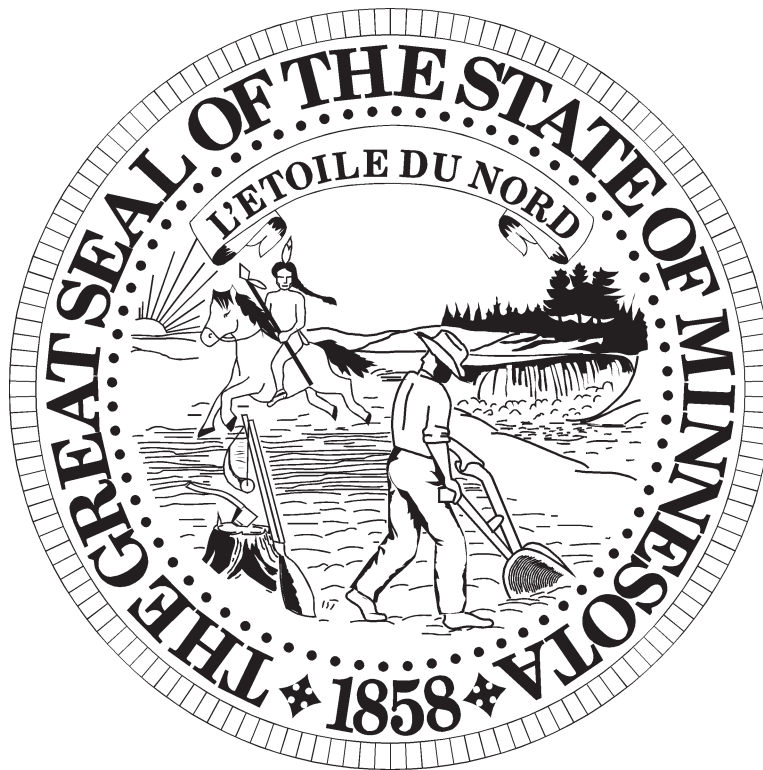


# Minnesota

# State Register

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



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  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

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Pages 147 - 198**

# Minnesota State Register

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

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoed Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
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Vol. 39 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> shows altered publish date)	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
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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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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 Employment and Economic Development (DEED)

### Adopted Permanent Rules Relating to Unemployment Insurance; Modifying Appeals, Employer Records, and Worker Status Provisions

The rules proposed and published at *State Register*, Volume 38, Number 35, pages 1135-1144, February 24, 2014 (38 SR 1135), are adopted with the following modifications:

#### 3310.2901 SCOPE AND PURPOSE.

Parts 3310.2901 to 3310.2924 establish procedures for hearings conducted by unemployment law judges following:

A. appeals of all department determinations including determinations on benefit accounts, eligibility or ineligibility for unemployment benefits, employers' tax rate, an employer's liability to pay taxes, and fraudulent payment of unemployment benefits; or

#### 3310.2902 DEFINITIONS.

Subp. 3a. **Applicant.** "Applicant" means an individual who has filed an application for unemployment benefits and has established or is pursuing the establishment of a benefit account.



# Adopted Rules

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Subp. 4a. **Electronic transmission.** “Electronic transmission” means a communication that is sent online, by telephone, or by facsimile.

~~Subp. 4a 4b.~~ **Hearing.** “Hearing” means the ~~de novo due process~~ evidentiary hearing authorized under Minnesota Statutes, section 268.105, subdivision 1.

