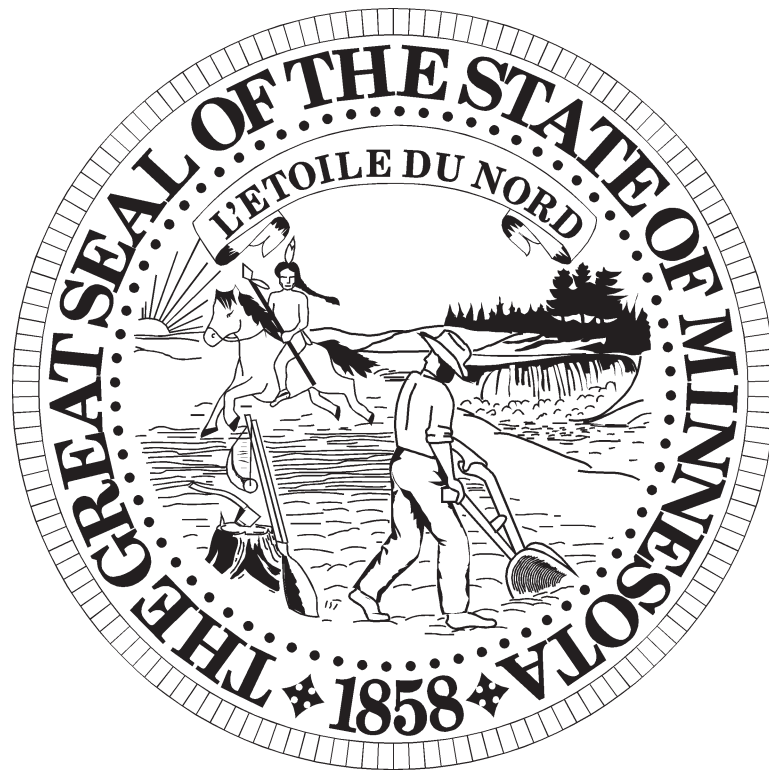


# Minnesota State Register

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  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

**TUESDAY 20 January 2015  
Volume 39, Number 29  
Pages 1071 - 1110**

# 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- Withdrawn Rules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 ( <b>BOLDFACE</b> shows altered publish date)	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
# 30	Monday 26 January	Noon Tuesday 20 January	Noon Thursday 15 January
# 31	Monday 2 February	Noon Tuesday 27 January	Noon Thursday 22 January
# 32	Monday 9 February	Noon Tuesday 3 February	Noon Thursday 29 January
# 33	<b>TUESDAY 16 February</b>	Noon Tuesday 10 February	Noon Thursday 5 February

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## Minnesota Legislative Information

**Senate Public Information Office** (651) 296-0504  
State Capitol, Room 231, St. Paul, MN 55155  
**Website:** [www.senate.mn](http://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  
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## Minnesota State Court System

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MN Judicial Center, Rm. 135,  
25 Rev. Dr. Martin Luther King Jr Blvd.,  
St. Paul, MN 55155 **Website:** [www.mncourts.gov](http://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](http://www.access.gpo.gov/su_docs/aces/aces140.html)

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 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](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)  
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# Minnesota Rules: Amendments and Additions

## NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

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

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive (issue #26 cumulative for issues #1-26); issues #27-38 inclusive (issue #39, cumulative for issues #1-39); issues #40-52 inclusive, with final index (#1-52, or 53 in some years). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757. TTY relay service phone number: (800) 627-3529

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# Proposed Rules

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

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

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

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

## Minnesota Public Utilities Commission (PUC)

### Proposed Permanent Rules Relating to Residential White Pages Directory Publication and Distribution

#### 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 ID Number RD4218

#### Proposed Amendment to Rules Concerning White Pages Directory Publication and Distribution

**Introduction.** The Public Utilities Commission 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 February 19, 2015, a public hearing will be held in the Public Utilities Commission's Large Hearing Room, 121 - 7th Place East, St. Paul, Minnesota 55101, starting at 10:00 a.m. on Monday, March 2, 2015. To find out whether the rules will be adopted without a hearing or if a hearing will be held, you should contact the agency contact person after February 19, 2015 and before Monday, March 2, 2015.

**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: Christopher Moseng at Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, MN 55101-2147, **phone:** (651) 201-2223, and **e-mail:** [christopher.moseng@state.mn.us](mailto:christopher.moseng@state.mn.us). Please refer to Commission Docket No. E-999/R-13-459 in your comments. You may also electronically file your comments using the Commission's electronic filing system located at: <https://www.edockets.state.mn.us/EFiling>.

**Subject of Rules and Statutory Authority.** Commission rules currently require delivery of a printed white pages directory to each customer of a local service provider, except where an offer for a directory is made and explicitly refused by the customer.

The proposed rules would allow Local Service Providers to determine whether they will offer electronic directories in lieu of printed directories, except when individual customers elect to receive printed directories. The proposed rules also allow Local Service Providers *not* to publish electronic directories and to continue to deliver printed directories consistent with the status quo. Finally, in cases where an electronic directory is the Local Service Provider's default option, the proposed rules require notice to customers to ensure they know how to access or receive their preferred directory format.

# Proposed Rules

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The statutory authority to adopt the rules is *Minnesota Statutes*, sections 237.10 and 237.16. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until 4:30 p.m. on Thursday, February 19, 2015, 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 or the Commission's electronic filing system 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. Please refer to Commission Docket No. E-999/R-13-459 in your comments. You may also electronically file your comments using the Commission's electronic filing system located at: <https://www.edockets.state.mn.us/EFiling>.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. You must make your request for a public hearing in writing, which must be e-filed, or the agency contact person must receive, by 4:30 p.m. on Thursday, February 19, 2015. 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, a public hearing will be held 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 the agency contact person at the address or telephone number listed above.

**Modifications.** The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported 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 Commission follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for March 2, 2015, will be canceled 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) 201-2223 after February 19, 2015, 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, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Barbara L. Neilson is assigned to conduct the hearing. Judge Neilson's legal assistant Kendra McCausland can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-7870, and **fax:** (651) 539-0300.

**Hearing Procedure.** If a hearing is held, 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 be 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.

All comments and responses must be received at the Office of Administrative Hearings by fax, delivery, or U.S. Mail, or e-filed in Commission Docket No. E-999/R-13-459 using the Commission's electronic filing system located at:

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# Proposed Rules

<https://www.edockets.state.mn.us/EFiling>

by 4:30 p.m. on the due date. Please refer to OAH docket No. 11-2500-32109 in your comments. 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 Commission 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 agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person, or for free at the Commission's Website: <http://www.mn.gov/puc/aboutus/rulemaking-project/> under Docket No. 13-459.

**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) 539-1180 or 1-800-657-3889.

**Adoption Procedure if No Hearing.** If no hearing is required, the Commission may adopt the rules after the end of the comment period. The Commission 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: 8 January 2015

Daniel P. Wolf, Executive Secretary  
Public Utilities Commission

## 7810.0100 DEFINITIONS.

[For text of subps 1 to 11, see M.R.]

Subp. 11a. **Complete directory.** "Complete directory" means a directory that includes the information compiled under part 7810.2900, subpart 1, whether printed, electronically published, or some combination thereof. For example, a complete directory may comprise of a printed subset of exchanges in a local calling area relevant to customers in a particular geographic area or community of interest and publication of the remainder of the local calling area either electronically or in separate printed volumes.

[For text of subps 12 to 26, see M.R.]

Subp. 26a. **Local service provider or LSP.** "Local service provider" or "LSP" means a telephone company or telecommunications carrier providing local service in Minnesota pursuant to a certificate of authority granted by the commission. Local service provider includes both local exchange carriers and competitive local exchange carriers.

[For text of subps 27 to 40, see M.R.]

## 7810.2900 FORMAT, CONTENT, AND DISTRIBUTION OF DIRECTORIES.

Subpart 1. **Basic requirements.** Telephone directories shall be regularly published, listing the name, address when practical, and

# Proposed Rules

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telephone number of all customers, except public telephones and numbers unlisted at customer's request. The name of the telephone utility, the area included in the directory, the year and month of issue, shall appear on the front cover. Information pertaining to emergency calls such as for the police and fire departments shall appear conspicuously in the front part of the directory pages. The directory shall contain such instructions concerning placing local and long distance calls, calls to repair and directory assistance services, and location of telephone company business offices as may be appropriate to the area served by the directory. Upon issuance, a copy of each directory shall be distributed to all customers served by that directory and a copy of each directory shall be furnished to the commission, upon request. Telephone directories shall be regularly compiled, and shall contain each customer's name, telephone number, and, if practical, address, except public telephones and numbers unlisted at the customer's request. Upon issuance, a local service provider shall provide to all customers served by that directory a complete directory consistent with the customer option provisions of part 7810.2950. Upon commission request, a local service provider shall furnish to the commission a copy of each directory issued, whether printed or electronic.

