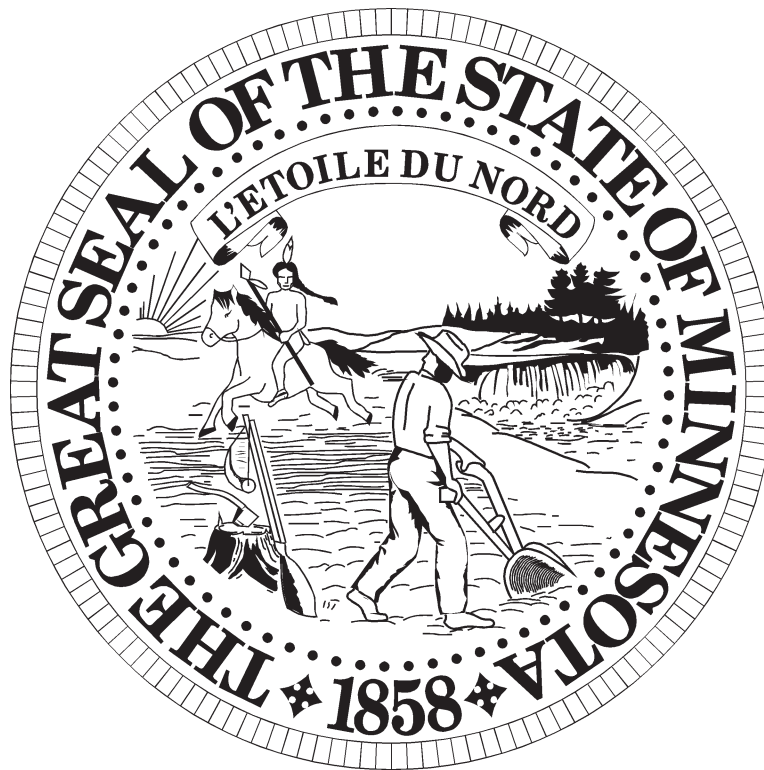


Minnesota

State Register

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



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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

**Monday 18 August 2014
Volume 39, Number 7
Pages 225 - 254**

Minnesota State Register

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

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

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- Withdrawn Rules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

Printing Schedule and Submission Deadlines

Vol. 39 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
# 8	Monday 25 August	Noon Tuesday 19 August	Noon Thursday 14 August
# 9	TUESDAY 2 September	Noon Tuesday 26 August	Noon Thursday 21 August
# 10	Monday 8 September	Noon Tuesday 2 September	Noon Thursday 28 August
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Minnesota Rules: Amendments and Additions

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

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

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

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

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

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Proposed Rules

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

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

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

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

Minnesota Department of Human Services (DHS) Proposed Permanent Rules Repealing Obsolete Rule Governing Definition of "Investigative" for Purpose of Health Care Program Payment NOTICE OF INTENT TO REPEAL OBSOLETE RULE

Proposed Repeal of Obsolete Rule Governing Definition of "Investigative" for Purpose of Health Care Program Payment, *Minnesota Rules*, part 9505.5005; Revisor's ID Number RD4260

Introduction. The Minnesota Department of Human Services intends to repeal obsolete rules under the rulemaking process in the Administrative Procedure Act, *Minnesota Statutes*, section 14.3895. You may submit written comments on the proposed repeal of obsolete rules until October 20, 2014.

Agency Contact Person. Submit any comments, questions or written requests for a public hearing on the rules to: Karen E. Sullivan Hook at the Minnesota Department of Human Services, Management and Policy Division, PO Box 64238, Saint Paul, Minnesota 55155-0238; **telephone:** (651) 431-5771; **e-mail:** Karen.SullivanHook@state.mn.us; or **fax:** (651) 431-7488. **TTY** users may call the Minnesota Department of Human Services through Minnesota Relay at 711 or 1-800-627-3529. For Speech-to-Speech, call 1-877-627-3848.

Subject of the Repeal of Obsolete Rules and Statutory Authority. The proposed obsolete rule defines the term "investigative" as used in procedures for prior authorization of health services and the requirement of a second surgical opinion as conditions of payment to providers of health services for recipients of medical assistance and MinnesotaCare. As the rule is presently written, it relies upon the National Blue Cross and Blue Shield Association Medical Advisory Committee determination of whether a health service procedure lacks wide recognition as a proven and effective procedure in clinical medicine. The repeal is necessary because the National Blue Cross and Blue Shield Association Medical Advisory Committee no longer exists. As presently written, the rule also names Blue Cross and Blue Shield of Minnesota. Following the repeal, the rule will rely on the determination of Blue Cross and Blue Shield of Minnesota regarding whether a health service procedure is investigative.

The agency also anticipates undertaking a separate rulemaking process in the future to adopt a new rule defining the term "investigative" without reliance on the determination of an outside entity. This obsolete rule repeal will serve to provide clarity in the interim.

The agency identified the proposed obsolete rules to be repealed in its 2012 annual obsolete rules report under *Minnesota Statutes* section 14.05, subdivision 5. The statutory authority to repeal the obsolete rules is found in *Minnesota Statutes*, section 14.3895. A copy of the proposed obsolete rules to be repealed is published in the *State Register* and attached to this notice as mailed.

Proposed Rules

Comments. You have until 4:30 p.m. on Monday, October 20, 2014, to submit written comment in support of or in opposition to the proposed repeal of obsolete rules and any part or subpart of the repeal. Your comment must be in writing and received by the agency contact person by the due date. The Department encourages comment. Your comment should identify the portion of the proposed obsolete rules to be repealed addressed and the reason for the comment. In addition, you are encouraged to object to the repeal of any part or subpart. You must also make any comments on the legality of the proposed rules during this comment period.

Request for Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. You must make your request in writing and the agency contact person must receive it by 4:30 p.m. on October 20, 2014. Your written request must include your name and address. You must identify the portion of the proposed repealed rules to which you object 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 for 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.

- **Effect of Requests.** If 25 or more people submit a written request, the agency will have to meet the requirements of *Minnesota Statutes*, sections 14.131 to 14.20 for rules adopted after a hearing or the requirements of *Minnesota Statutes*, sections 14.22 to 14.28 for rules adopted without a hearing, including the preparation of a statement of need and reasonableness and the opportunity for a hearing.

Modifications. The agency might modify its choice of these designated rules or parts proposed for repeal (e.g. fixing a typo or deciding not to repeal a rule because the rule is discovered not to be obsolete), based on comments and information submitted to the agency. If the final rules are identical to the rules originally published in the *State Register*, the agency will publish a notice of adopting the repealers in the *State Register*. If the final rules are different from the rules originally published in the *State Register*, the agency must publish a copy of the changes in the *State Register*. If the proposed repeal of obsolete rules affects you in any way, the agency encourages you to participate in the rulemaking process.

