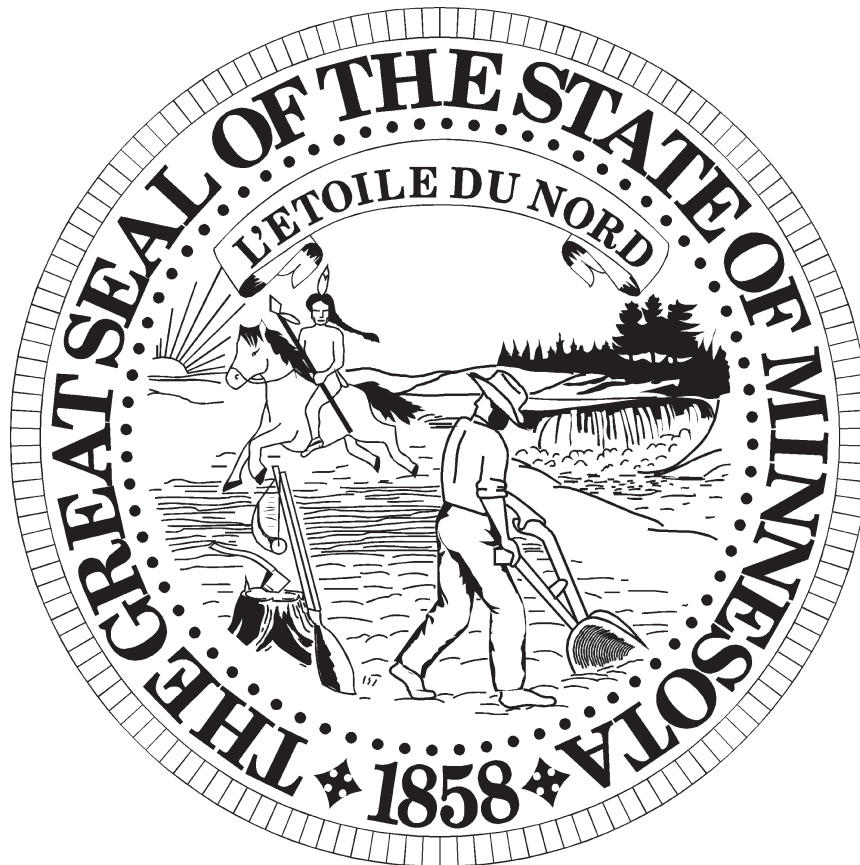


# Minnesota State Register

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  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 and Grants**

**Monday 20 June 2016  
Volume 40, Number 51  
Pages 1633 - 1656**

# Minnesota State Register

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

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Vetoed Rules
- 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. 40 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)
# 52	Monday 27 June	Noon Tuesday 21 June	Noon Thursday 16 June
# 1	Tuesday 5 July	Noon Tuesday 28 June	Noon Thursday 23 June
# 2	Monday 11 July	Noon Tuesday 5 July	Noon Thursday 30 June
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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 §§ 14.1414.20, 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 Board of Examiners for Nursing Home Administrators

**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 R-04366**

Proposed Amendments to Rules Governing Definitions, Applying for Licensure, Specific Course Requirements, Practicum Duration, Academic Program Review, Licensee Responsibilities, Displaying Licenses, Renewing Licenses, Acting Administrator Permits, Number of CE Credits for Activities, Minnesota Rules, Chapter 6400:



# Proposed Rules

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6400.5100 Definitions  
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**Introduction.** The Board of Examiners for Nursing Home Administrators (“Board”) 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 July 20, 2016**, the Board will hold a public hearing in Conference Room A, Fourth Floor, 2829 University Avenue SE, Minneapolis, MN 55414, starting at 1:00 pm on August 16, 2016. To find out whether the Board will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after July 20, 2016, and before August 16, 2016.

**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:

Randy Snyder, Executive Director  
Minnesota Board of Examiners for Nursing Home Administrators  
2829 University Ave. S.E., Suite 404  
Minneapolis, MN 55414  
(651) 201-2730  
TTY users may call the Department at 1-800-627-3529  
***Randy.Snyder@state.mn.us***

**Subject of Rules and Statutory Authority.** The Minnesota Board of Examiners for Nursing Home Administrators (“Board”) licenses and regulates nursing home administrators in the State of Minnesota. The Board proposes to amend its rules for three primary purposes: (1) to reflect trends in national educational standards and practicum duration requirements and to require underperforming educational institutions to identify the source of their failure to perform;

(2) to update the rules with current terminology and to reflect more accurately current statutes and Board practices; and  
(3) to update the application process to limit on the number of times an applicant can sit for the national and state examinations within a designated time period and to require a photo as part of the application process.

Minnesota Statutes, sections 144A.20, 144A.21, 144A.23, 144A.24, and 214.06 authorize the Board to adopt rules necessary to administer and enforce sections 144A.04 to 144A.28 and to set forth procedures and information required for renewal.

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 July 20, 2016**, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. **Public comments should be submitted electronically at <https://minnesotaoah.granicusideas.com>.** 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.

**Request for a Hearing.** In addition to submitting comments, you may also request that the Department hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by **4:30 p.m. on July 20, 2016**. 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.

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# Proposed Rules

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

**Alternative Format/Accommodation.** Upon request, this information can be made available in an alternative format, such as large print, Braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

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

**Cancellation of Hearing.** The Board will cancel the hearing scheduled for August 16, 2016, 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) 201-2731 after July 20, 2016, to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit valid written requests for a public hearing on the rules, the Board will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Board will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge James Mortenson is assigned to conduct the hearing. Judge Mortenson's Legal Assistant Denise Collins can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone (651) 361-7900, and fax (651) 539-0310.