**Subp. 2. Printed directories.** Printed directories shall:

A. display on the front cover the name of the local service provider, the area included in the directory, and the year and month of issue;

B. display in the front portion of the directory information pertaining to emergency calls, including information for police and fire departments; and

C. contain instructions, appropriate to the area served by the directory, concerning placing local and long distance calls, calls to repair and directory assistance services, calls to local, state, and federal government offices, and the location of local service provider business offices.

**Subp. 3. Electronically published directories.** Any electronic directory a local service provider directs its customers to shall comply with subpart 1 and part 7810.2950. Electronically published directories shall:

A. display the name of the local service provider;

B. display information pertaining to emergency calls, including information for police and fire departments;

C. display instructions concerning placing local and long distance calls, calls to repair and directory assistance services, calls to local, state, and federal government offices, and the location of local service provider business offices; and

D. be prominently displayed on and accessible from the company's Web site.

**7810.2950 DIRECTORIES; CUSTOMER OPTION.**

A local service provider may publish printed or electronic directories, or some combination thereof. A local service provider that does not make an electronic directory available shall distribute a printed directory to each customer, except where an offer is made and explicitly refused by the customer. A local service provider that publishes an electronic directory shall provide, at least as often as print directories are issued, notice to customers of the availability of an electronic directory, instructions explaining how the electronic directory may be accessed, notice that a printed directory is available on request, and instructions explaining how to make a request for a printed directory. A local service provider that publishes an electronic directory must deliver a printed directory if requested by the customer. A local service provider shall not:

A. require customers to divulge any personally identifiable information, except name and delivery address, in order to request a complete directory that is printed or contained on a portable physical electronic medium;

B. require users to create an account or log in, or otherwise provide any personally identifiable information in order to access an electronic directory;

C. obtain, use, or retain any personally identifiable information from customer use of or request for a directory, except for the limited purpose of providing a directory in the requested format; or

D. market services, including through its affiliate or publisher, other than directories to requesting customers.



## 7811.0600 BASIC LOCAL SERVICE REQUIREMENTS.

Subpart 1. **Required services.** A local service provider (LSP) shall provide, as part of its local service offering, the following to all customers within its service area:

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

F. one ~~white pages complete~~ directory per year for each local calling area, which may include more than one local calling area, ~~except where an offer is made and explicitly refused by the customer consistent with the customer option provisions of part 7810.2950 and, upon a customer's request and in the customer's preferred format among the formats offered by the local service provider, one copy of any other directory within the local calling area;~~

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

## 7812.0600 BASIC SERVICE REQUIREMENTS.

Subpart 1. **Required services.** A local service provider (LSP) shall provide, as part of its local service offering, the following to all customers within its service area:

A. single party voice-grade service and touch-tone capability;

B. 911 or enhanced 911 access;

C. 1 + intraLATA and interLATA presubscription and code-specific equal access to interexchange carriers subscribing to its switched access service;

D. access to directory assistance, directory listings, and operator services;

E. toll and information service-blocking capability without recurring monthly charges as provided in the commission's ORDER REGARDING LOCAL DISCONNECTION AND TOLL BLOCKING CHARGES, Docket No. P-999/CI-96-38 (June 4, 1996), and its ORDER GRANTING TIME EXTENSIONS AND CLARIFYING ONE PORTION OF PREVIOUS ORDER, Docket No. P-999/CI-96-38 (September 16, 1996), which are incorporated by reference, are not subject to frequent change, and are available through the statewide interlibrary loan system;

F. one ~~white pages complete~~ directory per year for each local calling area, which may include more than one local calling area, ~~except where an offer is made and explicitly refused by the customer consistent with the customer option provisions of part 7810.2950 and, upon a customer's request and in the customer's preferred format among the formats offered by the local service provider, one copy of any other directory within the local calling area;~~

G. a white pages and directory assistance listing, or, upon customer request, a private listing that allows the customer to have an unlisted or unpublished telephone number;

H. call-tracing capability according to chapter 7813;

I. blocking capability according to the commission's ORDER ESTABLISHING CONDITIONS FOR THE PROVISION OF CUSTOMER LOCAL AREA SIGNALING SERVICES, Docket No. P-999/CI-92-992 (June 17, 1993) and its ORDER AFTER RECONSIDERATION, Docket No. P-999/CI-92-992 (December 3, 1993), which are incorporated by reference, are not subject to frequent change, and are available through the statewide interlibrary loan system; and

J. telecommunications relay service capability or access necessary to comply with state and federal regulations.

[For text of subps 2 to 7, see M.R.]

# Expedited Rules

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

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

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

## Minnesota Department of Health (MDH) Adopted Expedited Rules Regulating Medical Cannabis Manufacturers

The rules proposed and published at *State Register*, Volume 39, Number 14, pages 462-485, October 06, 2014 (39 SR 462), are adopted with the following modifications:

### 4770.0200 DEFINITIONS.

Subp. 6. **Batch.** "Batch" means a specific quantity of medical cannabis that is uniform and intended to meet specifications for identity, strength, purity, and composition, and that is manufactured, packaged, and labeled during a specified time period according to a single manufacturing, packaging, and labeling batch record.

Subp. 8. **Biosecurity.** "Biosecurity" means a set of preventative measures designed to reduce the risk of transmission of:

A. infectious diseases in crops;

B. quarantined pests;

C. invasive alien species; and

D. living modified organisms.

Subp. 13. **Distribution facility.** "Distribution facility" means any building or grounds of a medical cannabis manufacturer where the sale and distribution of medical cannabis are authorized ~~and the production of medical cannabis is prohibited at the distribution facility.~~ A distribution facility may be part of a manufacturing facility but any distribution facility not on the same property as a manufacturing facility is prohibited from performing any production activities.

Subp. 25. **Manufacturing facility.** "Manufacturing facility" means any secured building, space, grounds, and physical structure of a medical cannabis manufacturer for the production, manufacturing, and distribution of medical cannabis and where access is restricted to designated employees of a medical cannabis manufacturer ~~as required under *Minnesota Statutes*, section 152.29, subdivision 1 and escorted visitors.~~

Subp. 39. **Restricted access area.** "Restricted access area" means a building, room, or other contiguous area on the premises where plant material is grown, cultivated, harvested, stored, packaged, ~~sold,~~ or processed for sale under control of the medical cannabis manufacturer, and where no person under the age of 21 is permitted.

### 4770.0300 DUTIES OF COMMISSIONER.

Subp. 2. **Notice to law enforcement.** If the commissioner has sufficient cause to believe that there is a threat to public safety, then the commissioner must notify local law enforcement agencies of any conditions that pose a threat to public safety, including:

B. diversion or potential diversion of medical cannabis or plant material; ~~and or~~

Subp. 5. **Patient costs; pricing.**

B. The commissioner ~~must~~ may annually review price costing by a medical cannabis manufacturer.

**4770.0400 MEDICAL CANNABIS MANUFACTURER; OPERATIONS.**

Subp. 2. **Prohibited activities.**

B. A medical cannabis manufacturer and its employees, agents, or owners may not:

(6) sell medical cannabis that is not packaged and labeled in accordance with part 4770.0850; ~~and~~ or

(7) permit the consumption of medical cannabis at a distribution facility.

Subp. 3. **Criminal background checks.** A medical cannabis manufacturer is prohibited from employing any person who has a disqualifying felony offense ~~following~~ as shown by a Minnesota criminal history background check ~~and~~ or a federal criminal history background check performed by the Bureau of Criminal Apprehension under *Minnesota Statutes*, section 152.29, subdivision 1.

**4770.0500 MEDICAL CANNABIS MANUFACTURER; QUALITY CONTROL; ASSURANCE PROGRAM.**

Subp. 2. **Sampling protocols.** A medical cannabis manufacturer must develop and follow written procedures for sampling medical cannabis that require the manufacturer to:

B. document every sampling event and ~~provides~~ provide this documentation to the commissioner upon request;

**4770.0600 LOCATION; DISTANCE FROM SCHOOL.**

Under *Minnesota Statutes*, section 152.29, paragraph (j), a medical cannabis manufacturer may not operate within 1,000 feet of an existing public or private school. The medical cannabis manufacturer must measure the distance between the closest point of the manufacturing or distribution facility property lines to the closest point of the school's property lines.

For purposes of this part, "public or private school" means any property operated by:

~~A.~~ a school district, charter school, or accredited nonpublic school for elementary, middle, or secondary school, or secondary vocation center purposes; ~~or,~~

~~B. any other school providing educational services in kindergarten through grade 12 or used for educational purposes.~~

"Accredited nonpublic school" means any nonpublic school accredited by an accrediting agency recognized by the Minnesota nonpublic education council under *Minnesota Statutes*, section 123B.445, excluding home schools.

**4770.0700 HOURS OF OPERATION; ACCESS.**

Subp. 2. **Restricted access areas.** A medical cannabis manufacturer must use an electronic controlled access system to limit entrance to all restricted access areas of its manufacturing facility and its distribution facilities.