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

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

Repeal and Review of Obsolete Rules. If no hearing is required, the agency may repeal the obsolete rules at the end of the comment period. The agency will then submit rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date that the agency submits the rules. If you want to be so notified, or want to receive a copy of the repealed obsolete rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Dated: 6 August 2014

Lucinda E. Jesson, Commissioner
Minnesota Department of Human Services

9505.5005 DEFINITIONS.

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

Subp. 9.**Investigative.** “Investigative” means:

A. A health service procedure which has progressed to limited human application and trial, which lacks wide recognition as a proven and effective procedure in clinical medicine as determined by the National Blue Cross and Blue Shield Association Medical Advisory Committee, and utilized by Blue Cross and Blue Shield of Minnesota in the administration of their program.

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

[For text of subps 10 to 19, see M.R.]

Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

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 Agriculture (MDA) Adopted Permanent Rules Relating to Anhydrous Ammonia Inspector Certification

The rules proposed and published at *State Register*, Volume 38, Number 47, pages 1523-1527, May 19, 2014 (38 SR 1523), are adopted with the following modifications:

1514.0200 GENERAL PROVISIONS; CERTIFIED ANHYDROUS AMMONIA INSPECTOR.

Subp. 3. **Certification not transferable.** Anhydrous ammonia inspector certification is not transferable to another individual. Certified anhydrous ammonia inspectors shall perform only inspections of anhydrous ammonia facilities ~~permitted by~~ that have received a permit from the commissioner.

1514.0300 ANHYDROUS AMMONIA INSPECTOR CERTIFICATION.

Subp. 8. **Reciprocal certification agreements.** If classroom training, a written examination, or a practical training and skills test is offered by another jurisdiction or organization and is determined by the commissioner to be equal in standards to Minnesota's anhydrous ammonia inspector certification training and examination requirements, the commissioner may waive all or part of the training and examination requirements provided for in subparts ~~2~~ 3 to 5. For the purposes of this subpart, the commissioner shall only approve a classroom training program, a written examination, or a practical training and skills test that is offered by another jurisdiction or organization if the classroom training program, written examination, or practical training and skills test meets or exceeds the applicable requirements in subparts 3 to 5.

EFFECTIVE DATE. Parts 1514.0100 to 1514.0600 are effective ~~June 1, 2016~~ January 1, 2017.

Minnesota Department of Labor and Industry (DLI) Adopted Permanent Rules Adopting Radon Control Methods and the 2012 International Energy Conservation Code Residential Provisions

The rules proposed and published at *State Register*, Volume 38, Number 41, pages 1303-1305, April 7, 2014 (38 SR 1303), are adopted with the following modifications:

1322.0402 SECTION R402, BUILDING THERMAL ENVELOPE.

Subpart 1. **Table R402.1.1.** IECC Table R402.1.1 is amended to read as follows:

Table R402.1.1 Insulation and fenestration requirements by component.^a

Climate Zone	Fenestration U-Factor ^b	Skylight ^b U-Factor	Glazed Fenestration SHGC ^{b,e}	Ceiling ^j R-Value	Wood Frame Wall R-Value ^f
6	0.32	0.55	NR	49	24 <u>20, 13+5</u>
7	0.32	0.55	NR	49	21

Table R402.1.1 Insulation and fenestration requirements by component.

Mass Wall R-Value ^{i,g,h}	Floor R-Value	Basement Wall R-Value ^{e,i}	Slab R-Value and Depth ^d	Crawl Space Wall R-Value ^{e,i}
15/20	30°	15	10, 3.5 ft	15
19/21	38°	15	10, 5 ft	15

For SI: 1 foot = 304.8 mm.

- a. R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity that is less than the label or design thickness of the insulation, the installed R-value of the insulation shall not be less than the R-value specified in the table.
- b. The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.
- c. See section R402.2.8.
- d. Insulation R-values for heated slabs shall be installed to the depth indicated or to the top of the footing, whichever is less.
- e. First value is cavity insulation, second is continuous insulation or insulated siding, so “13+5” means R-13 cavity insulation plus R-5 continuous insulation or insulated siding. Or insulation sufficient to fill the framing cavity, R-19 minimum.
- f. If structural sheathing covers 40 percent or less of the exterior, the continuous insulation R-value is permitted to be reduced by no more than R-3 in the locations where structural sheathing is used to maintain a consistent total sheathing thickness.
- g. The second R-value applies when more than half the insulation is on the interior of the mass wall.
- h. When using log-type construction for thermal mass walls the following applies: (1) a minimum of a 7-inch diameter log shall be used; and (2) the U-value of fenestration products shall be 0.29 overall on average or better.
- i. See section 402.2.8. A minimum R-19 cavity insulation is required in wood foundation walls.
- j. Roof/ceiling assemblies shall have a minimum 6-inch energy heel.

1322.0500 CHAPTER 5(RE) REFERENCED STANDARDS.

Chapter 5(RE) of the 2012 IECC is amended by adding the following referenced standards:

A. Standard reference number: ASHRAE Standard 52.2, Method of Testing General Ventilation Air-Cleaning Devices for Removal Efficiency by Particle Size; referenced in section R403.5.12;

~~B. Title: Method of Testing General Ventilation Air-Cleaning Devices for Removal Efficiency by Particle Size;~~

~~C. B. Standard reference number: HVI Standard 915; and~~

~~D. C. Standard reference number: HVI Standard 916; and~~

D. Standard reference number: HVI Standard 920.

Expedited Emergency Rules

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

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

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

Minnesota Department of Natural Resources (DNR) Adopted Expedited Emergency Game and Fish Rules: 2014 Wolf Season and Bear Licenses

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, sections 97B.405, 97B.601, 97B.603, 97B.605, 97B.647, and 97B.901.

The conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that quota numbers, bag limits and season structure are developed on an annual basis so that the harvest and populations can be managed sustainably. The bear license purchase deadline was changed for consistency with existing statute and published application forms.

Dated: July 17, 2014

Tom Landwehr, Commissioner
Department of Natural Resources

6232.2900 BEAR PERMIT PROCEDURES.

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

Subp. 2. **Drawings.** Drawings will be conducted by the department to determine those eligible to purchase a bear license within the bear quota areas.

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

C. In quota areas with fewer applicants than available licenses or licenses not purchased as described in subpart 9, the remaining available licenses may be first offered to ~~unsuccessful applicants~~ any eligible person on a first-come, first-served basis beginning at 12:00 p.m. on the first Wednesday following the deadline in subpart 9 August 6.

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

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

[For text of subp 9, see 38 SR 1381]

6234.2105 TAKING WOLF.

Subpart 1. **Licenses.** Three types of licenses are offered for taking wolves according to items A to C. Licenses are valid in any open wolf zone.