## **3310.2905 NOTICE OF HEARING.**

Subp. 2. **Notice.** The chief unemployment law judge must send a notice of hearing, by mail or electronic transmission, to each party at least ten calendar days before the scheduled date of hearing unless notice is waived by the parties. The notice must state the time, date, method by which the hearing will be conducted, and issues to be considered at the hearing. If the issue to be considered at the hearing involves ineligibility for unemployment benefits because of a separation from employment, the notice must explain that the parties should be prepared to discuss all incidents that arose during the course of the employment that led to the separation. The notice of hearing must also include materials that provide the following information:

B. a statement of the parties’ right to represent themselves or to be represented by an attorney or other ~~duy~~ authorized representative;

E. a statement that a party may find out the name of the other ~~parties’~~ party’s attorney or other representative and names of the witnesses that the other party intends to have testify at the hearing, and an explanation of the process for making the request;

## **3310.2908 RESCHEDULING AND CONTINUANCES.**

Subpart 1. **Rescheduling.** Requests to reschedule a hearing must be addressed to the chief unemployment law judge in advance of the regularly scheduled hearing date. The request may be made in person, by telephone or other electronic transmission, or by mail. A hearing must be rescheduled based on a party’s need for additional time to obtain necessary evidence or to obtain representation or adequately prepare, inability to participate due to illness, or other compelling reasons beyond the control of the party that prevent participation at the originally scheduled time. A hearing may be rescheduled only once by each party except in the case of an emergency. If requested, a written statement by mail or electronic transmission confirming the reasons for requesting that the case be rescheduled must be provided to the chief unemployment law judge.

The ten-calendar-day notice requirement for hearings does not apply to rescheduled hearings.

## **3310.2912 EXHIBITS IN HEARINGS.**

Upon receipt of the notice of hearing, and no later than five calendar days before the scheduled date of hearing, parties may submit to the chief unemployment law judge, by electronic transmission or mail, any documents a party would like to offer as exhibits at the hearing. Copies of the documents submitted by the parties, as well as all documents that are contained in the department’s records that will be introduced as exhibits, must be mailed, or sent by electronic transmission, to all parties or the parties’ ~~representative~~ representatives by the chief unemployment law judge in advance of the hearing.

If a party requests to introduce additional documents during the course of the hearing, and the unemployment law judge rules that the documents should be ~~admitted into evidence considered~~, the requesting party must ~~send, by electronic transmission or mail,~~ provide copies of the documents to the unemployment law judge and the other party. The record must be left open for sufficient time for the submission of a written response to the documents. The response may be sent by mail or electronic transmission. The unemployment law judge may, when appropriate, reconvene the hearing to obtain a response or permit cross-examination regarding the late filed exhibits.

## **3310.2914 SUBPOENAS AND DISCOVERY.**

Subpart 1. **Subpoenas.** The unemployment law judge may issue subpoenas to compel the attendance of witnesses, the production of documents or other exhibits, upon a showing of necessity by the requesting party. Requests for issuance of subpoenas must be made to the chief unemployment law judge, by electronic transmission or mail, sufficiently in advance of the scheduled hearing to allow for the service of the subpoenas. The requesting party must identify the person or documents to be subpoenaed, the subject matter of the evidence requested, and their necessity. A request for a subpoena may be denied if the testimony or documents sought would be irrelevant, immaterial, or unduly cumulative or repetitious.

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## Adopted Rules

If a request for a subpoena has been denied, the unemployment law judge must reconsider the request during the hearing and determine whether the request was properly denied. If the unemployment law judge determines that the request for a subpoena was not properly denied, the judge must continue the hearing to allow for service of and compliance with the subpoena.

The unemployment law judge may issue a subpoena ~~on the judge's own motion even if a party has not requested one.~~

Subp. 2. **Discovery.** Each party, within ~~three~~ five calendar days following request by another party, must disclose the name of the party's attorney or other representative and the names of all witnesses the party intends to have testify at the hearing. The request and the response may be made by mail or by electronic transmission. Any witnesses unknown at the time of the request must be disclosed as soon as they become known. If a party fails to comply with the disclosure requirements, the unemployment law judge may, upon notice ~~by the requesting party to the parties,~~ continue the hearing.