B. A medical cannabis manufacturer must immediately submit stored controlled-access-system data to the commissioner upon the commissioner's request.

**4770.0800 ADVERTISING AND MARKETING.**

Subpart 1. **Permitted marketing and advertising activities.** A medical cannabis manufacturer may:

C. maintain a business Web site that contains the following information:

(4) the distribution facility's hours of operation;

# Expedited Rules

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## Subp. 2. **Marketing and advertising activities; commissioner approval required.**

B. The commissioner has ~~60~~ 30 calendar days to approve marketing and advertising activities submitted under this subpart.

## **4770.0850 PACKAGING AND LABELING.**

### Subp. 3. **Labeling.**

A. A medical cannabis manufacturer must ensure that all medical cannabis that is distributed is labeled with the following information:

(7) the recommended dosage;

(9) all ingredients of the product shown with common or usual names, including any colors, artificial flavors, and preservatives, listed in descending order by predominance of weight ~~shown with common or usual names~~;

(10) the date of manufacture and batch number;

(11) a notice with the statement, including capitalization: “This product has not been analyzed or approved by the United States Food and Drug Administration. There is limited information on the side effects of using this product, and there may be associated health risks. Do not drive or operate heavy machinery when under the influence of this product. **KEEP THIS PRODUCT AWAY FROM OUT OF REACH OF CHILDREN.**”; and

## **4770.0900 MONITORING AND SURVEILLANCE REQUIREMENTS.**

Subpart 1. **24-hour closed-circuit television.** A medical cannabis manufacturer must operate and maintain in good working order a closed-circuit television (CCTV) surveillance system on all of its premises ~~that operates~~, which must operate 24 hours per day, seven days per week, and visually ~~records~~ record:

### Subp. 2. **Camera specifications.** Cameras must:

C. have an embedded date-and-time stamp on all recordings that must be synchronized and not obscure the picture; and

D. ~~remain operational~~ continue to operate during a power outage.

## **4770.1000 ALARM SYSTEM REQUIREMENTS.**

C. A manufacturer’s security alarm system and all devices must ~~remain operational~~ continue to operate during a power outage.

## **4770.1100 TRANSPORTATION OF MEDICAL CANNABIS.**

### Subp. 2. **Transporting medical cannabis.**

A. Before transporting medical cannabis, a medical cannabis manufacturer must:

(1) complete a transport manifest on a form ~~prescribed~~ provided by the commissioner;

### Subp. 3. **Transportation of medical cannabis; vehicle requirements.**

B. Manufacturer employees who are transporting medical cannabis on public roadways must:

(2) document refueling and all other stops in transit, including:

C. ~~In the event of~~ If an emergency requiring ~~requires stopping the vehicle to stop~~, the employee must notify 911 and complete an incident report form ~~prescribed~~ provided by the commissioner.

F. Each employee in a transport motor vehicle ~~that is transporting medical cannabis~~ must have communication access with the medical cannabis manufacturer’s personnel, and have the ability to contact law enforcement through the 911 emergency system at all times

that the motor vehicle contains medical cannabis.

G. An employee must carry the employee's identification card at all times when transporting or delivering cannabis and, upon request, ~~shall~~ produce the identification card to the commissioner or to a law enforcement officer acting in the course of official duties.

H. A medical cannabis manufacturer must not leave a vehicle that is transporting medical cannabis unattended overnight ~~that is transporting medical cannabis~~.

## **4770.1200 DISPOSAL OF MEDICAL CANNABIS AND PLANT MATERIAL.**

Subpart 1. **Medical cannabis take-back.** A medical cannabis manufacturer must accept at no charge unused, excess, or contaminated medical cannabis. A manufacturer must:

B. maintain a written record of disposal that includes:

(4) the type and batch number of medical cannabis returned.

Subp. 2. **Medical cannabis and plant material waste.** A medical cannabis manufacturer must store, secure, and manage medical cannabis waste and plant material waste in accordance with all applicable federal, state, and local regulations.

C. Before transport, the manufacturer must render plant material waste ~~must be rendered~~ unusable and unrecognizable by grinding and incorporating the waste with a greater quantity of nonconsumable, solid wastes including:

Subp. 3. **Liquid and chemical waste disposal.** The medical cannabis manufacturer must dispose of all liquid and chemical product waste generated in the process of cultivating, manufacturing, and distributing medical cannabis in accordance with all applicable federal, state, and local regulations.

Subp. 4. **Waste-tracking requirements.** The medical cannabis manufacturer must use forms ~~prescribed~~ provided by the commissioner to maintain accurate and comprehensive records regarding waste material that accounts for, reconciles, and evidences all waste activity related to the disposal of medical cannabis waste and plant material waste.

## **4770.1300 MANDATORY SIGNAGE.**

A. A medical cannabis manufacturer must post a sign in a conspicuous location at each entrance of the manufacturing facility that reads "PERSONS UNDER TWENTY-ONE YEARS OF AGE NOT PERMITTED ~~ON THESE PREMISES~~ IN RESTRICTED ACCESS AREAS."

~~C. An employee of a medical cannabis manufacturer must keep the employee's identification card visible at all times when on the manufacturer's premises and during the transportation of medical cannabis to a distribution facility.~~

## **4770.1600 RECORD KEEPING; REQUIREMENTS.**

B. A medical cannabis manufacturer must maintain records that reflect all financial transactions and the financial condition of the business. The following records must be maintained for at least five years and made available for review, upon request of the commissioner; ~~must be available for inspection~~:

## **4770.1700 MEDICAL CANNABIS MANUFACTURER; PRODUCTION REQUIREMENTS.**

Subpart 1. **Cultivation and processing.**

~~B. Each manufacturer must develop and maintain an operations and management practices plan for each production area. The commissioner must approve the operations and management practices plan.~~

~~C. All phases of production must take place in designated, restricted access areas that are monitored by a surveillance camera system in accordance with part 4770.0900.~~

# Expedited Rules

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~~D.C.~~ All areas must be compartmentalized based on function, and employee access must be restricted between compartments.

~~E.D.~~ The production process must be designed to limit contamination. Examples of contamination include mold, fungus, bacterial diseases, rot, pests, nonorganic pesticides, and mildew.

~~F.E.~~ Each production area must have an open aisle for unobstructed access, observation, and inventory of each plant group.

~~G.F.~~ Biosecurity measures must be in effect and documented according to part 4770.0400, subpart 1.

~~H.G.~~ The manufacturer must maintain a record at the facility of all crop inputs for at least five years. The record must include the following:

~~F.H.~~ At the time of planting, all plants must be tracked in a batch process with a unique batch number that must remain with the batch through final packaging.

~~F.I.~~ A manufacturer must record any removal of plants from the batch on a record maintained at the manufacturing facility for at least five years.

~~K.J.~~ The batch number must be displayed on the label of the medical cannabis.

Subp. 3. **General sanitation requirements.** A manufacturer must take all reasonable measures and precautions to ensure that:

A. any employee who has: a communicable disease

~~(1) an infectious illness;~~

~~(2) open lesions, including boils, sores, or infected wounds; or~~

~~(3) any other abnormal source of microbial contamination; does not come in contact with perform any tasks that might contaminate plant material or medical cannabis;~~

E. floors, walls, and ceilings are constructed with a surface that can be easily cleaned and maintained in good repair to prevent inhibit microbial growth;

Subp. 4. **Storage.**

A. A manufacturer must store plant material and medical cannabis during production, transport, and testing to prevent diversion, theft, or loss, including ensuring:

~~(1) plant material and medical cannabis are accessible only to the minimum number of authorized manufacturer's employees essential for operation;~~

~~(2) plant material and medical cannabis are returned to a secure location immediately after completion of the process or at the end of the scheduled business day; and~~

~~(3) (2) the tanks, vessels, bins, or bulk containers containing plant material or medical cannabis are locked inside a secure area if a process is not completed at the end of a business day.~~

## **4770.2000 MEDICAL CANNABIS LABORATORY APPROVAL; APPLICATION AND APPROVAL.**

Subp. 2. **Application requirements; commissioner's evaluation.**

A. The commissioner must evaluate completed applications using the following criteria.

(1) A laboratory must operate formal management systems under the International Organization for Standardization (ISO). The ISO/IEC 17025, General Requirements for the Competency of Testing and Calibration Laboratories, includes technical and management system requirements which are incorporated by reference in part 4770.2800.

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## Expedited Rules

### **4770.2100 MEDICAL CANNABIS LABORATORY APPROVAL; INSPECTION AND COMPLIANCE.**

#### Subpart 1. **Laboratory inspection and reports.**

B. ~~To ensure~~ If the commissioner has sufficient cause to believe that a laboratory's proficiency, execution, ~~and or~~ validation of analytical methodologies ~~are deficient~~, the commissioner may require and a laboratory must obtain third-party validation and ongoing monitoring of the laboratory ~~if the commissioner has reasonable cause~~. The laboratory must pay for all costs associated with the commissioner-ordered third-party validation.

