P.O. Box 64946
444 Lafayette Road North
St. Paul, MN 551550946
Phone: (651) 431-3728
Fax: (651) 431-7517
E-mail: *Jill.C.Roberts@state.mn.us*

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

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, August 11, 2014. Late proposals will NOT be considered.** Faxed or e-mailed proposals will **NOT** be considered.

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

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

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

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

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

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

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

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

State Contracts

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 Council

Hennepin County

Hennepin County Regional Railroad Authority (HCRRA)

Notice of Public Hearing on the Southwest Light Rail Transit (Green Line Extension) Physical Design Component of the Preliminary Design Plans

The Metropolitan Council (Council), Hennepin County (County) and the Hennepin County Regional Railroad Authority (HCRRA) will hold a joint public hearing on the physical design component of the preliminary design plans for the Southwest Light Rail Transit (Green Line Extension) Project within the City of Minneapolis as part of the municipal consent process set forth in *Minnesota Statutes* section 473.3994.

The public hearing will take place:

5:30 p.m., Wednesday, August 13, 2014
Minneapolis Central Library, Pohlad Hall
300 Nicollet Mall
Minneapolis, MN 55401

An open house where the public can review layouts will be held prior to the public hearing at 4:30 p.m. All interested persons are encouraged to attend the public hearing and offer comments. Upon request, the Council will provide reasonable accommodations (i.e. sign language, an interpreter or assisted hearing equipment) to persons with disabilities, please contact Daren Nyquist at (612) 373-3894 or daren.nyquist@metrotransit.org at least seven days before the hearing.

In addition to the public hearing, comments may also be submitted as follows:

- Written comments to: Southwest LRT Project Office
6465 Wayzata Boulevard, Suite 500
St. Louis Park, MN 55426
ATTN: Daren Nyquist
- TTY: (651) 291-0904
- E-mail comments to: swlrt@metrotransit.org
- Fax comments to: (612) 373-3899

The Council will accept public comments until 4:30 p.m., Monday, August 25, 2014. Electronic copies of the plans can be found on the project's website at SWLRT.ORG. Copies of the preliminary design plans for the entire alignment are available for review at the following locations:

Hennepin County
Minneapolis Central Library

Southwest LRT Project Office
6465 Wayzata Boulevard, Suite 500

Non-State Public Bids, Contracts & Grants

300 Nicollet Mall, Second Floor
Minneapolis, MN 55415
MnDOT Transportation Library
395 John Ireland Blvd.
St. Paul, MN 55155

St. Louis Park, MN 55426

Metropolitan Council Library
390 Robert Street North
St Paul, MN 55101

Edina City Hall (Courtesy Copy)
4801 West 50th Street
Edina, MN 55424

Copies of preliminary design plan sets that have been updated are available for review at the following locations:

Minneapolis Plan Sets:

Minneapolis City Hall
Minneapolis City Engineer's Office
Room 203
350 South 5th Street
Minneapolis, MN 55415

Minneapolis Central Library
(Entire corridor alignment available)
300 Nicollet Mall, Second Floor
Minneapolis, MN 55401

Franklin Library
1314 East Franklin Avenue
Minneapolis, MN 55404

Sumner Library
611 Van White Memorial Boulevard
Minneapolis, MN 55411

Linden Hills Library
2900 West 43rd Street
Minneapolis, MN 55410

Walker Library
2880 Hennepin Avenue
Minneapolis, MN 55408

St. Louis Park Plan Sets:

St. Louis Park City Hall
5005 Minnetonka Blvd
St. Louis Park, MN 55416

St. Louis Park Library
3240 Library Lane
St. Louis Park, MN 55426

Minnesota's Bookstore

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

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

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

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

Order Online at: www.minnesotasbookstore.com

Minnesota Food Code (reprint)

Published by the Dept of Health & Dept of Agriculture, 6" x 9", Perfect bound, 162-pages, 1998 (includes 2003 Rule Amendments), Stock No. 143, \$15.95 + tax

Nursing Home & Boarding Care Laws - NEW

Published by the Minnesota Health Department, 6" x 9", perfect bound, pages-184, Stock No. 108, \$20.95 + tax.