A. The early season wolf hunting license is valid only for hunting in the early season.

B. The late season wolf hunting license is valid only for hunting in the late season.

C. The late season wolf trapping license is valid only for trapping in the late season.

Subp. 2. **Early season.** During the early season, wolves may be taken according to items A to C.

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A. Wolves may be taken for a 16-day period beginning the Saturday nearest November 6 in 100 series deer permit areas unless otherwise closed by the commissioner and except as provided in item C.

B. Wolves may be taken for a nine-day period beginning the Saturday nearest November 6 in 200 series deer permit areas unless otherwise closed by the commissioner and except as provided in item C.

C. Notwithstanding items A and B, wolves may be taken in the East-Central Zone only for a two-day period beginning the Saturday nearest November 6. At the close of legal shooting hours on the second day, the zone is closed.

Subp. 3. **Late season.** Wolves may be taken in any open wolf zone from the Saturday following Thanksgiving to January 31, unless otherwise closed by the commissioner.

Subp. 4. Application procedures for wolf license.

A. A person may not apply for more than one type of wolf license, whether as an individual or as a member of a group.

B. If the number of valid applications exceeds the number of available licenses, the commissioner shall conduct a drawing to determine those eligible to purchase a wolf hunting or trapping license.

C. The application deadline is the Thursday following Labor Day. Applications may be made to an electronic licensing system agent, by telephone or Internet, or at the Department of Natural Resources License Center.

D. A person may apply individually or as part of a group totaling no more than four persons. Those who wish to apply as a group must submit their applications at the same time. All applications in a group must be for the same license type. Either all members of the group or none shall be drawn. An improperly completed application shall be rejected but does not disqualify other members of the group.

E. The commissioner shall notify successful applicants with instructions authorizing them to obtain a license. The commissioner shall disqualify a successful applicant who does not purchase a license according to the instructions or who does not provide all of the requested information.

F. A person selected through the wolf license drawing must purchase the license no later than October 24 if selected for the early season or November 14 if selected for late season hunting or late season trapping. Any licenses not purchased by the deadline shall be issued according to item G.

G. Wolf licenses that are not purchased by the deadlines described in item F shall be offered for sale as follows:

(1) unsuccessful wolf license applicants may purchase unsold wolf licenses on a first-come, first-served basis beginning at 12:00 p.m. on October 29 for the early season and beginning at 12:00 p.m. on November 19 for late season hunting and late season trapping. An eligible person must apply individually and in person at an ELS-POS (point of sale) agent location or through the ELS-Internet system to obtain a remaining license; and

(2) any remaining available licenses not purchased by unsuccessful applicants may then be sold to any eligible person on a first-come, first-served basis beginning at 12:00 p.m. on November 5 for the early season and beginning at 12:00 p.m. on November 26 for late season hunting and late season trapping. An individual may purchase one wolf license annually.

H. All applicants must furnish proof of a current or previous year hunting license as required by *Minnesota Statutes*, section 97B.647, subdivision 6, and as specified in the application instructions.

Subp. 5. **Season closure; status notification.** Except in the East-Central Zone, where the early season ends at the end of legal shooting hours on November 9, the wolf season ends as follows:

A. When each wolf zone target harvest is reached or projected to be reached based on harvest trends, the commissioner shall close the season for that zone.

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B. A season closes at the end of legal shooting or trap tending hours for the day that the closure is declared under item A.

C. The commissioner shall make harvest and season status available via a toll-free telephone number and on the department Web site. The status notification must indicate the tally for the number of wolves taken during the season and zone and whether the season is open or closed in each wolf zone.

Subp. 6. **Wolf harvest registration.** A person tagging a wolf must register the wolf at a designated wolf harvest registration station or with an agent of the commissioner and obtain a wolf harvest registration confirmation number or must connect to the online or telephone department harvest registration system and follow the instructions to obtain a wolf harvest registration confirmation number. A person must obtain a wolf harvest registration confirmation number before the wolf is skinned and no later than 10:00 p.m. the day of the harvest.

Subp. 7. **Tagging and license validation for wolves.**

A. A person taking a wolf must affix to the carcass the site tag provided with the person's wolf hunting or trapping license.

B. The tag must be fastened through an ear or around a leg bone or tendon so that the tag cannot be readily removed. A hunter or trapper may not possess or use the site tag of another licensee.

C. At the time a wolf is tagged at the site of kill, the license of the person whose tag is affixed to the wolf must be validated. Validation consists of using a knife or similar sharp object to cut out or a pen to indelibly mark the appropriate notches on the site tag indicating the date of kill and the wolf zone where the wolf was taken.

Subp. 8. **Wolf zone target harvests.** The target harvest established for the 2014 wolf seasons is as follows:

A. In the Northwest Wolf Zone, the target harvest is 165, divided as follows:

(1) the early season target harvest is 83 wolves; and

(2) the late season target harvest is 165, less the number of wolves taken during the early season.

B. In the Northeast Wolf Zone, the target harvest is 73 wolves, divided as follows:

(1) the early season target harvest is 37 wolves; and

(2) the late season target harvest is 73, less the number of wolves taken during the early season.

C. In the East-Central Wolf Zone, the target harvest is 12 wolves, divided as follows:

(1) there is no target harvest for the early season; and

(2) the late season target harvest is 12, less the number of wolves taken during the early season.

Subp. 9. **Target harvest adjustments.** The commissioner may reduce target harvest numbers for the Northeast and East-Central Wolf Zones before the beginning of the early season to accommodate tribal declarations for wolf harvest in the 1837 Ceded Territory and the 1854 Ceded Territory.

Subp. 10. **License availability.**

A. The number of available licenses for the 2014 wolf seasons is 3,800, divided as follows:

(1) early season: 2,300 licenses; and

(2) late season: 1,500, with a minimum of 375 licenses awarded by lottery to valid applicants for a wolf trapping license, or if less than 375 valid trapping license applications are received, then the number equal to the number of valid trapping license applications. If the

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number of applicants for trapping licenses exceeds 375, the number of trapping licenses to be issued may be adjusted proportionally upward based on the number of trapping applications versus the number of hunting applications.

B. No more than five percent of the early season hunting and late season hunting licenses shall be awarded to nonresidents.

C. The commissioner shall adjust the number of available licenses for the early or late season at the time the computerized drawing is conducted if the number of licenses available exceeds the number of applicants for either season. The total licenses shall not exceed 3,800.

D. In seasons with fewer applicants than available licenses, the remaining available licenses shall be offered on a first-come, first-served basis.

Subp. 11. Wolf zones.

A. The Northwest Wolf Zone is that portion of the state lying outside of the Northeast and East-Central Wolf Zones, except for that area of the state defined as the shotgun use area under Minnesota Statutes, section 97B.318, subdivision 1.