### **4770.2200 MEDICAL CANNABIS LABORATORY APPROVAL; DUTY TO NOTIFY.**

#### Subpart 1. **Operational changes.**

B. If A laboratory ~~that~~ notifies the commissioner of an operational change under item A, it must include in the notice written results of proficiency testing samples or demonstrations of capability analyzed ~~under~~ after the ~~changes that the laboratory reported~~ change.

### **4770.2300 MEDICAL CANNABIS LABORATORY APPROVAL; APPEAL OF ADMINISTRATIVE DECISION.**

C. The commissioner must notify a laboratory of the commissioner's acceptance or denial of an appeal request, in writing, within 60 days of receiving the request. The commissioner's decision is ~~considered~~ a final agency decision

# 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: Upper Red Lake Walleye Harvest

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

The conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are as follows. The Red Lake proposed walleye regulations are based on a safe harvest level that is proportioned between the winter and open water seasons. Estimates from the current creel census data show fishing pressure to be 150% higher than anticipated from previous year's data. We need to reduce the harvest limit immediately to ensure that harvest does not go over the levels outlined in the harvest plan. This short time frame does not allow adequate time to use the Chapter 14 rule process.

Dated: January 7, 2015

Tom Landwehr, Commissioner  
Department of Natural Resources

### 6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

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

[For text of subp 4, see 38 SR 1379]

[For text of subps 5 to 58, see M.R.]

#### Subp. 59. Upper Red Lake and listed tributaries.

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

- (1) the daily and possession limit for northern pike shall not include more than one northern pike over 44 inches in length;
- (2) all northern pike in possession must be less than 26 inches or greater than 44 inches in length; and
- (3) all northern pike that are from 26 to 44 inches in length, inclusive, must be immediately returned to the water.

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

(1) the daily and possession limit for walleye is ~~two~~ three fish, of which not more than one walleye shall be over 26 inches in length, except as provided in subitem (2); and

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

~~(3) (2) beginning January 23, 2015, the daily and possession limit for walleye is two fish, of which not more than one walleye shall be over 26 inches in length. All walleye in possession must be less than 17 inches or greater than 26 inches in length. All walleye that are 17 inches to 26 inches in length, inclusive, must be immediately returned to the water; and.~~



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## Expedited Emergency Rules

~~(4) a person's statewide bag limit shall not include more than two walleye taken from Upper Red Lake and the tributaries listed under item C.~~

C. Notwithstanding item B, the waters listed in item E are catch-and-release only for walleye if the walleye cumulative kill estimate in the harvest year beginning December 1 through November 30 at any time equals or exceeds 240,000 pounds. If this item is implemented, the commissioner shall post a notice on the Department of Natural Resources Web site and at water access sites. This item is effective five days after the notice through November 30, 2015. On December 1, 2015, the daily and possession and size limits for walleye revert to the limits in item B, subitem (1).

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

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

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

[For text of subps 60 to 117, see M.R.]

**REPEALER.** The expedited emergency amendments to *Minnesota Rules*, part 6264.0400, subpart 59, published in the *State Register*, volume 39, page 729, November 24, 2014, are repealed.

# Exempt Rules

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

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

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

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

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

## Minnesota Department of Labor and Industry (DLI) Occupational Safety and Health Division Proposed Exempt Permanent Rules Adopting Federal OSHA Standards

**NOTICE IS HEREBY GIVEN** that the Department of Labor and Industry, Occupational Safety and Health Division (Minnesota OSHA) proposes to adopt the following revisions to the Department of Labor and Industry, Occupational Safety and Health Rules, as authorized under *Minnesota Statutes* §182.655. This notice proposes the adoption of amendments to Occupational Safety and Health Standards that have already been proposed and adopted by the Federal Occupational Safety and Health Administration (Federal OSHA).

All interested or affected persons have 30 days from the date this notice is published in the *State Register* to submit, in writing, data and views on the proposed amendments to the rule. Comments in support of or in opposition to the proposed amendments are encouraged. Each comment should identify the portion of the proposed amendment addressed, the reason for the comment, and any proposed change. Any person may file with the Commissioner written objections to the proposed amendments stating the grounds for those objections and may request a public hearing. A public hearing will be held if 25 or more persons submit written requests for a public hearing on the proposed amendments within the 30-day comment period. Requests for hearing must include the name and address of the person submitting the request, define the reasons for the request, and discuss any proposed changes. If a public hearing is required, the Department will proceed according to the provisions of *Minnesota Statutes* §182.655 and *Minnesota Rules* 5210.0020 to 5210.0100.

Written comments or requests for a public hearing should be sent to: Occupational Safety and Health Division, Department of Labor and Industry, 443 Lafayette Road, St. Paul, Minnesota 55155-4307.

Ken Peterson, Commissioner  
Labor & Industry Department

### SUMMARY OF CHANGES

The following is a brief summary of the proposed amendments. To review the complete *Federal Register* notices referenced below, visit [www.osha.gov](http://www.osha.gov).

**(A) Occupational Injury and Illness Recording and Reporting Requirements—NAICS Update and Reporting Revisions; Final rule.** On September 18, 2014, Federal OSHA published a final rule in the *Federal Register* to update the appendix to its Injury and Illness Recording and Reporting regulation. The rule also expands the list of severe work-related injuries that all covered employers must report to OSHA. The revised rule retains the current requirement to report all work-related fatalities within 8 hours and adds the requirement to report all work-related in-patient hospitalizations, amputations and loss of an eye within 24 hours to OSHA. This final rule was effective January 1, 2015, at the federal level.

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## Exempt Rules

By this notice, MNOSHA proposes to adopt the final rule as published in the *Federal Register* September 18, 2014, with the exception of part 1904.2, Partial Exemption for Establishments in Certain Industries and Non-Mandatory Appendix A to Subpart B—Partially Exempt Industries. The proposed effective date in Minnesota is October 1, 2015.

**(B) Cranes and Derricks in Construction: Operator Certification; Final rule.** On September 26, 2014, Federal OSHA published a final rule in the *Federal Register* that extends the November 10, 2014, deadline for employers to ensure that crane operators are certified by three years, until November 10, 2017. OSHA is also extending its employer duty to ensure that crane operators are competent to operate a crane safely for the same three-year period. The final rule was effective at the federal level on November 9, 2014. By this notice, MNOSHA proposes to adopt the final rule as published in the *Federal Register* September 26, 2014.

### **Rules as Proposed** (Revisor's Copy)

#### **5205.0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE.**

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

Subp. 1a. **Part 1904.** Part 1904: Occupational Safety and Health Standards as published in Volume 66, No. 13 of the *Federal Register* on January 19, 2001, and amended in Volume 66, No. 128 on July 3, 2001, which incorporates changes, additions, deletions, and corrections made up to July 3, 2001, with the exception of part 1904.2; and subsequent changes as follows:

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

C. *Federal Register*, Volume 79, No. 181, pages 56130-56188, dated September 18, 2014: "Occupational Injury and Illness Recording and Reporting Requirements - NAICS Update and Reporting Revisions; Final Rule," with the exception of part 1904.2.

[For text of subps 2 to 5, see M.R.]

Subp. 6. **Part 1926.** Part 1926: Construction Safety and Health Regulations as published in Part VII, Volume 44, No. 29 of the *Federal Register* on February 9, 1979, which incorporates changes, additions, deletions, and corrections made up to October 17, 1978, the incorporation and redesignation of the regulatory text of the General Industry Occupational Safety and Health Standards (29 CFR Part 1910) that have been identified as applicable to construction work as published in the *Federal Register*, Volume 58, No. 124, dated June 30, 1993, and corrected in Volume 58, No. 143, dated July 28, 1993; and additional changes as follows:

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

Z. *Federal Register*, Volume 79:

(1) *Federal Register*, Vol. 79, No. 70, pages 20315-20743, dated April 11, 2014: "Electric Power Generation, Transmission, and Distribution; Electrical Protective Equipment; Final Rule."

(2) *Federal Register*, Vol. 79, No. 187, pages 57785-57798, dated September 26, 2014: "Cranes and Derricks in Construction: Operator Certification; Final Rule."

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

**EFFECTIVE DATE.** Minnesota Rules, part 5205.0010, subpart 1a, item C, is effective October 1, 2015.

# 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 15-01: Declaring a State of Emergency in Minnesota and Providing Assistance to Stranded Motorists

**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 January 8<sup>th</sup>, 2015 a winter storm affected southwestern, southeastern, and northwestern Minnesota, which necessitated road closures and threatened public safety; and

**WHEREAS**, dangerous driving conditions resulted in multiple stranded vehicles and these conditions created an imminent danger to persons and property, presenting an immediate need to activate emergency resources and sheltering; and

**WHEREAS**, the resources of the affected local and county governments were inadequate to meet the demands generated by the winter conditions; and

**WHEREAS**, the Sheriffs of Watonwan and Freeborn counties have requested the assistance of the Minnesota National Guard to support recovery and sheltering of stranded motorists.