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

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

**Statement of Need and Reasonableness.** The statement of need and reasonableness summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person. Also the SONAR is available on the Board's website at <http://mn.gov/boards/nursing-home/>.

**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.

# Proposed Rules

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**Adoption Procedure if No Hearing.** If no hearing is required, the Board may adopt the rules after the end of the comment period. The Board 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 Board 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

June 1, 2016

Randy Snyder  
Executive Director

## Board of Examiners for Nursing Home Administrators Proposed Permanent Rules Relating to Nursing Home Administrators

### 6400.5100 DEFINITIONS.

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

Subp. 9. **Domains of practice.** "Domains of practice" means the tasks performed by nursing home administrators and the knowledge, skills, and abilities identified as necessary to perform those tasks by NAB in its job analysis of nursing home administrator. The NAB domains of practice for nursing home administrator are found in the Final Report of the Job Analysis of the Practice of Nursing Home Administrators prepared for the ~~National Association of Boards of Examiners for Nursing Home Administrators~~ (now National Association of Boards of Examiners for Long-Term Care Administrators), prepared by Patricia Muenzen, et. al., of the Department of Research and Development, Professional Examination Service, New York, NY, November 1996. This document is incorporated by reference. It is available at the State Law Library and on the board's Web site and is subject to change every five years.

*[For text of subps 9a to 17, see M.R.]*

### 6400.6100 APPLYING FOR LICENSURE.

Subpart 1. **Application contents.** An individual applying for licensure shall do so on forms provided by the board. The information requested shall include personal identifying and locating data including name, home and work addresses and telephone numbers, and social security number; education and degree information; employment and practice history; licensure and disciplinary history; and information relating to criminal convictions, use of alcohol and drugs, and other issues which may reflect on ability and fitness to practice. The application shall also include a recent full-face two-inch by three-inch photograph affixed to the application as indicated and notarized as a true likeness. The notary seal shall be placed next to the picture and shall fall partly upon the photograph and partly upon the application.

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

Subp. 4. **Examination attempts and score expiration.**

A. If an applicant does not pass the NAB or state examination on the second attempt, the applicant must submit to the board a study plan and wait six months from the date of the examination attempt to sit for the examination a third time. If an applicant does not pass the NAB or state examination on the third attempt, the applicant must submit a revised study plan and wait one year from the date of the third examination attempt to sit for the examination a fourth time. The applicant may also be required to reapply in order to comply with subpart 3.

B. Examination scores expire two years after the date the examination was taken if the applicant has not become fully licensed within that two years.

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



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# Proposed Rules

## **6400.6500 SPECIFIC COURSE REQUIREMENTS FOR APPLICANTS WHO APPLY BEFORE SEPTEMBER 1, 2017.**

*[For text of subps 1 to 9, see M.R.]*

Subp. 10. **Effective date.** An applicant who applies before September 1, 2017, must follow the requirements in this part.

## **6400.6550 SPECIFIC COURSE REQUIREMENTS FOR APPLICANTS WHO APPLY ON OR AFTER SEPTEMBER 1, 2017.**

Subpart 1. **Organizational management.** An applicant must complete a course in organizational management covering the basic management functions of:

- A. planning and objective setting;
- B. organizing and delegating; and
- C. observing, monitoring, and evaluating outcomes, including customer satisfaction.

Subp. 2. **Managerial accounting.** An applicant must complete a course in managerial accounting, beyond introductory accounting, covering:

- A. budgeting and fiscal resource allocation; and
- B. interpreting financial information to monitor financial performance and position and to make managerial decisions.

Subp. 3. **Gerontology.** An applicant must complete a course in gerontology covering:

- A. the physical, social, and psychological aspects of the aging process; and
- B. programs and services designed to meet the needs of the aged population.

Subp. 4. **Health care and medical needs.** An applicant must complete a course in health care and medical needs of nursing facility residents covering:

- A. the anatomic and physiologic changes that are associated with the aging process;
- B. the impact and management of common syndromes associated with aging, including vision and hearing impairment, nutrition and malnutrition, and balance and mobility impairment;
- C. basic medical and pharmacological terminology;
- D. prevention and management of conditions such as pressure ulcers and delirium;
- E. common psychiatric and neurodegenerative disorders such as dementias (including Alzheimer's), depression, anxiety, psychotic disorders, and alcohol and drug abuse;
- F. advance care planning and the role of palliative care and end-of-life care; and
- G. emerging medical trends and technology used in the long-term care setting.

Subp. 5. **Long-term care supports and services.** An applicant must complete a course in the organization, operations, functions, services, and programs of long-term care supports and services covering:

- A. governing and oversight bodies and their relationship to the administrator;
- B. administrative responsibilities and structures;
- C. operations and functions of each facility department;

# Proposed Rules

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D. functions and roles of professional and nonprofessional staff and consulting personnel; and

E. issues of cultural diversity and human relationships between and among employees and residents of nursing facilities and their family members.