B. The Northeast Wolf Zone is that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 65 and STH 27 in Aitkin County; thence along STH 65 to the intersection of STH 65 and STH 200; thence along STH 200 to U.S. Highway 2; thence along U.S. Highway 2 to the intersection of U.S. Highway 2 and STH 73; thence along STH 73 to the intersection of STH 73 and County State-Aid Highway (CSAH) 133; thence east along CSAH 133 to the intersection of CSAH 133 and CSAH 5; thence along CSAH 5 to the intersection of CSAH 5 and U.S. Highway 169; thence along U.S. Highway 169 to the intersection of U.S. Highway 169 and STH 73; thence along STH 73 to the intersection of STH 73 and U.S. Highway 53; thence along U.S. Highway 53 to the intersection of U.S. Highway 53 and CSAH 23; thence along CSAH 23 to the east bank of the Vermilion River; thence along the east bank of the Vermilion River to the northern boundary of the state; thence along the northern boundary of the state to the shore of Lake Superior; thence southwesterly along the shore of Lake Superior; thence from the shore of Lake Superior due south to the east boundary of the state; thence along the east boundary of the state to CSAH 8, Carlton County; thence along CSAH 8 to the point intersecting U.S. Interstate Highway 35, at which point CSAH 8 becomes STH 27; thence along STH 27 to the point of beginning.

C. The East-Central Wolf Zone is that portion of the state lying within the following described boundary:

Beginning at the intersection of the east boundary of the state and County State-Aid Highway (CSAH) 8, Carlton County; thence along the east boundary of the state to U.S. Highway 8; thence along U.S. Highway 8 to State Trunk Highway (STH) 95; thence along STH 95 to STH 23; thence along STH 23 to the east bank of the Mississippi River; thence along the east bank of the Mississippi River to the intersection of the Mississippi River and STH 210 in Brainerd; thence along STH 210 to STH 25; thence along STH 25 to STH 18; thence along STH 18 to its junction with STH 47; thence along STH 47 to Aitkin County Road (CR) 2; thence along CR 2 to STH 65; thence along STH 65 to STH 27; thence along STH 27 to the intersection of STH 27 and U.S. Interstate Highway 35, where STH 27 becomes CSAH 8; thence along CSAH 8 to the point of beginning.

Subp. 12. Bag limit. A person may not take more than one wolf per license.

Subp. 13. Wolf carcass submission. The pelt of each wolf and the whole carcass of each wolf must be presented, by the person taking it, to a state wildlife manager designee for data collection before the pelt is sold and before the pelt is transported out of the state, but in no event later than 5:00 p.m. on the next business day following the closure of the season in which the wolf was taken. The entire carcass of the wolf must be surrendered to the state wildlife manager designee. The pelt must have been removed from the carcass, but the site tag must remain in possession of the person taking the wolf.

REPEALER. The emergency amendments to Minnesota Rules, part 6232.2900, subpart 2, item C, published in the State Register, volume 38, page 1381, April 21, 2014, are repealed.

EFFECTIVE PERIOD. The emergency amendments to Minnesota Rules, part 6232.2900, expire January 1, 2015. After the emergency

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amendments expire, the permanent rules as they read prior to those amendments again take effect, except as they may be amended by permanent rule. *Minnesota Rules*, part 6234.2105, expires February 1, 2015.

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.

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Minnesota Department of Public Safety (DPS)

Adopted Exempt Permanent Rules Relating to Driver and Vehicle Services; Ignition Interlock Device Program

ORDER ADOPTING RULES

Adoption of Permanent Exempt Rules Governing Ignition Interlock Device Program (IDDP);

Minnesota Rules Parts 7503.0800; 7503.1000; 7503.1675; 7503.1725, and 7503.1800

OAH 11-2400-31326 Revisors RD 4225

BACKGROUND INFORMATION

The Minnesota Department of Public Safety Driver and Vehicle Services has complied with all notice and procedural requirements in *Minnesota Statutes*, chapter 14, Section 14.386, and *Minnesota Rules*, Part 1400.2400, and other applicable law. Department adopts the Administrative Law Judge's Report dated March 11, 2014, and incorporates the corrective action recommended by the Judge as provided under *Minnesota Statutes* 14.16, subdivision 1,2.

Exempt Rules

The Department received a ruling from Judge Barbara L. Neilson, dated March 11, 2014. Judge Neilson ordered that the Department has the statutory authority to adopt the rules using the exempt rulemaking process, pursuant to *Minnesota Statutes* Section 171.306, Subdivision 8.

The following rules or parts thereof were not approved:

- 7503.1000, subpart 1;
- 7503.1675;
- 7503.1725, subpart 1; and
- 7503.1725, subpart 1 (B).

Minnesota Rules, 1400.2400, subpart 4a, provides that when a rule is disapproved, the agency must resubmit the rule to the Administrative Law Judge for review after it has revised the proposed rules. The Department proposes to adopt all suggestions recommended by the Judge and offers slight modifications, which we submit for review and approval. The Department asserts that the modifications do not substantially alter the meaning of the rules as originally proposed, and seeks a review of the Judge.

Minnesota Rules, 1400.2400, Subpart 4a, requires that the Department resubmit the rules to the Judge for review within five working days. The Department filed the rules with the Office of Administrative Hearings seeking a review and approval on February 25, 2014. The date on which the Department filed the rules for review coincided with the first day the Minnesota Legislature. The Department received the Order and Ruling from Neilson dated March 11, 2014.

The Department recognizes that more than five days have elapsed since receipt of Judge Neilson's ruling and notice of March 12, 2014; and respectfully petition Chief Judge Pust to consider the error as provided in *Minnesota Statutes*, 14.15, Subdivision 5. (I).

The Department filed the proposed exempt rules and the proposed Order of Adopting Rules with Office of Administrative Hearing (OAH) on February 25, 2014, for legal review and subsequent modifications to the proposed rules were completed and filed with the OAH on June 4, 2014, and approved as to legality on June 11, 2014.

The OAH submitted the adopted permanent rules to the office of the Secretary of State, on July 31, 2014. The Department adopts the modifications recommended by Judge Neilson in their entirety, and makes one simple modification, which does not substantially alter the meaning of the rules as originally proposed.

The Report of the Administrative Law Judge noted defects in: Minnesota Rules, Parts 7503.1000, subpart 1; 7503.1675; 7503.1725, subpart 1; and 7503.1725, subpart 5 (B). The Department adopts the modifications recommended by Judge Neilson for proposed *Minnesota Rule*, Parts. Changes that amend the rules noted below are underlined to identify amendments to the rules, which were proposed and adopted by the Department; and approved by Administrative Law Judge Neilson:

7503.1000 ADMINISTRATIVE REVIEW OF SUSPENSION, REVOCATION, DISQUALIFICATION.

Subpart 1. Right to administrative review. A person whose driver's license is suspended under *Minnesota Statutes*, section 171.187, revoked under *Minnesota Statutes*, section 169A.52, or who is disqualified under *Minnesota Statutes*, section 171.165, subdivision 2, has the right to an administrative review of the revocation ~~suspension order~~, revocation order, or disqualification under the procedure specified in part 7409.4600, subparts 1 to 4, ~~and~~ *Minnesota Statutes*, section 169A.53, subdivision 1, and *Minnesota Statutes*, section 171.187, Subdivision 4.