**NOW, THEREFORE**, I hereby order that:

1. The Adjutant General of Minnesota order to state active duty on or about January 8<sup>th</sup>, 2015, in the service of the State, such personnel and equipment of the military forces of the State as required and for such period of time as necessary to provide assistance and emergency relief services.
2. The Adjutant General is authorized to purchase, lease, or contract goods and services necessary to accomplish the mission; and
3. The cost of subsistence, transportation, fuel, pay, and allowances of said individuals shall be defrayed from the general fund of the State, as provided for in *Minnesota Statutes*, sections 192.49, 192.52, 192.54, and as otherwise permitted by law.

Pursuant to *Minnesota Statutes*, section 4.035, subdivision 2, this Emergency Order is effective immediately and will remain in effect until such date as elements of the military forces of the State are no longer required.

**In Testimony Whereof**, I have set my hand on this 9th day of January, 2015.

Signed: **Mark Dayton**  
**Governor**

Filed According to Law

Signed: **Steve Simon**  
**Secretary of State**

# Appointments

*Minnesota Statutes*, Section 15.06, Subd. 5. requires notice of the designation of a commissioner or acting commissioner, or the assumption of office by a temporary commissioner, shall be filed with the president of the senate and the speaker of the house with a copy delivered to the secretary of state and published in the next available edition of the *State Register*.

## Iron Range Resources and Rehabilitation Notice of Appointment of Commissioner Mark Phillips

**NOTICE IS HEREBY GIVEN**, pursuant to *Minnesota Statutes*, Section 15.06, Subd. 5, that Governor Mark Dayton appointed Mark Phillips to the office of Commissioner of the Iron Range Resources and Rehabilitation Board effective January 19, 2015. He replaces Anthony Sertich who was appointed January 14, 2011 to replace Brian L. Hiti. Hiti was appointed January 3, 2011 and replaced Sandra K. Layman who was reappointed January 2, 2007. She was originally appointed on May 5, 2003.

This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled. The laws and rules governing the Iron Range Resources and Rehabilitation Board are:

- *Minnesota Statutes*, Section 298.22

Commissioner Phillips can be contacted at 4261 Highway 53 South, Eveleth, Minnesota 55734, Saint Louis County, Congressional District Eight. He can be reached at the Iron Range Resources and Rehabilitation Board, 4261 Highway 53 South, P.O. Box 441, Eveleth, MN 55744. Telephone (218) 744-7400. Web site: <http://www.ironrangeresources.org>

# 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 Board of Accountancy REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Expedited Licensing for Veterans and Housekeeping Updates, *Minnesota Rules*, Chapter 1105; Revisor's ID Number R-04313

**Subject of Rules.** The Minnesota Board of Accountancy ("Board") requests comments on its possible new rules governing application and licensure procedures and requirements. The Board is considering new rules that expedite the process for veterans to receive a certified public account certificate and/or firm permit. The Board is also considering rule amendments that remove obsolete and duplicative language and make general housekeeping updates.

**Persons Affected.** The new rules would likely affect military veterans applying for certification as a certified public accountant or for a firm permit. The amendments to the rules would likely affect all certificate holders.

**Statutory Authority.** *Minnesota Statutes*, section 197.4552, subdivision 3, authorizes the Board to adopt rules to carry out the provisions of that section. Additionally, *Minnesota Statutes*, section 326A.02, subdivision 5 authorizes the Board to adopt rules "governing its administration and enforcement of this chapter and the conduct of licensees and persons registered under section 326A.06, paragraph (b)..."

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing or orally until further notice is published in the *State Register* that the Board intends to adopt or to withdraw the rules. The Board will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Board does not plan to appoint an advisory committee to comment on the possible rules.

**Rules Drafts.** The Board does not anticipate that a draft of the rules or rule amendments will be available before the publication of the proposed rules.

**Agency Contact Person.** Written or oral comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Andrea Barker at the Board of Accountancy, 85 East Seventh Place, Suite 125, St. Paul, MN 55101, **phone:** (651) 757-1511, **fax:** (651) 282-2644, or **e-mail:** [andrea.barker@state.mn.us](mailto:andrea.barker@state.mn.us). **TTY** users may call the Board at 1-800-627-3529.

**Alternative Format.** Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

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

Dated: 9 January 2015

Signed by: Doreen Frost, Executive Director  
Minnesota Board of Accountancy

**Minnesota Board of Architecture, Engineering, Land Surveying,  
Landscape Architecture, Geoscience and Interior Design  
REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Expedited  
Licensing for Veterans and Housekeeping Updates, *Minnesota Rules*, Chapter  
1800; Revisor's ID Number R-04312**

**Subject of Rules.** The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design ("Board") requests comments on its possible new rules governing application and licensure procedures and requirements. The Board is considering new rules that expedite the process for veterans to receive a license to practice architecture, professional engineering, land surveying, landscape architecture, geoscience or to use the title of Certified Interior Designer. The Board is also considering rule amendments that remove obsolete and duplicative language and make general housekeeping updates.

**Persons Affected.** The new rules would likely affect military veterans applying for licensure as an architect, professional engineer, land surveyor, landscape architect, professional geologist or professional soil scientist or for certification as a Certified Interior Designer. The amendments to the rules would likely affect all licensees and certificate holders.

**Statutory Authority.** *Minnesota Statutes*, section 197.4552, subdivision 3, authorizes the Board to adopt rules to carry out the provisions of that section. Additionally, *Minnesota Statutes*, section 326.06, authorizes the Board to "make all rules, not inconsistent with law, needed in performing its duties."

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing or orally until further notice is published in the *State Register* that the Board intends to adopt or to withdraw the rules. The Board will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Board does not plan to appoint an advisory committee to comment on the possible rules.

**Rules Drafts.** The Board does not anticipate that a draft of the rules or rule amendments will be available before the publication of the proposed rules.

**Agency Contact Person.** Written or oral comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Andrea Barker at the Board of AELSLAGID, 85 East Seventh Place, Suite 160, St. Paul, MN 55101, **phone:** (651) 757-1511, **fax:** (651) 297-5310, or **e-mail:** [andrea.barker@state.mn.us](mailto:andrea.barker@state.mn.us). TTY users may call the Board at 1-800-627-3529.

**Alternative Format.** Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

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

Dated: 9 January 2015

Signed by: Doreen Frost, Executive Director  
Board of Architecture, Engineering, Land Surveying,  
Landscape Architecture, Geoscience and Interior Design

# Official Notices

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## Minnesota Department of Labor and Industry (DLI) Labor Standards Unit Notice of Correction to Commercial Prevailing Wage Rates

Corrections have been made to the Commercial Prevailing Wage Rates certified 12/8/2014 for:

**Labor Code 101**, Laborer, Skilled (assisting skilled craft journeyman), in Sibley County.

**Labor Code 706**, Cement Masons, in Beltrami, Cass, Hubbard, Itasca, Koochiching and Wadena Counties

**Labor Code 709**, Glaziers, in Hubbard and Polk Counties.

**Labor Code 717**, Pipefitters. Steamfitters, in Ottertail and Sibley Counties.

Copies with the corrected certified wage rates for these Counties and Regions may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road N., St. Paul, MN 55155-4306, or by calling (651) 284-5091, or accessing our web site at: [www.dli.mn.gov](http://www.dli.mn.gov).

Ken B. Peterson, Commissioner  
Department of Labor & Industry

## Minnesota Pollution Control Agency (MPCA) Watershed Division

### Notice of Availability of the Draft Sauk River Watershed Restoration and Protection Strategy (WRAPS) Report and Request for Comment

Public comment period begins:

*January 20, 2015*

Public comment period ends:

*February 19, 2015*

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Report for the Sauk River Watershed Restoration and Protection Strategy (WRAPS) Report (Report). The draft WRAPS Report for the Sunrise River Watershed is available for review at: <http://www.pca.state.mn.us/index.php/water/water-types-and-programs/watersheds/sauk-river.html#overview>. Following the comments, the MPCA will revise the draft WRAPS Report and submit it to the MPCA Commissioner for approval. Comments must be received by the MPCA contact person by the 4:30 pm on February 19, 2015.

Required by the state Clean Water Legacy Act, a WRAPS is a document summarizing scientific studies of a major watershed no larger than a hydrologic unit code 8 including the physical, chemical, and biological assessment of the water quality of the watershed; identification of impairments and water bodies in need of protection; identification of biotic stressors and sources of pollution, both point and nonpoint; Total Maximum Daily Load's (TMDL) for the impairments; and an implementation table containing strategies and actions designed to achieve and maintain water quality standards and goals.

The Sauk River Watershed is located in the heart of rural central Minnesota, encompassing a complex system of integrated lakes and streams. Located in the North Central Hardwoods Ecoregion, the Sauk River Watershed transitions from a more forested landscape (North) in to a highly concentrated agricultural landscape in the south. The Sauk river Watershed covers over 667, 513 acres across portions of five counties including Douglas, Meeker, Pope, Stearns, and Todd counties. This Report summarizes the monitoring, Stressor Identification, and TMDL work that has taken place in the watershed, as well as identifies the strategies necessary to restore and protect the Sauk River watershed.