Subp. 6. **Human resources.** An applicant must complete a course in human resource management covering:

A. staffing;

B. equal employment opportunity, affirmative action, and workforce diversity;

C. compensation and benefits;

D. coaching and performance management;

E. training and development;

F. labor relations, including union contract negotiation and administration;

G. employment law; and

H. workplace culture, accountability and fairness, just culture and learning concepts.

Subp. 7. **Regulatory management.** An applicant must complete a course in regulatory management covering the legal, regulatory, and funding provisions and requirements governing operations of long-term care supports and services and health care programs including:

A. resident rights, resident choice, resident risk, and protection from maltreatment;

B. professional and biomedical ethics, including advance directives;

C. guardianship and conservatorship;

D. liability, negligence, and malpractice;

E. data confidentiality, privacy, and practices;

F. professional licensing, certification, and reporting for staff and consulting personnel;

G. health and safety codes, including OSHA and the National Life Safety Code;

H. Medicare and Medicaid, standards for managed care and subacute care, and third-party payer requirements and reimbursement;

I. federal and state nursing home survey and compliance regulations and processes;

J. requirements affecting the quality of care and life of residents, including measurement of outcomes from clinical and resident-satisfaction perspectives;

K. resident acuity and assessment methodology;

L. quality assessment and assurance; and

M. customer choice.

Subp. 8. **Quality measurement and performance improvement.** An applicant must complete a course in the accumulation

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# Proposed Rules

and analysis of data to inform management decision making including:

- A. strategic uses of data and information;
- B. data accumulation, storage, integration from multiple sources, manipulation, and presentation;
- C. needs assessment and analysis methodologies;
- D. measures, analysis, and assessment of outcomes, including customer satisfaction and quality improvement;
- E. utilizing quality measurement and performance improvement tools and methodologies; and
- F. problem-solving skills.

Subp. 9. **Practicum.** An applicant must complete or have waived, based upon prior experience under part 6400.6650, subpart 1, item A, a practicum course as described in part 6400.6600.

Subp. 10. **Effective date.** An applicant who applies on or after September 1, 2017, must follow the requirements in this part.

## **6400.6650 PRACTICUM DURATION FOR APPLICANTS WHO APPLY BEFORE SEPTEMBER 1, 2017.**

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

Subp. 3. **Effective date.** An applicant who applies before September 1, 2017, must follow the requirements in this part.

## **6400.6655 PRACTICUM DURATION FOR APPLICANTS WHO APPLY ON OR AFTER SEPTEMBER 1, 2017.**

Subpart 1. **Duration of individual student practicums.** An applicant must complete a 1,000-hour practicum unless the applicant presents evidence to the board that the applicant has experience as described in subpart 2 for a reduction in the number of practicum hours. The board shall determine the minimum number of hours of practicum to be completed by an applicant by comparing the applicant's expertise to the requirements in subpart 2 and shall notify the applicant of the board's decision.

Subp. 2. **Waiver and minimum number of hours.** An individual may qualify for a reduction in hours or waiver of the 1,000-hour practicum by providing evidence of the following documented health care experience and satisfying the board-approved assessment tool:

A. 750 hours for an individual with two or more years of managerial or administrative employment experience, including supervision of at least 25 employees and responsibility for an annual budget of at least \$1,000,000;

B. 750 hours for an individual who has two or more years of employment in a hospital or nursing facility in any professional capacity or in any direct patient care capacity;

C. 500 hours for an individual who has served two or more years as a department manager with supervisory and budgetary responsibility and meets one or more of the following criteria:

(1) the individual does not meet the requirements for assistant administrator under item D or the definition in part 6400.5100, but has otherwise held that title in a nursing facility or hospital and has performed under the title for two or more years;

(2) the individual has served, for two or more years, as director of nurses in a hospital or registered housing with services establishment that has an arranged comprehensive home care license; or

(3) the individual has served as a housing manager in a registered housing with services establishment that has an arranged comprehensive home care license;

D. 200 hours for an individual who has served one or more years as a full-time hospital administrator or hospital assistant administrator with responsibility for both resident care and administrative functions, or who has served two or more years as a full-time director of nurses in a nursing facility; or

# Proposed Rules

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E. the documented experience requirement is waived for an individual who has one year of continuous full-time employment as the assistant administrator, chief executive officer, or equivalent role with responsibility for both resident care and administrative functions. Time working as an acting administrator under an acting license or permit in the same nursing facility where the individual also served as the assistant administrator, chief executive officer, or equivalent role meets this requirement if the individual's employment under both titles combined was one continuous year.

Subp. 3. **Method of measuring experience.** The amount of experience required to qualify for a practicum reduction under subpart 2, items C, D, and E, shall be measured in full-time equivalency at the rate of 35 hours per week.

Subp. 4. **Effective date.** An applicant who applies on or after September 1, 2017, must follow the requirements in this part.

## 6400.6660 ACADEMIC PROGRAM REVIEW.

*[For text of subps 1 to 4, see M.R.]*

Subp. 5. **Five-year program review.**

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

C. In addition to the five-year program review, if the board receives information that the success rates fall below the national average for candidates from the program who, during any January 1 through December 31 period, wrote for the first time the national examination for nursing home administrators developed by NAB, the board must take one of the actions described in subitems (1) to (3).

(1) If success rates are below the national average for one period, the board shall require the director to identify factors that are potentially affecting the low success rate on the licensure examination. The director shall submit a plan of corrective action by a specified date. The plan of action must be on a board-supplied form and include the signature of the director and another institutional administrative academic representative. If the following year the success rate is above the national average, no action by the board is required.

(2) If success rates are below the national average for any two consecutive periods, the board shall notify the director of a survey to identify additional factors affecting the low success rate and review progress on the plan for corrective action submitted the previous year. The survey must include the director, faculty, students, and an institutional administrative academic representative. The director shall submit a revised plan of corrective action by a specified date. The plan of corrective action must be on a board-supplied form and include the signature of the director and another institutional administrative academic representative. If the following year the success rate is above the national average, no action is required by the board.

(3) If success rates are below the national average for any three consecutive periods, the board shall require the director and another institutional administrative academic representative to meet with a committee of board members and board staff for a survey for compliance with all applicable rules and for the implementation of the plan for corrective action submitted the previous year. Upon completion of the survey, the board shall take action in compliance with subpart 3.

Subp. 6. [See repealer.]