7503.1725 IGNITION INTERLOCK DEVICE PROGRAM; REHABILITATION.

Subpart 1. When applicable.

A. The following persons are subject to the provisions of this part:

1. A person whose driver's license or driving privilege has been revoked or canceled and denied under part 7503.1300 or *Minnesota Statutes*, section 169A.52; 169A.54; or 171.04, subdivision 1, clause (10), on or after July 1, 2011; or

2. a person whose driver's license or driving privilege has been revoked or suspended under *Minnesota Statutes*, section 171.17, Subdivision 1(a)(1), or *Minnesota Statutes*, section 171.187 for certain criminal vehicular operation offenses committed on or after July 2014.

B. A person must complete rehabilitation whenever:

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1. The person's driver's license or driving privileges has been canceled and denied as a result of incurring three or more alcohol or controlled substance-related incidents within the past ten years; or
2. there is four or more alcohol or controlled substance-related incidents on record.

7503.1725.

subpart 5 (b), is withdrawn.

Further, the Department accepts and adopts all modifications recommended by Judge Neilson for Part 7503.1675, with a slight modification, with language as follows:

7503.1675 IGNITION INTERLOCK DEVICE PROGRAM; TERMINATION.

Pursuant to *Minnesota Statutes*, section 171.306, subdivision 5, paragraph (b), the commissioner shall terminate a program participant's participation in the program for a non-program traffic violation under *Minnesota Statutes*, chapter 169, or a departmental action under *Minnesota Statutes*, chapter 171, that results in the withdrawal of a program participant's driving privilege for more than one year; provided, however, that this rule part does not apply to a driver whose license has been revoked under *Minnesota Statutes*, section 171.17, subdivision 1, paragraph (a), clause (1), or a driver whose license has been suspended under *Minnesota Statutes*, section 171.187, for a violation of *Minnesota Statutes*, section 609.21, subdivision 1, clause (2)(i) or (2)(iii); (3); or (4), resulting in bodily harm, substantial bodily harm, or great bodily harm.

Department Note – Only criminal vehicular offenses that include alcohol and result in bodily harm, substantial bodily harm, or great bodily harm are exempted from this rule part. Minnesota Statutes, section 609.21 specifies whether alcohol was involved, and the level of severity, therefore the inclusion of this language in addition to that suggested by Judge Neilson, is included. The Department believes that the change does not substantially alter the meaning of the rules as originally proposed, but does make clearer the Department's intent.

The Department sought review and approval of the Proposed Exempt Permanent Rules Relating to the Ignition Interlock Device Program (IIDP). By way of an Order dated March 11, 2014, Administrative Law Judge Barbara L. Neilson determined that the proposed rules included defects. On June 4, 2014, the Department submitted revisions of the proposed rules for review under Minnesota Rules 1400.2400, subpart 4a.

On June 11, 2014, Judge Neilson issued an Order on Review of the Resubmitted Rules under *Minnesota Statutes* 14.386 and *Minnesota Rules* 1400.2400, as to the legality of the rules and affirmed the statutory authority of the Department to adopt the rules. In addition to all other parts of the rule that were approved in March 11, 2014 order, *Minnesota Rule* Parts 7503.1000, subpart 1; 7503.1675; and 7503.1725, subpart 1, are approved.

ORDER

The above-named rules, with the modifications as indicated in the Revisor's draft, file number R-4225, dated July 21, 2014, are adopted under my authority in *Minnesota Statutes*, sections 171.306, subdivision, 8.

Dated: 8 August 2014

Ramona L. Dohman, Commissioner
Minnesota Department of Public Safety

7503.0800 REVOCATION PERIODS.

Subpart 1. **Statutory periods.** The commissioner shall revoke drivers' licenses or nonresident driving privileges for the minimum periods prescribed in current or former *Minnesota Statutes*, sections 169.121, 169.123, 169A.52, ~~and~~ 169A.54, and 171.17, subdivision 4.

Subp. 2. [See repealer.]

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

7503.1000 ADMINISTRATIVE REVIEW OF SUSPENSION, REVOCATION, DISQUALIFICATION.

Subpart 1. **Right to administrative review.** A person whose driver's license is suspended under *Minnesota Statutes*, section 171.187,

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revoked under *Minnesota Statutes*, section 169A.52, or who is disqualified under *Minnesota Statutes*, section 171.165, subdivision 2, has the right to an administrative review of the suspension order, revocation order, or disqualification under the procedure specified in part 7409.4600, subparts 1 to 4, ~~and *Minnesota Statutes*, section sections 169A.53, subdivision 1, and 171.187, subdivision 4.~~

Subp. 2. [Repealed, 27 SR 707]

Subp. 3. [Repealed, 27 SR 707]

Subp. 4. [Repealed, 27 SR 707]

Subp. 5. [Repealed, 27 SR 707]

Subp. 6. [Repealed, 27 SR 707]

7503.1675 IGNITION INTERLOCK DEVICE PROGRAM; TERMINATION.

Pursuant to *Minnesota Statutes*, section 171.306, subdivision 5, paragraph (b), the commissioner shall terminate a program participant's participation in the program for a nonprogram violation under *Minnesota Statutes*, chapter 169, or a departmental action under *Minnesota Statutes*, chapter 171, that results in the withdrawal of a program participant's driving privilege for more than one year; provided, however, that this part does not apply to a driver whose license has been revoked under *Minnesota Statutes*, section 171.17, subdivision 1, paragraph (a), clause (1), or a driver whose license has been suspended under *Minnesota Statutes*, section 171.187, for a violation of *Minnesota Statutes*, section 609.2113, subdivision 1, clause (2), item (i) or (iii); (3); or (4), resulting in bodily harm, substantial bodily harm, or great bodily harm.

7503.1725 IGNITION INTERLOCK DEVICE PROGRAM; REHABILITATION.

Subpart 1. **When applicable.**

A. The following persons are subject to the provisions of this part:

(1) a person whose driver's license or driving privilege has been revoked or canceled and denied under part 7503.1300 or *Minnesota Statutes*, section 169A.52; 169A.54; or 171.04, subdivision 1, clause (10), on or after July 1, 2011; ~~is subject to the provisions of this part; or~~

(2) a person whose driver's license or driving privilege has been revoked or suspended under *Minnesota Statutes*, section 171.17, subdivision 1, paragraph (a), clause (1), or 171.187, for certain criminal vehicular operation offenses committed on or after July 2014.