It should be noted that the science, analysis and strategy development described in this Report began before the accountability provisions were added to the Clean Water Legacy Act in 2013 (MS114D); thus, this Report does not address all of those provisions. When this watershed is revisited (according to the 10-year cycle), the information will be updated according to the statutorily required elements of a Watershed Restoration and Protection Strategy Report.



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## Official Notices

**Written Comments:** You may submit written comments on the draft WRAPS Report or on the MPCA Commissioner's preliminary determination. Written comments must include the following:

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

Written comments on the draft WRAPS Report must be sent to the MPCA contact person listed below and received by 4:30 p.m. on **February 19, 2015**. The MPCA will prepare responses to comments received make any necessary revisions of the draft WRAPS Report and submit it to the MPCA Commissioner for approval.

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

Scott Lucas  
Minnesota Pollution Control Agency  
7678 College Road, Suite 105  
Baxter, Minnesota 56425  
**Phone:** (218) 316-3874 (direct)  
**Minnesota Toll Free:** 1-800-657-3864  
**Fax:** (218) 828-2594  
**E-mail:** [scott.lucas@state.mn.us](mailto:scott.lucas@state.mn.us)

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

**Petition for Public Informational Meeting:** You may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting the MPCA may hold to solicit public comment and statements on matters pertaining to the WRAPS study and process, 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 draft TMDL Report;
- 2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and
- 3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft WRAPS Report. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

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

1. A statement of reasons or proposed findings supporting an 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 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.

# Official Notices

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**MPCA Decision:** You may also submit a petition to the Commissioner requesting that the MPCA Citizen's Board consider the WRAPS Report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. According to *Minnesota Statutes* § 116.02 subd 6(4), the decision whether to submit the WRAPS Report and, if so, under what terms, will be presented to the Board for decision if:

- (1) the Commissioner grants the petition requesting the matter be presented to the Board;
- (2) one or more Board members request to hear the matter before the time the Commissioner makes a final decision on the WRAPS Report; or
- (3) a timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

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

Dated: January 2015

## Minnesota Pollution Control Agency (MPCA) Watershed Division Public Notice of Availability of the Draft St. Clair Lake Total Maximum Daily Load and Request for Comment

Public comment period begins:  
Public comment period ends:

*January 20, 2015*  
*February 19, 2015*

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft St. Clair Lake Total Maximum Daily Load (TMDL) Report (Report). St. Clair Lake has been placed on the state's impaired waters list for exceeding water quality standards for excess nutrients. The TMDL addresses the impairment for total phosphorus, the primary nutrient. The draft TMDL report is available on the MPCA website at: <http://www.pca.state.mn.us/index.php/view-document.html?gid=22031>.

Comments on the draft Report should be addressed to the MPCA contact person listed below and must be received by the MPCA by 4:30 p.m. on *February 19, 2015*. The MPCA will review all comments received, determine possible revision to the draft TMDL Report and prepare written responses to the comments. The MPCA will then submit the report to the U. S. Environmental Protection Agency (EPA) for approval.

This Total Maximum Daily Load (TMDL) study addresses the nutrient impairment of St. Clair Lake, located in Detroit Lakes, Minnesota. St. Clair Lake is 160 acres and receives runoff from 7,380 acres (or 11.5 square miles) of land. St. Clair Lake and its watershed are located in Becker County, Minnesota – a growth region of the State. This lake does not meet Minnesota's water quality standards due to excessive nutrient and algal concentrations. Lake St. Clair discharges via County Ditch 14 to Muskrat Lake and then to Sallie and Melissa Lakes. These lakes have been the subject of extensive rehabilitation efforts by the Pelican River Watershed District (PRWD) and City of Detroit Lakes and over the past three decades. Those efforts have resulted in measurable improvements in water quality however; additional reductions in nutrient concentrations are required to fully achieve lake water quality standards and beneficial uses.

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

Tim James  
Minnesota Pollution Control Agency  
714 Lake Avenue  
Detroit Lakes, Minnesota 56501  
**Phone:** (218) 846-8103  
**Toll Free:** 1-800-646-6247  
**Fax:** (218) 846-0719  
**E-mail:** [tim.james@state.mn.us](mailto:tim.james@state.mn.us)

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# Official Notices

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

**Preliminary Determination on the Draft TMDL Report.** The MPCA Commissioner has made the preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report is available for review at the MPCA office at the address listed above and on the MPCA website at: <http://www.pca.state.mn.us/index.php/view-document.html?gid=22031>. Suggested changes will be considered before the TMDL Report is sent to the EPA for approval.

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

1. A statement of your interest in the draft TMDL Report;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL Report 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 Information Meeting.** You may request that the MPCA Commissioner hold a public information meeting. A public information meeting is an informal meeting the MPCA may hold to solicit public comment and statements on matters pertaining to the TMDL study and process, and to help clarify and resolve issues.

A petition requesting a public information 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 reason the MPCA should hold a public information meeting; and
4. The issues that you would like the MPCA to address at the public information meeting.

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

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

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

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

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

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

**MPCA Citizens' Board Decision.** You may also submit a petition to the Commissioner requesting that the MPCA Citizens' Board consider the TMDL report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends as identified on page 1 of this notice. According to *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL report and, if so, under what terms will be presented to the Board for decision if:

- (1) the Commissioner grants the petition requesting the matter be presented to the Board;
- (2) one or more Board members request to hear the matter the time the Commissioner makes a final decision on the TMDL report; or

# Official Notices

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- (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 stated on page one of this notice will be considered in the final decision on the TMDL report. If the MPCA does not receive written comments, requests, or petitions during the public comment period, the MPCA staff, as authorized by the Board, will make the final decision on the draft TMDL Report.

Dated: January 2015

## Minnesota Pollution Control Agency (MPCA) Environmental Analysis and Outcomes Division Public Notice of Proposed State Implementation Plan Revision

**NOTICE IS HEREBY GIVEN** that the Commissioner of the Minnesota Pollution Control Agency (MPCA) has determined that the State Implementation Plan (SIP) conditions for Flint Hills Resources LLC's Pine Bend Refinery (FHR) located at 13775 Clark Road, Rosemount, Dakota County, Minnesota and Northern States Power Company's Xcel Energy – Inver Hills Generating Plant (Inver Hills) located at 3185 - 117<sup>th</sup> Street East, Inver Grove Heights, Dakota County, Minnesota should be amended. Both facilities are located in the Rosemount/Pine Bend area of the Twin Cities Sulfur Dioxide (SO<sub>2</sub>) maintenance area for the three-hour, 24-hour, and annual SO<sub>2</sub> National Ambient Air Quality Standards (NAAQS).

FHR is currently subject to an Administrative Order (Order) containing Title I requirements which are included in Minnesota's SIP and were found necessary to demonstrate compliance with the NAAQS for SO<sub>2</sub>. Air Emission Permit No. 03700011-012 incorporates Title I requirements for FHR that are currently included in the Order. Under its Title I authority, the MPCA is revising the SIP conditions and will be formally requesting that the U.S. Environmental Protection Agency (EPA) amend Minnesota's SIP to replace the Order and its requirements with the Title I SIP conditions specified in Air Emission Permit No. 03700011-012, which will serve as a joint Title I SIP/Title V document. These Title I conditions do not expire. This SIP revision is in being conducted in conjunction with the issuance of Air Emission Permit No. 03700011-012. This permit was placed on public notice on December 23, 2014 until January 21, 2015. The permit and related documentation can be found on the MPCA's website at: <http://www.pca.state.mn.us/yrrwc6a9>, listed under Tuesday, December 23, 2014 (on the Archived Public Notices page after January 21, 2015). After its issuance, the permit will be submitted to EPA for inclusion into Minnesota's SIP to replace the Order. Until the time that the EPA accepts Permit No. 03700011-012 into the SIP, the Order is in full effect and FHR must comply with all aspects of it. Once EPA approves Permit No. 03700011-012 into the SIP, the MPCA will revoke the Order and the joint Title I/Title V permit will become the applicable enforcement document.

Inver Hills' permit incorporates Title I requirements which are included in Minnesota's SIP and were found necessary to demonstrate compliance with the NAAQS for SO<sub>2</sub>. Title I conditions in Inver Hill's Air Emission Permit No. 03700015-003 are already included in Minnesota's SIP. Under its Title I authority, the MPCA is revising the SIP conditions for this facility and will be formally requesting that the EPA amend Minnesota's SIP to include the new and revised Title I SIP conditions in Inver Hill's Air Emissions Permit No. 03700015-004, which will serve as a joint Title I SIP/Title V document. These Title I conditions do not expire. Permit No. 03700015-004 was placed on public notice from June 2, 2014 to July 1, 2014 and the MPCA subsequently issued the permit which is the enforceable document for Inver Hills. The permit can be viewed on the MPCA's website at <http://www.pca.state.mn.us/index.php/view-document.html?gid=21400>.