## 6400.6710 LICENSEE RESPONSIBILITIES.

Each licensee shall:

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

B. provide notice to the board within ~~ten~~ five working days of any change in mailing address or telephone number pursuant to Minnesota Statutes, section 13.41, subdivision 2, paragraph (b);

C. provide notice to the board within ~~ten~~ five working days of any change in employment as a nursing home administrator for a nursing facility;

D. provide notice to the board within ~~ten~~ five working days of the occurrence of any reprimand, restriction, limitation, condition, revocation, suspension, surrender, or other disciplinary action or the bringing of charges against any license the licensee holds as a nursing home administrator or other health care professional in Minnesota or any other jurisdiction; and

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# Proposed Rules

*[For text of item E, see M.R.]*

## 6400.6720 DISPLAYING LICENSES.

~~All licensees~~ A licensee actively practicing as a nursing home ~~administrators~~ administrator shall display ~~their~~ the board-issued license, not a photocopy, in a conspicuous place in the facility which the licensee administers, visible to residents and visitors.

## 6400.6740 RENEWING LICENSES.

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

Subp. 3. **Exemption from renewal.** Pursuant to Minnesota Statutes, section 326.56, a licensee who is in active military service, as defined in Minnesota Statutes, section 190.05, for the armed forces of the United States or is employed outside the United States in employment that is essential to the prosecution of any war or the national defense, as defined in Minnesota Statutes, section 326.56, and whose license was in effect at the time of entry into the armed forces or engagement in employment outside the United States, is not obligated to renew licensure. The board must be notified in writing by the licensee regarding the qualifications for this exemption. The exemption ceases six months after discharge from active service or termination of the aforementioned employment. A license renewal notice shall be sent to the licensee at the time that a license renewal notice would normally be sent to the licensee. The licensee may be requested to reconfirm exempt status. If the licensee no longer qualifies for the exemption, the requirements for license renewal must be met.

## 6400.6770 ACTING ADMINISTRATOR PERMITS.

Subpart 1. **Board to issue permits.** When the controlling persons of a nursing home designate an acting nursing home administrator under Minnesota Statutes, section 144A.27, the designee must secure an acting administrator's permit within 30 days of the termination of the previous licensed administrator. The board shall issue a permit to serve a facility as an acting administrator for up to six months from the termination of the facility's previous licensed administrator to an individual who meets the qualifications specified in subpart 2. A permit to serve a facility as an acting administrator is valid only for the holder's work with that facility and shall not be transferable to another facility. A permit to serve as acting administrator is not renewable beyond the six months for which it was issued. The board may issue a second permit to serve a facility as an acting administrator for up to six months from the expiration of the original acting administrator permit when the board finds the second permit to be in the best interests of the public. In no event shall the board issue successive permits for a total duration of longer than one year.

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

## 6400.6850 NUMBER OF CE CREDITS FOR ACTIVITIES.

Acceptable activities to meet continuing education requirements for license renewal and the number of CE credits that licensees may obtain for each are described in items A to K.

A. A licensee who attends board-approved seminars, webinars, institutes, or workshops shall receive CE credit on a clock-hour basis for the actual amount of time spent in the seminar rounded to the nearest lower one-quarter hour. To verify clock hours of attendance at seminars, institutes, or workshops, a licensee must maintain an attendance certificate provided by the sponsoring organization.

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

C. A licensee who attends seminars, webinars, institutes, or workshops, or completes home study courses approved by the NAB/National Continuing Education Review Service (NCERS), shall receive CE credit on the basis of clock hours assigned by NAB/NCERS. To verify clock hours of attendance at NAB approved seminars, institutes, or workshops, or completion of NAB approved home study courses, the licensee must maintain a certificate provided by the NAB approved sponsor.

D. A licensee who attends, in another state, seminars, webinars, institutes, or workshops approved by the nursing home administrator licensing authority of the other state shall receive CE credit on the basis of the number of clock hours attended. To verify clock hours of attendance at seminars, institutes, or workshops approved by another state licensing authority, the licensee must maintain a certificate of attendance from the sponsor including verification of the approval from the state licensing authority.

E. A licensee who completes academic courses applicable to the domains of practice taken at an accredited postsecondary institution shall receive nine CE credits per quarter credit and 12 CE credits per semester credit. To verify completion of academic courses the licensee must maintain a copy of an academic transcript showing the course grade and date it was awarded.



# Proposed Rules

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

I. A licensee who serves as a member of a board, committee, council, or work group which includes members from several nursing facilities or organizations and deals primarily with issues in nursing facility operation or long-term care shall receive one clock hour per membership position provided the group meets at least quarterly or for at least four hours of work in a year to a maximum of six CE credits per year for all membership positions combined. Where the licensee verifies that the licensee's participation on a single board, committee, council, or work group exceeded the minimum specified for a single CE credit by double the amount of hours of attendance, the licensee shall receive two CE credits per membership position to a maximum of six CE credits per year for all membership positions combined. To verify board, committee, council, or work group participation the licensee must maintain written verification of membership and attendance from an officer of the group and must provide the learning objectives of the meeting.

[For text of items J and K, see M.R.]

**REPEALER.** Minnesota Rules, part 6400.6660, subpart 6, is repealed.

## 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 Health

#### Adopted Permanent Rules Relating to Pool Water Conditions

The rules proposed and published at State Register, Volume 40, Number 34, pages 1015-1018, February 22, 2016 (40 SR 1015), are adopted as proposed.

### Minnesota Department of Labor and Industry

#### Adopted Exempt Permanent Rules Relating to Occupational Safety and Health; Passenger Type Manlifts

The rules proposed and published at State Register, Volume 40, Number 42, page 1417, April 18, 2016 (40 SR 1417), are adopted as proposed.