### **3310.2915 DISQUALIFICATION OF UNEMPLOYMENT LAW JUDGE.**

An unemployment law judge must request to be removed from any case by the chief unemployment law judge where the judge believes that presiding over the case would create the appearance of impropriety. The chief unemployment law judge must remove an unemployment law judge from any case where ~~any of the parties to the appeal are related to the judge or have a personal relationship with the judge~~ the unemployment law judge has a relationship that would disqualify the judge under Rule 2.11(A)(2) of the Judicial Code of Conduct, including the definitions provided in the terminology section. The chief unemployment law judge must remove an unemployment law judge from any case if the judge has a financial or personal interest in the outcome.

Any party may request the removal of an unemployment law judge by submitting to the chief unemployment law judge, by mail or electronic transmission, a written statement of the basis for removal. The chief unemployment law judge must decide the fitness of the unemployment law judge to hear the particular case.

### **3310.2916 REPRESENTATION BEFORE UNEMPLOYMENT LAW JUDGE.**

In a hearing before an unemployment law judge, a party may be self-represented or represented by an attorney or ~~a duly an~~ authorized representative. Except for an attorney-at-law, no person may charge an applicant a fee of any kind.

An unemployment law judge may refuse to allow a person to represent others in a hearing if that person acts in an unethical manner or repeatedly fails to follow the instructions of the judge.

### **3310.2917 PUBLIC ACCESS TO HEARINGS AND RECORDING OF HEARINGS.**

Subpart 1. **Public access not permitted.** Hearings are not public. ~~If a member of the public requests to listen in on a hearing conducted by telephone conference, or requests to sit in on a hearing conducted in person, the unemployment law judge must make the appropriate accommodation. An unemployment law judge may exclude a member of the public only when necessary to maintain decorum. Only parties, their representatives and witnesses, and authorized department personnel are permitted to participate in or listen to hearings. If any other person wishes to listen to or sit in on a hearing, the parties must provide their consent as required by Minnesota Statutes, section 13.05, subdivision 4.~~

### **3310.2921 CONDUCT OF HEARING.**

The chief unemployment law judge has discretion regarding the method by which the hearing is conducted. The hearing must be conducted by an unemployment law judge as an evidence-gathering inquiry, without regard to a burden of proof. The order of presentation of evidence is determined by the unemployment law judge.

Each party may present and examine witnesses and offer their own documents or other exhibits. Parties have the right to examine witnesses, object to exhibits and testimony, and cross-examine the other party's witnesses. The unemployment law judge must assist all parties in the presentation of evidence. The unemployment law judge must rule upon evidentiary objections on the record. The unemployment law judge must permit rebuttal testimony. Parties have the right to make closing statements. Closing statements may include comments based upon the evidence and arguments of law. The unemployment law judge may limit repetitious testimony and arguments.

The unemployment law judge must exercise control over the hearing procedure in a manner that protects the parties' rights to a fair hearing, including the sequestration of witnesses to avoid prejudice or collusion. The unemployment law judge must ensure that all relevant facts are clearly and fully developed. The unemployment law judge may, ~~on the judge's own motion,~~ obtain testimony and other evidence from department employees and any other person the judge believes will assist the judge in reaching a proper result.

# Adopted Rules

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Before taking testimony, the unemployment law judge must inform the parties of the following:

## 3310.2922 RECEIPT OF EVIDENCE.

Only evidence received into the record of any hearing may be considered by the unemployment law judge. The parties may stipulate to the existence of any fact or the authenticity of any exhibit.

All competent, relevant, and material evidence, including records and documents in the possession of the parties that are offered into evidence, are part of the hearing record. An unemployment law judge may receive any evidence that possesses probative value, including hearsay, if it is the type of evidence on which reasonable, prudent persons are accustomed to rely in the conduct of their serious affairs. An unemployment law judge may exclude any evidence that is irrelevant, immaterial, unreliable, or unduly repetitious. An unemployment law judge is not bound by statutory and common law rules of evidence. The rules of evidence may be used as a guide in determining the quality of evidence offered. An unemployment law judge may draw adverse inferences from the refusal of a party or witness to testify on the basis of any privilege. An unemployment law judge may only use reliable, probative, and substantial evidence as a basis for decision.