The proposed SIP revision is now available for public comment.

**Background.** Title I of the Clean Air Act delegates to the states the authority to manage an air quality program and requires attainment of the NAAQS as promulgated by the EPA. Both the FHR facility and the Inver Hills facility are located in the Rosemount/Pine Bend area of the Twin Cities SO<sub>2</sub> maintenance area for the three-hour, 24-hour, and annual SO<sub>2</sub> NAAQS. A maintenance area is an area which at one time failed to meet one or more NAAQS, but is now in compliance and has an EPA-approved plan for continued attainment. Both FHR and Inver Hills are subject to facility-specific Title I SIP conditions to ensure continued attainment of the SO<sub>2</sub> NAAQS.

**Purpose of the SIP revision.** This SIP revision is intended to incorporate new and revised Title I conditions for FHR, replace the existing Order, and incorporate all Title I SIP conditions into Permit No. 03700011-012, which will serve as a joint Title I/Title V

document. The primary purpose of this SIP revision is to add a new process to enable the removal and recovery of more sulfur from fuel produced at the refinery. This new process will allow FHR to produce gasoline that meets the EPA's Tier 3 gasoline sulfur standard, which is designed to improve ambient air quality. Changes to FHR's SIP conditions that are included in Permit No. 03700011-012 as proposed are as follows:

- Installation of a new process to convert gas-containing sulfur and nitrogen into a stable, non-hazardous, aqueous liquid fertilizer, ammonium thiosulfate (ATS), which will result in a new SO<sub>2</sub> emission point.
- Changes to the fuel gas sulfur monitoring requirements for the 45 unit mix drum to add direct monitoring of fuel gas total sulfur as an additional monitoring option to the current requirement to monitor at a representative stack for sulfur dioxide emissions. Remove outdated requirements for monitoring H<sub>2</sub>S.
- Incorporate new, more restrictive language reflecting FHR's current flaring policy, which allows for flaring only in the event of malfunction.
- Assorted updates that serve to clarify the requirements of the Order by removing completed requirements and placeholders.

This SIP revision also incorporates revised Title I requirements for Inver Hills, held in Permit No. 03700015-004 which serves as a joint Title I/Title V document, into Minnesota's SIP. The changes to Inver Hill's SIP conditions are as follows:

- Residual fuel oil has been removed as an allowable fuel type in accordance with the revised SIP.
- Removed SIP limits that were terminated on the date that EPA approved the revision to the previous SIP.

There are no SIP-relevant construction changes being made to the Inver Hills facility and therefore this proposed SIP revision does not authorize any new operations or emission units at that facility.

Air dispersion modeling has been conducted to verify that the changes proposed in this notice will not have an adverse impact on compliance with the NAAQS for SO<sub>2</sub>.

**MPCA contact person.** The MPCA contact person is Amanda Jarrett Smith. Written comments, requests, and petitions should be mailed to:

Amanda Jarrett Smith  
Minnesota Pollution Control Agency  
Environmental Analysis and Outcomes Division  
520 Lafayette Road North  
St. Paul, Minnesota 55155-4194  
**Telephone:** (651) 757-2486 or  
**Toll free:** 1-800-657-3864  
**Fax:** (651) 297-8324  
**E-mail:** [amanda.smith@state.mn.us](mailto:amanda.smith@state.mn.us)  
**TTY** users may call the MPCA at: (651) 252-5332 or 1-800-657-3864

**Availability of SIP.** A copy of the proposed SIP revision is available on the MPCA's web site at <http://www.pca.state.mn.us/yrwc6a9>. A copy of the proposed SIP revision is also available upon request by contacting Amanda Jarrett Smith at (651) 757-2486 or [amanda.smith@state.mn.us](mailto:amanda.smith@state.mn.us), or can be mailed to any interested person upon the MPCA's receipt of a written request. Additional materials relating to the SIP revision are available for inspection by appointment at the MPCA, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194, between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. To examine these materials, or for more information, please contact Amanda Jarrett Smith. All MPCA offices may be reached by calling 1-800-657-3864.

**Public comment period and potential public meeting.** Your comments must be in writing and received by the MPCA by 4:30 p.m. on February 20, 2015. Written comments may be submitted to her at the address, facsimile number, or e-mail address listed above.

A public information meeting will only be held if one is requested by 4:30 p.m. on February 20, 2015. If such a meeting is requested, it will be held on February 26, 2015 at 1:30 p.m. at the MPCA St. Paul Office, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194. To find out if a public information meeting will be held, please contact Amanda Jarrett Smith at 651-757-2486 or [amanda.smith@state.mn.us](mailto:amanda.smith@state.mn.us) after February 20, 2015 at 4:30 p.m. The public information meeting, if one is requested, will provide information, receive public input, and answer questions about the proposed SIP revision. If the public information meeting is held, additional written comments on the proposed documents will be accepted until 4:30 p.m. on March 6, 2015, following the same guidelines described above.

# Official Notices

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**Request to have MPCA Citizens' Board make decision.** You have the right to submit a petition to the MPCA Commissioner asking that the MPCA Citizens' Board make the decision on submitting the proposed SIP revision to the EPA. Your petition must be in writing and must be received by the MPCA contact person listed above by 4:30 p.m. on February 20, 2015. Whether the petition will be granted or denied is at the sole discretion of the MPCA Commissioner. The MPCA Citizens' Board will only make the decision on the proposed SIP revision if the MPCA Commissioner grants your petition or if an MPCA Citizens' Board member makes a timely request to have the decision made by the MPCA Citizens' Board.

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

### NOTICE OF DEBARMENT

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

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

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

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

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

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

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

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

## State Grants & Loans

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

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

## Minnesota Department of Transportation (MnDOT)

### Office of Civil Rights

### Notice of Available Grant for Educational Institution to Participate as a Host Site in the National Summer Transportation Institute (NSTI) 2015 Program

The Federal Highway Administration (FHWA) and the Minnesota Department of Transportation (MnDOT) Office of Civil Rights is accepting applications from educational institutions to participate as a host site in the National Summer Transportation Institute (NSTI) 2015 Program.

NSTI program objectives are to improve STEM skills, provide awareness to middle and high school students about transportation careers (particularly minority, female and disadvantaged youth) and encourage participants to consider transportation-related fields of study in their higher education pursuits. NSTI host sites are required to commit significant program time to classroom instruction. The length of the NSTI program is typically 2-4 consecutive weeks. Host sites may be student day programs or residential programs in which room and board are provided by the host site.

The FHWA will fund the 2015 NSTI Program and MnDOT will administer the application process and provide program oversight to selected host sites. **The total available funding is \$70,000 for all selected proposals. The proposed NSTI two to four week program would occur between July 1, 2015 – August 31, 2015.**

Accredited colleges, community colleges, universities, Tribal Colleges, Historically Black Colleges and Universities (HBCUs), Minority Serving Institutions (MSIs), Hispanic Serving Institutions (HSIs), and Asian American Native American Pacific Island Serving Institutions (ANAPISIs) throughout the United States, District of Columbia, the Commonwealth of Puerto Rico, Pacific Island territories and the U.S. Virgin Islands are eligible to submit an NSTI application to serve as an NSTI host site.

To obtain the NSTI application, please contact:

Mayjoua Ly, Office of Civil Rights Outreach Coordinator  
Minnesota Department of Transportation  
395 John Ireland Boulevard, Mail Stop 170  
St. Paul, MN 55155  
**Telephone:** (651) 366-3323  
**E-mail:** [mayjoua.ly@state.mn.us](mailto:mayjoua.ly@state.mn.us)

Deadline for proposal submission is January 26, 2015 at 4:30 PM. All proposals must be sent electronically to Mayjoua Ly at [mayjoua.ly@state.mn.us](mailto:mayjoua.ly@state.mn.us)

## State Contracts

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

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

**Formal Solicitations:** Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be advertised in the SWIFT Supplier Portal or alternatively, in the *Minnesota State Register* if the procurement is not being conducted in the SWIFT system.

## Minnesota Department of Administration (Admin) Real Estate and Construction Services Notice of Request for Proposal to Lease Office Space in Marshall, Minnesota

**NOTICE IS HEREBY GIVEN** that Department of Administration requests proposals to lease up to approximately **19,390** usable square feet of office space in Marshall, MN for up to **six (6)** State agencies.

For a copy of the Request for Lease Proposal (RFP) specifications/requirements, go to  
<http://mn.gov/admin/business/vendor-info/real-estate/solicitations-announcements.jsp>

All RFP responses must be received by the Real Estate and Construction Services, Administration Building, 50 Sherburne Avenue Room 309, St Paul MN 55155 no later than 2:30 p.m. on March 12, 2015.