B. A person must complete rehabilitation whenever:

A:

(1) the person's driver's license or driving privilege has been canceled and denied as a result of incurring three or more alcohol- or controlled-substance-related incidents within the past ten years; or

B:

(2) there are four or more alcohol- or controlled-substance-related incidents on record.

Subp. 2. **Issuance of limited license with ignition interlock device installation.** The commissioner shall issue a limited license to a person, or a limited driving privilege to a nonresident, for one year for participation in the ignition interlock device program when the person has met the requirements of this subpart. The person must:

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

D. provide proof of enrollment in treatment or other programs as recommended in the chemical use assessment report. If the report indicates that treatment or other programs are not necessary, then the person must provide the commissioner with the chemical use

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assessment report. Proof of the chemical use assessment or proof of enrollment in a treatment or other program must be ~~sent~~ or transmitted electronically to the commissioner from the treatment center or the assessor or alcohol and drug counselor completing the assessment. The commissioner shall verify the chemical use assessment for accuracy and validity. If the commissioner has sufficient cause to believe that the person provided fraudulent documentation relative to the requirements under this part, the commissioner shall not accept the chemical use assessment report and shall require that the person complete a new chemical use assessment. For purposes of this subpart, "fraudulent documentation" means the deliberate submission of information that is false or misleading and includes falsified assessment or treatment records, falsified records showing incorrect abstinence periods, or other altered and incorrect records or documents;

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

Subp. 3. **Conditional reinstatement of restricted driver's license with ignition interlock device restriction.** Notwithstanding part 7503.1600, item C, the commissioner shall issue a restricted driver's license with an ignition interlock device restriction to a person, or issue a restricted driving privilege with an ignition interlock device restriction to a nonresident, when the person or nonresident has met the requirements of subpart 2 and provides the commissioner with the following:

A. evidence of chemical dependency treatment that has been ~~sent~~ or transmitted electronically to the commissioner from the treatment center or the assessor or alcohol and drug counselor completing the assessment that includes:

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

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

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

7503.1800 LIMITED LICENSES.

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

Subp. 3a. **Judicial review waiver.** Except for persons enrolled in the ignition interlock device program under *Minnesota Statutes*, section 171.306, the commissioner shall waive subpart 3, items A, B, and C if the person has filed a petition for judicial review in the appropriate court and has furnished a copy of the petition to the commissioner. If the revocation is sustained on judicial review, the requirements must be met before reinstatement of driving privileges.

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

REPEALER. *Minnesota Rules*, part 7503.0800, subpart 2, is repealed.

Official Notices

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

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

Minnesota Comprehensive Health Association (MCHA) Notice of Finance Committee Meeting

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA) Finance Committee will be held at 10:00 a.m. on Wednesday, August 27th, 2014

The meeting will be initiated at the MCHA Executive Office, 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN; it should be noted that some attendees will participate telephonically.

If anyone wishes to attend or participate in this meeting please contact MCHA's Executive Office (952-593-9609) for additional information.

Minnesota Department of Health (MDH) Office of Rural Health and Primary Care Notice of Program Revision of the 2014 Conrad State 30 J-1 Visa Waiver Program

The Minnesota Department of Health, through the Office of Rural Health and Primary Care has reviewed and revised the Conrad 30 J-1 Visa Waiver Program.

The program helps to improve health care access for rural and urban underserved Minnesotans by assisting internationally trained physicians to practice in underserved areas. The revised program will move from a first in-first reviewed format to a competitive, committee selected process. In recent years, the program has filled available J-1 visa waivers shortly after the application period began. The new process will allow more applicants to submit an application, and will allow the state to prioritize waivers based on need. The revised guidelines are posted at: <http://www.health.state.mn.us/divs/cfh/orhpc/workforce/index.html>

Metropolitan Council Notice of Public Hearing on the Adoption of the Draft 2040 Transportation Policy Plan for the Twin Cities Metropolitan Area

The Metropolitan Council will hold a public hearing on Sept. 17, 2014, to accept comments on the proposed adoption of the draft *2040 Transportation Policy Plan* for the Twin Cities metropolitan area.

The Metropolitan Council is required by federal and state law to prepare a surface transportation plan for the seven-county metropolitan area. The proposed Transportation Policy Plan meets that requirement and supports *Thrive MSP 2040*, the development plan for the region. The proposed Transportation Policy Plan includes sections on transit, highways, aviation, freight, bicycle and pedestrian movement. This plan updates the *2030 Transportation Policy Plan* adopted in November 2010.

The *2040 Transportation Policy Plan* document and information about the proposed 2040 draft plan are available on the Council's website: www.metrocouncil.org/tpp-update. A printed copy may be obtained by calling the Council's Public Information at (651) 602-1500 or (651) 291-0904 (TTY).

Official Notices

In addition to the public hearing, informational workshops will provide an opportunity to view a brief presentation about the plan, comment, and ask questions. The workshops will be held in the following locations:

Tuesday, August 26:

Roseville Library
Community Program Room
2180 North Hamline Ave
5 – 7 pm

Wednesday, August 27:

Chanhassen Library
Wilder Room
7711 Kerber Blvd.
5 – 7 pm

Wednesday, September 3:

Shakopee
Marschall Road Transit Station
1615 Weston Court
4:30 – 6:30 pm

Thursday, September 4:

Minneapolis Central Library
300 Nicollet Mall
12 – 2 pm

Tuesday, September 9:

Andover
Anoka County Sheriff's Office
Community Room
13301 Hanson Blvd NW
5 – 7 pm

Wednesday, September 10:

Brookdale Library
6125 Shingle Creek Pkwy
5 – 7 pm

Thursday, September 11:

St. Paul
Amherst H. Wilder Foundation
Auditorium A
451 Lexington Parkway North
12 – 2 pm

Tuesday, September 16:

Eagan Community Center
1501 Central Pkwy
5 – 7 pm

Thursday, September 18:

Stillwater
Washington County Government Center
Room LL13-14
14949 62nd Street North
5 – 7 pm

Thursday, September 25:

Elk River
Sherburne County Board Room
Government Center
13880 Business Center Dr.
5 – 7 pm

Additional meetings may be scheduled throughout the region, check www.metrocouncil.org/News-Events.aspx for updates on meeting locations and times.

The Metropolitan Council will hold the public hearing on the plan at 5 p.m. on Wednesday, Sept. 17, in the Metropolitan Council Chambers, 390 Robert St. N., St. Paul. For information on transit service, visit www.metrotransit.org or call Metro Transit at (612) 373-3333.

Upon request, the Council will provide reasonable accommodations to persons with disabilities and limited English proficiency. Please call Public Information at (651) 602-1500 with your request at least five business days before the hearing.

At the public hearing, individuals will have 3 minutes each for remarks. Designated representatives of groups will have 5 minutes. The hearing chair will have discretion in limiting or extending testimony as time allows. To register in advance to speak at the public hearing, call (651) 602-1500 or **e-mail: public.info@metc.state.mn.us**.