## 3310.2923 OFFICIAL NOTICE.

An unemployment law judge may take official notice of matters of common knowledge and may take notice of facts within the judge's specialized knowledge in the field of unemployment insurance. ~~Any fact officially noticed~~ The unemployment law judge must be so stated state on the record during the hearing. Parties must be given any fact that is judicially noticed. The unemployment law judge must give the parties an opportunity to contest the noticed facts.

## 3315.0555 DETERMINING WORKER STATUS.

Subpart 1. ~~Essential Factors.~~ When determining whether an individual is an employee or an independent contractor, five ~~essential~~ factors must be considered and weighed within a particular set of circumstances. The five ~~essential~~ factors to be considered are:

E. control over the premises where the services are performed.

The two most important ~~essential~~ factors are items A and B.

Other factors, not specifically identified in this part, may be considered if ~~a determination~~ the outcome is inconclusive when applying the ~~essential~~ factors in items A to E. The degree of their importance may vary depending upon the occupation or work situation being considered and why the factor is present in the particular situation.

# Minnesota Pollution Control Agency (MPCA) Adopted Permanent Rules Relating to Water Quality

The rules proposed and published at *State Register*, Volume 38, Number 21, pages 637-674, November 18, 2013 (38 SR 637), are adopted with the following modifications:

## 7050.0150 DETERMINATION OF WATER QUALITY, BIOLOGICAL AND PHYSICAL CONDITIONS, AND COMPLIANCE WITH STANDARDS.

Subp. 4. **Definitions.** For the purposes of this chapter and chapter 7053, the following terms have the meanings given them.

H. "Eutrophication standard" means the combination of indicators of enrichment and indicators of response as described in subpart 5. The indicators upon which the eutrophication standard for specific water bodies are based are as provided under subparts 5a to 5c.

H.I. "Fish and other biota" and "lower aquatic biota" mean the aquatic community including, but not limited to, game and nongame fish, minnows and other small fish, mollusks, insects, crustaceans and other invertebrates, submerged or emergent rooted vegetation, suspended or floating algae, substrate-attached algae, and microscopic organisms. "Other biota" includes aquatic or semiaquatic organisms that depend on aquatic systems for food or habitat such as amphibians and certain wildlife species.



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## Adopted Rules

I.J. “Hydraulic residence time” means the time water resides in a basin or, alternately, the time it would take to fill the basin if it were empty.

J.K. “Impaired water” or “impaired condition” means a water body that does not meet applicable water quality standards or fully support applicable beneficial uses, due in whole or in part to water pollution from point or nonpoint sources, or any combination thereof.

K.L. “Index of biological integrity” or “IBI” means an index developed by measuring attributes of an aquatic community that change in quantifiable and predictable ways in response to human disturbance, representing the health of that community.

L.M. “Lake” means an enclosed basin filled or partially filled with standing fresh water with a maximum depth greater than 15 feet. Lakes may have no inlet or outlet, an inlet or outlet, or both an inlet and outlet.

M.N. “Lake morphometry” means the physical characteristics of the lake basin that are reasonably necessary to determine the shape of a lake, such as maximum length and width, maximum and mean depth, area, volume, and shoreline configuration.

N.O. “Mixing status” means the frequency of complete mixing of the lake water from surface to bottom, which is determined by whether temperature gradients are established and maintained in the water column during the summer season.

O.P. “Measurable increase” or “measurable impact” means a change in trophic status that can be discerned above the normal variability in water quality data using a weight of evidence approach. The change in trophic status does not require a demonstration of statistical significance to be considered measurable. Mathematical models may be used as a tool in the data analysis to help predict changes in trophic status.