# 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 Fortieth Annual Meeting of the Members and MCHA Annual Meeting of the Board of Directors

Notice is hereby given that the Minnesota Comprehensive Health Association's (MCHA) will hold its fortieth Annual Meeting of the Members and the Annual Meeting of the Board of Directors on **Monday, June 27th, 2016 at 9:00 AM**. For meeting information and location please call 952-593-9609.

## Minnesota Pollution Control Agency 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) intends to submit a State Implementation Plan (SIP) revision to address Title I Part C – Prevention of Significant Deterioration (PSD) and Sections 110(a)(2)(C), 110(a)(2)(D)(i)(II), 110(a)(2)(D)(ii), and 110(a)(2)(J) of the Clean Air Act (the Act). This action, if approved by the U.S. Environmental Protection Agency (EPA), would allow the MPCA to operate its own PSD program, rather than operating under a federally-delegated program for PSD. The draft SIP revision is now available for public comment.

**Background.** Title I Part C – Prevention of Significant Deterioration of the Act requires that states operate a PSD permitting program. The PSD permitting program is designed to protect air quality in areas that are attaining the National Ambient Air Quality Standards (NAAQS) by requiring cost-effective air pollution controls at new and modifying facilities that have the potential to generate large increases of air pollution.

The MPCA currently operates a PSD program and issues PSD permits through a delegation of authority from the EPA under a Federal Implementation Plan, as provided by Section 110(c) of the Act (40 CFR 52.1234).

The MPCA now seeks approval from EPA to operate its own federally-approved state program. This SIP submittal offers Minnesota's PSD program for review by EPA and approval into Minnesota's SIP. This action will make Minnesota's program a SIP-approved state PSD program, rather than a delegated program.

Section 110(a) of the Act requires states to demonstrate that they have the necessary regulatory infrastructure for the implementation, maintenance, and enforcement of the primary and secondary NAAQS. It lays out the types of rules and authorities that a state must have in its SIP to comply with federal requirements. State submittals addressing Section 110(a) are called Infrastructure SIPs. For each previous Infrastructure SIP submittal made by the MPCA, the EPA has disapproved the portions that relate to PSD, although no further action has been required of Minnesota because Minnesota continued to implement a delegated PSD program under the EPA. Upon EPA approval into Minnesota's SIP of the rule parts identified below and replacement of the federally delegated program in Minnesota with a SIP-approved program, Minnesota will fulfill all PSD-related elements of Section 110(a) of the Act: 110(a)(2)(C), 110(a)(2)(D)(i)(II), 110(a)(2)(D)(ii), and 110(a)(2)(J). This portion of the SIP submittal addresses all of the following NAAQS: 2008 lead, 2010 nitrogen dioxide (NO<sub>2</sub>), 1997 ozone, 2008 ozone, 1997 particulate matter of less than 2.5 micrometers in diameter (PM<sub>2.5</sub>), 2006 PM<sub>2.5</sub>, 2012 PM<sub>2.5</sub>, and 2010 sulfur dioxide (SO<sub>2</sub>).

**Purpose of the SIP revision.** The purpose of this SIP revision is to request approval from EPA to operate a SIP-approved PSD program in Minnesota.

Minnesota Rule 7007.3000 already incorporates federal PSD rules 40 CFR 52.21 by reference, effective November 26, 2007. This submittal is intended to add Minn. R. 7007.3000 to Minnesota's SIP. Minnesota requests that certain parts of 40 CFR 52.21, which are either not needed or already addressed in other parts of Minnesota's SIP, be omitted from inclusion in the SIP. These parts are outlined in detail in the SIP submittal.

# Official Notices

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The MPCA also requests that upon approval of this submittal, EPA rescind its PSD Federal Implementation Plan and approve the previously disapproved portions of Minnesota's 110(a) Infrastructure SIP for all pollutants outlined above.

This action will not substantively change the PSD program in Minnesota or alter the environmental requirements that apply to PSD projects in Minnesota because any EPA-approved PSD program must meet the requirements of the federal rule and the MPCA has been implementing the federal rule (incorporated by reference at Minn. R. 7007.3000) through the delegation from EPA. Minnesota will continue to implement the same rule as a SIP-approved state.

Following the end of the comment period, the Commissioner will decide whether to submit the proposed SIP revision to the EPA or modify, as appropriate, prior to submittal.

**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; and email: [amanda.smith@state.mn.us](mailto:amanda.smith@state.mn.us). TTY users may call the MPCA at TTY 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 <https://www.pca.state.mn.us/public-notices>. 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 7:00 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.** The public comment period begins June 20, 2016 and ends on July 20, 2016. Your comments must be in writing and received by Amanda Jarrett Smith by **4:00 p.m. on July 20, 2016**. Written comments may be submitted to her at the address, facsimile number, or e-mail address listed above.

As this SIP revision does not include any substantive changes to the Minnesota's PSD program, a public information meeting will only be held if one is requested by 4:00 p.m. on July 20, 2016. If such a meeting is requested, it will be held on July 25, 2016 from 10 a.m. to 12 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 4:00 p.m. on July 20, 2016. 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 August 1, 2016 at 4:00 p.m., following the same guidelines described above.

## Minnesota Pollution Control Agency

### Watershed Division

#### Notice of Availability of the Draft Redeye Watershed Total Maximum Daily Loads and Request for Comment

**Public Comment Period Begins: June 20, 2016**

**Public Comment Period Ends: July 20, 2016**

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the Total Maximum Daily Loads (TMDLs) for elevated levels of bacteria in the Redeye River Watershed. The draft TMDLs are available for review at: <https://www.pca.state.mn.us/water/watersheds/redeye-river>.

Written comments on the draft TMDLs must be sent to the MPCA contact person listed below by **July 20, 2016, 4:30 p.m.** The comments should indicate specifically which TMDL. The MPCA will prepare responses to comments received and make any necessary revisions to the document. Subsequent to the revision(s), the draft TMDLs will be submitted to the U.S. Environmental Protection Agency (EPA) for approval.