The Council will receive comments on the draft *2040 Transportation Policy Plan* through **5p.m., Wednesday, Oct. 1** as follows:

- Mail: Metropolitan Council Data Center, 390 Robert St. N., St. Paul, MN 55101
- E-mail: public.info@metc.state.mn.us
- Public Comment Line: (651) 602-1500
- Comment card: Available at the open houses and public hearing

At the close of the public comment period, the Council will prepare a hearing summary. The summary will be posted at www.metrocouncil.org. Individuals may also request a copy of the hearing summary by calling (651) 602-1500 or sending an e-mail to public.info@metc.state.mn.us. The Council plans to consider adoption of the final *2040 Transportation Policy Plan* in December 2014.

Metropolitan Council Notice of Request for Comments on the Disadvantaged Business Enterprise Program and Goal for Federal Fiscal Years 2014-2017

The Metropolitan Council's United States Department of Transportation (USDOT) Disadvantaged Business Enterprise Program (DBE) and goal request for federal fiscal years 2014 through 2017 has been submitted to the Federal Transportation Administration (FTA), pursuant to part 26 of the *Code of Federal Regulations*, Chapter 49.

The Metropolitan Council has approved an overall DBE goal of 15% for DOT-assisted contracts.

This goal and a description of how it was set is available for inspection during normal business hours at the Council offices for 45 days from the date of this notice. Comments, which are for information purposes only, may be sent to the Director, Office of Equal Opportunity, Metropolitan Council, 390 Robert Street North, St. Paul, MN 55101; or the U.S. Department of Transportation, 400 7th St., SW, Washington, DC 20590.

Minnesota Pollution Control Agency (MPCA) Watershed Division Public Notice of Availability of the Draft Pomme de Terre River Watershed Total Maximum Daily Load Report and Request for Comment

Public comment period begins:

August 18, 2014

Public comment period ends:

September 17, 2014

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Pomme de Terre River Watershed Total Maximum Daily Load (TMDL) Report (Report). Four lakes and six sections of the river and its tributaries have been placed on the state's impaired waters list for exceeding water quality standards for excess nutrients, bacteria, turbidity, low dissolved oxygen and biology. The TMDL addresses the impairments for all four lakes and the impairments for two sections of river. The draft TMDL report is available on the MPCA website at:

<http://www.pca.state.mn.us/index.php/water/water-types-and-programs/minnesotas-impaired-waters-and-tmdls/tmdl-projects/minnesota-river-basin-tmdl/pomme-de-terre-river-watershed.html>.

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 *September 17, 2014*. 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.

The following stream reaches in the Pomme de Terre River Watershed were listed as impaired for aquatic life and recreation, pursuant to Section 303(d) of the Clean Water Act, because of excessive levels of bacteria, turbidity, dissolved oxygen, and biology, and are included in the report: the Pomme de Terre River (Barrett Lake to North Pomme de Terre Lake); Dry Wood Creek (Dry Wood Lake to Pomme de Terre River). The following lakes were listed as impaired for aquatic recreation: North Turtle, Christina, Perkins, Hattie.

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

Scott MacLean
Minnesota Pollution Control Agency
12 Civic Center Plaza, Suite 2165
Mankato, Minnesota 56001

Official Notices

Phone: (507) 344-5250

Toll Free: 1-800-646-6247

Fax: (507) 389-5422

E-mail: scott.maclean@state.mn.us

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

Preliminary Determination on the Draft TMDL 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:0

<http://www.pca.state.mn.us/index.php/water/water-types-and-programs/minnesotas-impaired-waters-and-tmdls/tmdl-projects/minnesota-river-basin-tmdl/pomme-de-terre-river-watershed.html>.

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 (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 (1) 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: July 2014

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

NOTICE OF SUSPENION

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

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

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

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

NOTICE OF DEBARMENT

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

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

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

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

State 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.

University of Minnesota - U of M / Minnesota Department of Administration (Admin) State Designer Selection Board Project No. 14-09 Notice of Availability of Request for Proposal (RFP) for Designer Selection for: Veterinary Isolation Facility – University of Minnesota

The State of Minnesota, acting through its Board of Trustees for the University of Minnesota, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota Department of Administration's website at <http://mn.gov/admin/government/construction-projects/sdsb/sdsb-projects.jsp> (click 14-09).

A **MANDATORY** informational meeting is scheduled for **Wednesday, August 27, 2014 at 2:00 pm at the Ben Pomeroy Center, Room 215. (1964 Fitch Avenue, St. Paul, MN 55108).**

Any questions should be directed by email only, to Ian Baebenroth at baeb0001@umn.edu. Project questions will be taken by this individual only. Questions regarding this RFP must be received by **Friday, August 29, 2014** no later than **12:00 noon** Central Time.

Proposals must be delivered to Talia Landucci Owen, Executive Secretary, State Designer Selection Board, Real Estate and Construction Services, Room 309, Administration Building, 50 Sherburne Ave., St. Paul, MN 55155, phone: (651) 201-2372 NOT later than **12:00 noon on Monday, September 8, 2014**. Late responses will NOT be considered.

The University of Minnesota 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.

MNSCU – Anoka Technical College is seeking to purchase the following piece of machining equipment:
Citizen B12 CNC Swiss Screw Machine with Live Milling and Lemca Bar Feed. Both new and used models will be considered.

Sealed bids will be accepted until 1:00 PM on Friday August 29th. All bids must be submitted in writing to the Business Office of Anoka Technical College located at 1355 W Highway 10, Anoka MN 55303. Bids received after 1:00 pm on 08/29/14 will not be accepted.

To obtain a detailed specification including all required options please contact Steve Harrington at purchasing@anokatech.edu

This request for bids does not obligate the Minnesota State College and University System (MNSCU) to make the purchase and MNSCU reserves the right to cancel this solicitation. All expenses incurred in response to this notice are the responsibility of the responder.

Minnesota State Colleges and Universities (MnSCU)**Board of Trustees****Request for Proposal (RFP) for Owners Representative (OR) Services for
Comstock Memorial Union Renovation and Addition Project, Minnesota State
University Moorhead**

NOTICE IS HEREBY GIVEN that the State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Minnesota State University Moorhead (MSUM), through the MSUM Student Union and Student Activities Department, is soliciting applications for Owners Representative (OR) Services for the design and construction of the Comstock Memorial Union renovation and addition project. The services will proceed through final phases of design (review of design development and construction documentation) and will proceed with construction phase upon receipt of/sale of the 2015 revenue bond proceeds. Construction cost is anticipated to be approximately \$6,083,000.

To view the complete RFP documents see: <http://finance.mnscu.edu/facilities/design-construction/announcements/>

A question and answer period is specified and answers will be posted by addendum.