## Minnesota State Colleges and Universities (MnSCU) Minnesota State University Moorhead Notice of Request for Proposals for Retail Banking Campus Branch: Comstock Memorial Union

Minnesota State University Moorhead is requesting proposals from banking institutions to develop a retail banking campus branch and ATM service. The five year contract begins July 1, 2015. A full Request for Proposal is available on the Minnesota State University website, [www.mnstate.edu/rfp](http://www.mnstate.edu/rfp).

Sealed proposals must be received no later than **2:00pm CT on Tuesday, February 10, 2015**.

**Institution:** Minnesota State University Moorhead  
**Name:** Layne Anderson  
**Title:** Director Student Union and Activities  
**Address:** 1104 - 7<sup>th</sup> Ave. S.  
Moorhead, MN 56563  
**Phone:** (218) 477-2701  
**E-mail:** [layne.anderson@mnstate.edu](mailto:layne.anderson@mnstate.edu)

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



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## State Contracts

# Minnesota State Colleges and Universities (MnSCU)

## St. Cloud State University

### Notice of Availability of Request for Proposal (RFP) for Owner's Representative Services for Student Health and Academic Renovation - Eastman Hall

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of St. Cloud State University is soliciting proposals from interested, qualified consultants for Owner's representation services for the above referenced project.

A full Request for Proposal will be available on January 12, 2015 at: <http://www.stcloudstate.edu/facilities/project-docs.aspx>

A copy of the pre-design is available for review at: <http://www.stcloudstate.edu/facilities/project-docs.aspx>

Proposals must be delivered to Lisa Sparks, Purchasing Department, Administrative Services Building, Room 122, 720 - 4<sup>th</sup> Avenue South, St. Cloud, MN 56301 not later than **3:00 PM, February 4, 2015**.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

# Minnesota State Colleges and Universities (MnSCU)

## Winona State University

### Request for Proposals for Contract Services to Produce Recruiting Communications

**NOTICE IS HEREBY GIVEN** that Winona State University is seeking proposals for **Contract Services to Produce Recruiting Communications**.

Proposal specifications are available by contacting Laura Mann, Purchasing Director, P.O. Box 5838, 106 Somsen Hall, Winona, MN 55987 or via e-mail to: [lmann@winona.edu](mailto:lmann@winona.edu).

Sealed proposals must be received by Laura Mann, Purchasing Director, at Winona State University, PO Box 5838 or 175 West Mark Street, Business Office, Somsen Hall 106, Winona, MN 55987, by 3:00 PM CST, Thursday, February 19.

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

# Minnesota Sports Facilities Authority (MSFA)

## ADVERTISEMENT FOR PROPOSALS for Document Management System

**1. Proposals** – Submit proposals for Minnesota Sports Facilities Authority – Document Management System & Services, Minneapolis, Minnesota, to Steven C. Maki, Sr. Stadium Director on or before 4:00 pm, on February 26, 2015.

**2. Work Includes** – Provide turnkey professional services to develop, provide and implement a complete document management system in accordance with the proposal requirements.

**3. Pre-Proposal Meeting** – Pre-proposal meeting will be held at 10:00 am on January 26, 2015 at the MSFA office, 511 - 11<sup>th</sup> Ave. So. Suite 401, Minneapolis, Minnesota. It is mandatory that proposers attend the meeting.

# State Contracts

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**4. Examining Documents** – Documents will be available for review after January 12, 2015, at the office of the MSFA, 511 - 11<sup>th</sup> Ave. South, Suite 401, Minneapolis, MN and on the website, MSFA.com.

**5. Affirmative Action** – All proposers, applicants, prime contractors and prospective subcontractors will be subject to a pre-award compliance review to ensure the employment of minorities, women and disabled person.

The Minnesota Sports Facilities Authority reserves the right to reject any and all proposals and to waive any informalities in any proposals received without explanation.

Ms. Michele Kelm-Helgen, Chair  
Minnesota Sports Facilities Authority

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

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

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

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

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT’s Consultant Services web site, indicated below, to expenses are incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

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

Send completed application material to:

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

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# State Contracts

## Minnesota Department of Transportation (Mn/DOT)

### Engineering Services Division

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

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

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

## Minnesota Zoo

### Notice for the Minnesota Zoo Amphitheater Seating Renovation

Work at the Weesner Family Amphitheater can be broken into three sections as outlined below:

**Bench Removal, Fabrication and Replacement** - This project involves the removal of existing laminated redwood benches at the Weesner Family Amphitheater and the installation of new laminated redwood benches. The selected contractor is responsible for the fabrication and installation of the new laminated redwood benches and all necessary hardware associated with their installation. The new redwood benches are to match the standards and specifications of the existing redwood benches. The existing redwood benches, once removed, are to be recycled and/or stored in accordance with the wishes of the Minnesota Zoo. The selected contractor is to provide shop drawings for approval by Zoo staff prior to fabrication of redwood seating.

The new laminated redwood benches are to include a seat numbering system as specified by the Minnesota Zoo. The new seat numbers/labels must be durable, clearly visible and should not obtrude the guest experience.

Unless otherwise specified, all redwood seating and hardware is to be replaced in full. No portion of the existing seats is to be reused or recycled unless authorized by a representative of the Minnesota Zoo.

**Concrete Stadia Cleaning** - The concrete stadia beneath the benches is to be thoroughly cleaned through power washing or other determined method after removal of existing redwood benches and prior to installation of new redwood benches. Any and all contaminated water or chemical runoff associated with cleaning the concrete stadia is to be properly captured and removed or processed in accordance with local rules and environmental regulations.

**Bench Cover Fabrication** - A winterization system in the form of tarps or covers is to accompany the new redwood seating. The selected contractor is responsible for the production of the seat protection system. Shop drawings must be provided for approval by Zoo staff prior to fabrication of seat winterization system.

It is the intent of the Minnesota Zoo to use the seat protection system or seat covers to prevent wear and tear to the redwood benches during the harsh Minnesota winter months. The seat protection system must be easy to install and remove and must be reusable and durable. Anchor points should be installed along with the system to ensure that the tarps can be securely fastened.

Project details are included in the complete Request for Proposals which is available by request. To access the RFP, email **Zach Eling, Minnesota Zoo Project Manager at [Zachary.eling@state.mn.us](mailto:Zachary.eling@state.mn.us)**. The deadline for submitting a proposal is **11:00 AM., CST, February 3, 2015**

This Request for Proposals does not obligate the State of Minnesota or the Minnesota Zoo to complete the work contemplated in this notice and the State reserves the right to cancel this solicitation. All expenses incurred in response to this notice are solely the responsibility of the responder.

# Non-State Public Bids, Contracts & Grants

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

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

## Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for Intelligent Monitoring and Control Systems 2015 (P7)

MAC Contract No.: 106-2-734  
Bids Close At: 2:00 p.m. 10 February 2015

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The scope of work includes the replacement of the last elements of the proprietary Siemens automation system, electric meter monitors, the completion of a wireless water meter reading system, the upgrade of the tracherator at T2 and upgrades to the MAC's Facilities Monitoring System (FMS).

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

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

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

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on January 20, 2015, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids.)

## Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for Modular Cooling Tower Installation

MAC Contract No.: 106-2-729  
Bids Close At: 2:00 p.m., February 10, 2015

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This work includes installing a modular cooling tower on top of the existing roof of Concourse C adjacent to the Energy Management Center building and connecting it to the existing cooling tower system within the EMC building.

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# Non-State Public Bids, Contracts & Grants

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

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

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

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on January 20, 2015, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids.)

## Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for 2015 Checkpoint Consolidation

**MAC Contract No.:**

**106-2-753**

**Bids Close At:**

**2:00 p.m. on Tuesday, February 10, 2015**

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The work consists of limited building demolition, along with structural steel and concrete floor and roof systems and other structural enhancements.

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

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

**Project Labor Agreement:** This project is subject to the MAC's Project Labor Agreement requirements. A copy of the Project Labor Agreement and Contract Riders are included in the Appendix.

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

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on January 20, 2015, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids.)

# Non-State Public Bids, Contracts & Grants

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## Metropolitan Airports Commission (MAC)

### Minneapolis-Saint Paul International Airport

#### Notice of Call for Bids for 2015 Parking Structure Rehabilitation

MAC Contract No.:

106-3-513

Bids Close At:

2:00 p.m., Tuesday, February 10, 2015

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for miscellaneous repairs and maintenance to the parking structure facilities at the Terminal 1-Lindbergh and Terminal 2-Humphrey.

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

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

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Kimley-Horn and Associates, Inc., at the Minnesota Builders Exchange; McGraw-Hill Construction; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: Kimley-Horn and Associates, Inc.; 2550 University Avenue West; Suite 238N; St. Paul, MN 55114; **phone:** (651) 645-4197. Make checks payable to: Kimley-Horn and Associates, Inc. Deposit per set (refundable): \$100. Requests for mailing sets will require a separate, non-refundable \$15.00 check for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on January 20, 2015, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids.)

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