This TMDL study includes eight streams located in the Redeye River Watershed (HUC 07010107), a tributary to the

Mississippi River in central Minnesota, that are on the EPA's 303(d) list of impaired waters. The following pollutant sources were evaluated for each stream: watershed runoff, loading from upstream waterbodies, point sources, feedlots, and septic systems. The goal of this TMDL is to provide wasteload allocations (WLAs) and load allocations (LAs) and to quantify the pollutant reductions needed to meet the state water quality standards. These TMDLs are being established in accordance with section 303(d) of the Clean Water Act, because the State of Minnesota has determined that these streams exceed the state established standards.

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

Bonnie Finnerty

MPCA – Northern Region

7678 College Road, Suite 105

Baxter, Minnesota 56425

Telephone: 218-316-3897; 800-657-3864

Fax: 218-828-2594

Email: [bonnie.finnerty@state.mn.us](mailto:bonnie.finnerty@state.mn.us)

Website: <http://www.pca.state.mn.us/water/tmdl>

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

**Preliminary Determination on the draft TMDL Report:** The MPCA Commissioner has made a 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 below and at the MPCA Website: <http://www.pca.state.mn.us/hd68k9u>. Suggested changes will be considered before the documents are finalized and the TMDL Report is sent to the EPA for approval.

**Written Comments:** You may submit written comments on the conditions of the draft 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 documents that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

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

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

**Petition for Contested Case Hearing:** You also may submit a petition for a contested case hearing. A contested case hearing is a formal hearing before an administrative law judge that provides evidence on issues requested to be change. In accordance with Minn. R. 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 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 Minn. R. 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.

# Official Notices

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

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

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

## Minnesota Public Employment Relations Board (PERB) Certificate Of The Board Of Minnesota Public Employment Relations Board (Perb); Resolution Adopting Rules

**Adopted Rules Governing the Investigation, Hearing, and Appeal Procedures of Charges of Unfair Labor Practices under Minn. Stat. ch. 179A, Minnesota Rules, 7325.0010 – 7325.0410; Revisor’s ID Number AR-4345**

I, David M. Biggar, certify that I am a member and the Chair of the Minnesota Public Employment Relations Board (PERB), a board authorized under the laws of the State of Minnesota; that the following is a true, complete, and correct copy of a resolution that the Board adopted at a properly convened meeting on June 13, 2016; that a quorum was present; and that a majority of those present voted for the resolution, which has not been rescinded or modified.

“RESOLVED, that the Minnesota Public Employment Relations Board approved and adopted rules about the Investigation, Hearing, and Appeal Procedures of Charges of Unfair Labor Practices under Minn. Stat. ch. 179A in the Revisor of Statutes draft, file number AR4345, dated May 18, 2016, identified as Minnesota Rules, parts 7325.0010 to 7325.0410, under the Board’s authority under Minnesota Statutes, chapter 179A. David M. Biggar, Chair of the Public Employment Relations Board, is authorized to do the following: sign the Order Adopting Rules, to modify the rules as needed to obtain the Revisor of Statutes or the Administrative Law Judge’s approval of the rules, and to perform other necessary acts to give the rules the force and effect of law.”

June 13, 2016

David M. Biggar, Chair  
Public Employment Relations Board

## Minnesota Sentencing Guidelines Commission Notice of Public Hearing to Consider Amendments to the Sentencing Guidelines

THE MINNESOTA SENTENCING GUIDELINES COMMISSION WILL HOLD A PUBLIC HEARING on **Wednesday, July 20, 2016, at 2:00 p.m.** in Room 1100, at the Minnesota Senate Building, 95 University Ave. W., Saint Paul, MN 55155. The public hearing is being held to consider proposed modifications to the Minnesota Sentencing Guidelines and Commentary resulting from legislative and non-legislative amendments.

**Legislative Amendments to Controlled Substance Offenses.** Modify Minnesota Sentencing Guidelines to add § 4.C (Drug Offender Grid) and comments 2.C.11 and 2.E.05; and to make modifications in §§ 1.B.13, 1.B.17, 2.B.1.a, 2.B.1.b, 2.C.1, 2.C.3.c, 2.E.2.c, 5.A, 5.B, and 6; comments 2.C.10 and 2.E.06 (currently numbered 2.E.05); and Appendix 1.

**Legislative Amendments to Non-Controlled Substance Offenses.** Modify Minnesota Sentencing Guidelines to add new §§ 2.G.11 and 2.G.12; and to make modifications in §§ 2.B.3.g, 5.A, 5.B, and 6; comments 2.B.304 and 2.D.307; and Appendix 1.

**Non-Legislative Modifications.** Modify Minnesota Sentencing Guidelines to make modifications in §§ 2.B.2.b, 2.B.5.b, 5.A, 5.B, and 8; and Appendix 2; to renumber Minnesota Sentencing Guidelines § 2.G.11 as § 2.G.13, effective August 1, 2016; and to make modifications in Minnesota Sentencing Guidelines § 2.G.13 (currently numbered § 2.G.11), effective August 1, 2017.

A copy of the proposed modifications is available free of charge on the agency’s website at [mn.gov/sentencing-guidelines](http://mn.gov/sentencing-guidelines) or



by contacting the Minnesota Sentencing Guidelines Commission by mail at 309 Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155, or telephone at (651) 296-0144. Persons with hearing or speech disabilities may contact us via their preferred Telecommunications Relay Service. If you need special accommodations to attend, please contact the Minnesota Sentencing Guidelines Commission as soon as possible. This notice is available in alternative formats upon request. All interested persons are encouraged to attend the hearing and offer comments. Persons wishing to speak may register in advance by contacting the Commission's office at the above address or telephone number, or by e-mail at [sentencing.guidelines@state.mn.us](mailto:sentencing.guidelines@state.mn.us).