Responses must be received in the building and at the room as noted in the RFP document no later than *September 16, 2014, at 3:00 pm.*

A question and answer period will be provided. Questions must be e-mailed only to Jeff Goebel, **e-mail:** goebelj@mnstate.edu no later than 1:00 PM, Tuesday September 2nd. Answers will be posted via Addendum no later than 3 PM Wednesday September 3rd

Minnesota State Colleges and Universities (MnSCU)**Central Lakes College****Request for Proposal for Delivery of Advanced Manufacturing Courses via Mediated
Telepresence**

Central Lakes College is requesting proposals for Delivery of Advanced Manufacturing Courses via Mediated Telepresence. A copy of the Request for Proposals may be obtained by contacting Debbie Sterriker, 1830 Airport Road, Staples, MN 56479, phone: (218) 894-5103, **e-mail:** dsterriker@clcmn.edu

Proposals must be submitted no later than Friday, September 5, 2014 at 4:00 pm CST. All proposals must be sealed and marked "RFP for Delivery of Advanced Manufacturing Courses via Mediated Telepresence." Submit proposals to:

Central Lakes College
Attn: Debbie Sterriker
1830 Airport Road
Staples, MN 56479

The college reserves the right to reject any or all proposals, to waive any information or irregularities in the bidding and to make the award serving the best interest of the college.

Central Lakes College is an affirmative action/equal opportunity employer and educator. These materials are available in alternative formats to individuals with disabilities upon request. If you use a TTY, call the Minnesota Relay Service at 1-800-627-3529 and request to contact Central Lakes College.

State Contracts

Minnesota State Colleges and Universities (MnSCU)

St. Cloud Technical & Community College

Formal Request for Proposal for Curriculum Development and Instruction: Precision Machining, Finishing, Welding, and Machine Programming and Operation

Response Due Date and Time: Monday, August 25, 2014 at 3:30:00 p.m. Central Time. The complete Request for Proposal will be available on Monday, August 11, 2014 on the website: <http://www.sctcc.edu/rfp>.

Title of Project: Curriculum Development and instruction: Precision Machining, Finishing, Welding, and Machine Programming and Operation.

Geographic Location Requirements: St. Cloud Technical & Community College, 1540 Northway Drive, St. Cloud, MN 56303.

Responses must be received at the location listed below:

St. Cloud Technical & Community College
1540 Northway Drive
St. Cloud, MN 56303
Susan Meyer, Purchasing Agent, Room 1-401
Phone: (320) 308-5973
Fax: (320) 308-5027
E-mail: smeyer@sctcc.edu

Contact for questions: Susan Meyer, Phone: (320) 308-5973, e-mail: smeyer@sctcc.edu

Your response to this Request for Proposal (RFP) must be returned sealed. Sealed responses must be received no later than the due date and time specified above. Late responses cannot be considered and the responses will be rejected. The *Laws of Minnesota* and MnSCU Board of Trustees policies and procedures apply to this RFP.

All attached General RFP Terms and Conditions, Specifications and Special Terms and Conditions are part of the RFP and will be incorporated into any contract(s) entered into as a result of this RFP.

All responses to this RFP must be prepared as stated herein and properly signed. **Address all correspondence and inquiries regarding this RFP to the Contact person above. This is a request for responses to an RFP and is NOT a purchase order.**

Minnesota Department of Transportation (Mn/DOT)

Engineering Services Division

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

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

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

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

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

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

Send completed application material to:

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

Minnesota Department of Transportation (Mn/DOT) Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities and Taxpayers' Transportation Accountability Act Notices

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

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

Non-State Public Bids, Contracts & Grants

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

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

Dakota County

Notice of Request for Proposal (RFP) for Family Group Decision Making in Dakota County

NOTICE IS HEREBY GIVEN that the Dakota County is seeking qualified Contractors to provide Family Group Decision Making Services and Youth Transition Conferences for Family and Children Services and Juvenile Probation in Dakota County. The purpose of this service is to eliminate barriers to reunification and address issues that are leading to risk of out-of-home placement. The contractor will meet face to face with the parent/guardian and or identified child(ren)/youth of the referral. The meeting will convene within 4 weeks following the referral and not last longer than 4 hours. The contractor will be expected to prepare a written case plan and submit to the County Case Manager no later than 5 working days of the meeting. This contract will be in effect from January 1, 2015 through December 31, 2016 with an option to renew on an annual basis.

To access the complete RFP online, or to acquire additional information about Dakota County visit our website at:

<http://www.co.dakota.mn.us/Government/DoingBusiness/BidProposalsInformation/Pages/default.aspx>

Contact: Meghan Louis, Contract Manager
Dakota County Community Services Division
1 Mendota Road West, Suite 500
West St. Paul, MN 55118-4773
Phone: (651) 554-5756
E-mail: meghan.louis@co.dakota.mn.us

Responder's Meeting is scheduled from 9:00 –10:00 a.m. CDT on Monday, September 8, 2014 **at the Dakota County Western Service Center in Apple Valley.** See proposal for details.

Deadline for proposals is 4:00 p.m. CDT on Friday, September 19, 2014. No late proposal will be considered.

PrimeWest Health

Notice of Request for Proposals (RFP) for Projects to Improve the Health of PrimeWest Health Members

NOTICE IS HEREBY GIVEN that PrimeWest Health, through its Community Reinvestment Program, is soliciting proposals for grants and pay for performance incentives to qualified responders for projects or initiatives that bring value-added benefits to our members and the providers who serve them. PrimeWest Health seeks to award up to \$4 million to qualified responders for 1) improving the health care experience of our members (including quality, satisfaction, and outcomes); 2) improving the health of our member population; and 3) reducing the per capita cost of health care for our members—collectively referred to as “Triple Aim.”

The deadline for proposals is at **4 p.m., Central Time on September 15, 2014.** Late proposals will not be considered. Awards will be announced September 30, 2014. To obtain a copy of the Request for Proposals, go to:

Non-State Public Bids, Contracts & Grants

www.primewest.org/Community/GrantOpportunities

If you have questions about the Request for Proposals, e-mail *beth.hendrickson@primewest.org* and use the subject line RFP QUESTION.

This Request for Proposal is subject to all applicable Federal, State, and municipal laws, rules, and regulations. This Request for Proposals does not obligate PrimeWest Health to complete the work contemplated in this notice or to spend the estimated dollar amount. PrimeWest Health reserves the rights to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota's Bookstore

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

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

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

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

Order Online at: www.minnesotasbookstore.com

Minnesota Food Code (reprint)

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

Nursing Home & Boarding Care Laws - NEW

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

Home Care Laws & Rules - new edition

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

Minnesota Session Laws

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

Health Care Facilities Directory 2013

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

Learning Objectives for Professional Peace Officer Education

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

Motor Vehicle & Traffic Laws - NEW

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

2014 Motor Vehicle Tax Manual - NEW

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



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Subtotal _____

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