Home Care Laws & Rules - new edition

Published by the Minnesota Department of Health, 6"x9", perfect bound, 235-pages, Stock No. 97, \$20.95 + tax.

Minnesota Session Laws

Two volumes (3,193 pages) includes laws passed during the 2013 regular session as well as the 2012 first special session. A set (state copy) is now on display in the store. NO QUANTITY DISCOUNTS. **Stock No. 989. Cost: \$52 + tax, includes shipping.**

Health Care Facilities Directory 2013

This new directory updates the 2012 edition. Features comprehensive listing of hospitals, nursing homes, supervised living facilities, outpatient clinics, home health agencies, hospices, etc. within the state of Minnesota. Lists are organized both by county and alphabetically. **Stock Number: 72. Price: \$28.95. Binding: Plastic Spiral Binding. 554-pages.**

Learning Objectives for Professional Peace Officer Education

Features techniques of criminal investigation and testifying to include traffic, law enforcement, use of firearms, interrogation tactics, and more. Produced by the P.O.S.T Board. **Stock Number: 414. Price: \$18.95. Pages: 109. Binding: Looseleaf-no binder. Fits in this binder (Stock No. 398).**

Motor Vehicle & Traffic Laws - NEW

Published by the Department of Public Safety, 6"x9", loose leaf, three-hole punched, 408-pages, Stock No. 116, \$32.95 + tax

2014 Motor Vehicle Tax Manual - NEW

Published by the Department of Public Safety, 8-1/2"x11", Loose leaf, three hole punched, shrinkwrapped, 214-pages, Stock No. 415, \$19.95 + tax

Nursing Laws - NEW

Published by the Board of Nursing, 6"x9", Saddle Stitched, 32-pages, Stock No. 119, \$11.00 + tax

Annual Compilation & Statistical Report of Multi-Member Agencies

Published: Secretary of State, 8-1/2"x11", loose leaf, no binder, 287-pages, Stock No. 403, hard copy or PDF: \$19.95 + tax

Architects & Engineering Laws & Rules

Published by the Architects & Engineering Board, 6" x 9", Saddle stitched, 63-pages, Stock No. 179, \$13.00 + tax

Campaign Finance Laws & Rules - NEW

Published by the Campaign Finance & Public Disclosure Board, 8.5" x 11", Spiral bound, 106-pages, Stock No. 150, \$15.95 + tax

Child Care Center Laws & Rules - NEW

Published by the Department of Human Services, 6" x 9", perfect bound, 205-pages, Stock No. 149, \$19.95 + tax

Cosmetology Laws - NEW

Published by the Cosmetology Board, 6" x 9", Soft binding, 17-pages, Stock No. 110, \$11.00 + tax

Cosmetology Rules - NEW

Published by the Minnesota Board of Cosmetology 6"x9", saddle stitched, 45-pages, Stock No. 147, \$13.00 + tax

Criminal Code - NEW

Published by the Dept. of Public Safety, 6"x9", Loose leaf, three-hole punch, 730-pages, Stock No. 111, \$38.95 + tax.

Data Practices Laws & Rules - NEW

Published by the Department of Administration, 6"x9", perfect bound, 196-pages, Stock No. 99, \$21.95 + tax

Dentistry Laws & Rules - NEW

Published by the Board of Dentistry, 8 1/2" x 11", Perfect bound, 146-pages, Stock No. 151, \$16.95 + tax

Family In-Home Day Care Laws & Rules - NEW

Published by the Department of Human Services, 6"x9", perfect bound, 193-pages, Stock No. 148, \$19.95 + tax

Gambling Laws - NEW

Published by the Gambling Control Board, 8.5" x 11", 3-hole punched, shrink wrapped, 63-pages, Stock No. 96, \$12.95 + tax



Several convenient ways to order:

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

PREPAYMENT REQUIRED. Prices and availability subject to change.

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

Stock No.	Title	Quantity	Unit Price	Total

Send my order to:

Company _____

Name _____

Street Address (Not deliverable to P.O. boxes) _____

City () State Zip

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

Shipping Charges

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

Product Subtotal _____

Shipping _____

Subtotal _____

Sales tax _____

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

TOTAL _____

Credit card number: _____

Expiration date: _____ Signature: _____

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