The Commission will hold the record open for five calendar days after the public hearing to accept written comment. On Wednesday, July 27, 2016, the Commission will meet at 2:00 p.m. in Room 225 at the Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155, to formally adopt or reject the proposed modifications. If adopted, modifications become effective August 1, 2016, unless otherwise noted.

## City of Saint Paul

### Notice informing of intent to apply for the Edward Byrne Memorial Justice Grant

This serves as notice that the City of Saint Paul is applying on behalf of Ramsey County and the City of Saint Paul Police Department for the Edward Byrne Memorial Justice Grant (JAG) Fiscal Year 2016 Local Solicitation. If you wish to review the application, which will become public on June 24, 2016, please contact the City of Saint Paul Police Department at 651.266.5544.

## 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/>

## Department of Employment and Economic Development Rehabilitation Services

### Notice of Availability of Funds for Extended Employment Programs

Information on Extended Employment Program funding for State Fiscal Year 2017 is available for current Extended Employment providers. The authority for the Extended Employment Program is described in Minn. Stat. 268A.03 (A) and 268A.15 and in Minn. Rule 3300.2005 to 3300.2055. The Extended Employment Program includes the Center-Based, Community, and Supported Employment sub-programs that provide ongoing employment support services to workers with severe disabilities. In State Fiscal Year 2017, \$12,903,686 in Extended Employment Program funding will be available.

To be an Extended Employment Program provider, an organization must be certified by Rehabilitation Services of the Department of Employment & Economic Development in accordance with Minn. Rule 3300.2010. Individual eligibility for persons who may be served in Extended Employment is defined in Minn. Rule 3300.2015. Extended Employment Standards for program planning and service delivery are set forth in Minn. Rule 3300.2025. The Extended Employment funding system is described in Minn. Rule 3300.2035. Provisions for new and expanded programs are defined in Minn. Rule 3300.2030. Funding for new and expanded programs is contingent upon the availability of funds. Any city, town, county, non-profit organization, or combination of these that operates or proposes to operate a public or non-profit Extended Employment program may apply for funding. Applications are required for both current Extended Employment providers and providers applying for new or expanded program funds.

These sections of the Minnesota Rules that describe the Extended Employment Program can be found on the Internet at: <http://www.revisor.leg.state.mn.us/arule/3300/>

# State Grants & Loans

Persons or parties who wish to obtain information on Extended Employment Program funding in State Fiscal Year 2017 may contact:

Amanda Jensen-Stahl, Vocational Rehabilitation Services  
Minnesota Department of Employment & Economic Development  
1<sup>st</sup> National Bank Building, 332 Minnesota Street, Ste E200,  
St. Paul, MN 55101-1351  
Phone: (651) 259-7356  
email: [Amanda.jensen-stahl@state.mn.us](mailto:Amanda.jensen-stahl@state.mn.us)

or

John Sherman, Vocational Rehabilitation Services  
Minnesota Department of Employment & Economic Development  
1<sup>st</sup> National Bank Building, 332 Minnesota Street, Ste E200,  
St. Paul, MN 55101-1351  
Phone: (651) 259-7349  
email: [john.sherman@state.mn.us](mailto:john.sherman@state.mn.us)

## State Contracts

**Informal Solicitations:** Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Website at [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us) for informal solicitation announcements.

**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 published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

**Requirements:** There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements: \$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600 \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days; \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days.

## Minnesota Department of Human Services

### Disability Services Division

#### Notice of Request for Proposals to provide services for an ABLE program

**NOTICE IS HEREBY GIVEN** that the Office of the Illinois State Treasurer, on behalf of the Minnesota Department of Human Services, is requesting proposals to provide services for an Achieving a Better Life Experience (ABLE) program

For more information, contact:

Mr. Jim Underwood  
Chief Procurement Officer  
Office of the Illinois State Treasurer  
400 W. Monroe Street, Suite 401  
Springfield, IL 62704  
Phone: (217) 782-1708  
[junderwood@illinoistreasurer.gov](mailto:junderwood@illinoistreasurer.gov)

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

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **2:00 p.m., Central Time, August 1, 2016. Late proposals will not be considered.**

The RFP can be viewed by visiting the Office of the Illinois State Treasurer web site:

[http://illinoistreasurer.gov/Office\\_of\\_the\\_Treasurer/Procurement/Procurement\\_Opportunities](http://illinoistreasurer.gov/Office_of_the_Treasurer/Procurement/Procurement_Opportunities)

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

## Minnesota House of Representatives

### Public Information Services Office

#### Public Notice of Request for Proposals for Long-term Video Archive Solution

**NOTICE IS HEREBY GIVEN** that the Minnesota House of Representatives Public Information Services office is seeking proposals from qualified vendors for a Long-term Video Archive Solution which will integrate with our existing Grass Valley K2 and Stratus digital media asset infrastructure.

All proposals must be submitted on the forms accompanying the specifications in a sealed envelope and delivered to 100 Rev. Dr. Martin Luther King Jr. Blvd, Room 175, State Office Building, St. Paul, MN, 55155-1298, no later than **4:30 p.m. (CT) Wednesday, July 6, 2016.**

A copy of the Request for Proposals packet can be obtained by contacting Public Information Services, 100 Rev. Dr. Martin Luther King Jr. Blvd, Room 175, State Office Building, St. Paul, MN, 55155-1298, 651-296-2146 or 800-657-3550.

## Department of Military Affairs

### Facilities Management Office, Camp Ripley, Little Falls, MN

#### Request for Proposals for Cultural Resources Investigation of Maneuver Areas F, G and J, Camp Ripley, Little Falls, MN (Project No. 16137)

The State of Minnesota, Department of Military Affairs, is soliciting proposals from interested, qualified consultants for cultural resources services for the Minnesota Army National Guard (MNARNG). Services include a Phase I Investigation of Maneuver Areas F, G and J at Camp Ripley in Morrison County, Minnesota to include reports and findings.

A full Request for Proposal (RFP) is available on the Minnesota National Guard's website:

<http://www.MinnesotaNationalGuard.org/rfp>

All RFP responses must be received by the Department of Military Affairs, Attn: Ms. Anna Swoboda, Facilities Management Office, Camp Ripley, 15000 Highway 115, Little Falls, Minnesota 56345-4173 not later than **2:00 p.m. Central Time on Thursday, July 7, 2016. Late responses will not be considered.**

The Department of Military Affairs 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)

### System Office

#### Notice of Request for Immigration Services (Systemwide)

**NOTICE IS HEREBY GIVEN** that the Minnesota State Colleges and Universities (MnSCU) System is requesting proposals for employer immigration services such as: LCA and H-1B initial petitions and extension filings; PERM labor certification applications; TN petitions and periodic assistance on related employer matters. MnSCU anticipates contracting with up to three professional immigration service providers; the initial contract term is three years.

Mailed proposals are due by **Monday, July 18, 2016 at 4:00 PM CDT**, and shall be addressed to: Sue Appelquist, Associate Vice Chancellor for Human Resources, 30 7<sup>th</sup> Street East, Suite 350, St. Paul, MN 55101-7804. Late proposals will not be considered. Fax or e-mailed proposals will not be considered. To receive a copy of the full RFP, please visit [http://www.hr.mnscu.edu/request\\_for\\_rfps/index.html](http://www.hr.mnscu.edu/request_for_rfps/index.html) or email Melissa Danner at [melissa.danner@so.mnscu.edu](mailto:melissa.danner@so.mnscu.edu). For questions regarding the RFP, contact Sue Appelquist at: [sue.appelquist@so.mnscu.edu](mailto:sue.appelquist@so.mnscu.edu).

Minnesota State Colleges and Universities is not obligated to complete the proposed contract and reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

# State Contracts

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## Minnesota Department of Transportation (Mn/DOT)

### Engineering Services Division

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

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

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

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

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

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

Send completed application material to:

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

## Minnesota Department of Transportation (Mn/DOT)

### Engineering Services Division

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

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

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

# Non-State Public Bids, Contracts & Grants

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

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

## Metropolitan Airports Commission (MAC)

### Notice of Call For Bids For Terminal 2-Humphrey First Floor Restroom and Lobby

**Airport Location:** Minneapolis-St. Paul International Airport  
**Project Name:** Terminal 2-Humphrey First Floor Restroom and Lobby  
**MAC Contract No.:** 106-3-544  
**Bids Close At:** 2:00 p.m. July 12, 2016

**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 includes general, mechanical, and electrical and technology construction.

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

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs 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 Miller Dunwiddie Architecture, Inc.; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: Franz Reprographics; 2781 Freeway Blvd.; Brooklyn Center, MN, 55430; PH: 763-503-3401; FX: 763-503-3409; [www.franzrepro.com](http://www.franzrepro.com). Make checks payable to: Miller Dunwiddie Architecture, Inc. Deposit per set (refundable): \$100.00. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on June 13, 2016, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

## Metropolitan Airports Commission (MAC)

### Notice of Call for Bids for 2016 Re-roofing Project - Phase 1

**Airport Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2016 Re-roofing Project - Phase 1  
**MAC Contract No:** 106-3-543  
**Bids Close At:** 2:00 pm, Tuesday, 12 July 2016

**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 removal and replacement of the existing roofing systems at a MAC Campus building.



# Non-State Public Bids, Contracts & Grants

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

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs 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 Alliance; at the Minnesota Builders Exchange; Dodge Data and Analytics; 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; PH: 763.503.3401; FX: 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 June 20, 2016, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

## **Metropolitan Airports Commission (MAC)**

### **Public Notice of Request for Proposals for Minneapolis-St. Paul International Airport (MSP) 2016 Gatehold Television Services Opportunity**

The Metropolitan Airports Commission ("MAC") is requesting proposals from qualified firms interested in operating a gatehold television service concession at Terminal 1-Lindbergh and Terminal 2-Humphrey of the Minneapolis - St. Paul International Airport. The RFP is to be released on or about June 15, 2016. Airport Contact for the RFP is Kate Webb at 612.726.8197 or [rfp@mspmac.org](mailto:rfp@mspmac.org). A mandatory Pre-Proposal Conference will be held June 30, 2016 at 1:00 p.m. CT in Terminal 1-Lindbergh at 4300 Glumack Drive, St. Paul, MN 55111. Questions regarding the RFP are due in writing to MAC no later than 4:00 p.m. CT on July 6, 2016. Proposals are due on or before **2:00 p.m. CT on August 2, 2016**. To obtain a copy of the Request for Proposals, please go to the following website <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> and look under Request for Proposals.



## **Several convenient ways to order:**

- **Retail store** Open 8 a.m. - 3 p.m. Monday - Friday, 660 Olive Street, St. Paul
  - **Phone** (credit cards): 8 a.m. - 4 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)
  - **On-line orders:** [www.minnesotasbookstore.com](http://www.minnesotasbookstore.com)
  - **Minnesota Relay Service:** 711
  - **Fax** (credit cards): 651.215.5733 (fax line available 24 hours)
  - **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155
- Minnesota's Bookstore accepts VISA, MasterCard, American Express & Discover for all purchases.**