P.Q. “Natural causes” means the multiplicity of factors that determine the physical, chemical, or biological conditions that would exist in a water body in the absence of measurable impacts from human activity or influence.

Q.R. “Normal fishery” and “normally present” mean the fishery and other aquatic biota expected to be present in the water body in the absence of pollution of the water, consistent with any variability due to natural hydrological, substrate, habitat, or other physical and chemical characteristics. Expected presence is based on comparing the aquatic community in the water body of interest to the aquatic community in representative reference water bodies.

R.S. “Nuisance algae bloom” means an excessive population of algae that is characterized by obvious green or blue-green pigmentation in the water, floating mats of algae, reduced light transparency, aesthetic degradation, loss of recreational use, possible harm to the aquatic community, or possible toxicity to animals and humans. Algae blooms are measured through tests for chlorophyll-a, observations of Secchi disk transparency, and observations of impaired recreational and aesthetic conditions by the users of the water body, or any other reliable data that identifies the population of algae in an aquatic community.

S.T. “Periphyton” means algae on the bottom of a water body. In rivers or streams, these forms are typically found attached to logs, rocks, or other substrates, but when dislodged the algae will become part of the seston.

T.U. “Readily available and reliable data and information” means chemical, biological, and physical data and information determined by the commissioner to meet the quality assurance and quality control requirements in subpart 8, that are not more than ten years old from the time they are used for the assessment. A subset of data in the ten-year period, or data more than ten years old can be used if credible scientific evidence shows that these data are representative of current conditions.

U.V. “Reference water body” means a water body least impacted by point or nonpoint sources of pollution that is representative of water bodies in the same ecoregion or watershed. Reference water bodies are used as a base for comparing the quality of similar water bodies in the same ecoregion or watershed.

V.W. “Reservoir” means a body of water in a natural or artificial basin or watercourse where the outlet or flow is artificially controlled by a structure such as a dam. Reservoirs are distinguished from river systems by having a hydraulic residence time of at least 14 days. For purposes of this item, residence time is determined using a flow equal to the  $122Q_{10}$  for the months of June through September.

W.X. “River nutrient region” means the geographic basis for regionalizing the river eutrophication criteria as described in Heiskary, S. and K. Parson, Regionalization of Minnesota’s Rivers for Application of River Nutrient Criteria, Minnesota Pollution Control Agency

# Adopted Rules

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(2010) (2013), which is incorporated by reference. The document is not subject to frequent change and is available through the Minitex interlibrary loan system.

~~X~~Y. “Secchi disk” means a tool that is used to measure the transparency of lake water. A Secchi disk is an eight-inch weighted disk on a calibrated rope, either white or with quadrants of black and white. To measure water transparency with a Secchi disk, the disk is viewed from the shaded side of a boat. The depth of the water at the point where the disk reappears upon raising it after it has been lowered beyond visibility is recorded.

~~Y~~Z. “Secchi disk transparency” means the transparency of water as measured by either a Secchi disk, a Secchi tube, or a transparency tube.

~~Z~~AA. “Secchi tube” means a tool that is used to measure the transparency of stream or river water. A Secchi tube is a clear plastic tube, one meter in length and 1-3/4 inch in diameter, with a mini-Secchi disk on a string. To measure water transparency, the tube is filled with water collected from a stream or river and, looking into the tube from the top, the weighted Secchi disk is lowered into the tube by a string until it disappears and then raised until it reappears, allowing the user to raise and lower the disk within the same water sample numerous times. The depth of the water at the midpoint between disappearance and reappearance of the disk is recorded in centimeters, which are marked on the side of the tube. If the Secchi disk is visible when it is lowered to the bottom of the tube, the transparency reading is recorded as “greater than 100 centimeters.”

~~AA~~BB. “Seston” means particulate matter suspended in water bodies and includes plankton and organic and inorganic matter.

~~BB~~CC. “Shallow lake” means an enclosed basin filled or partially filled with standing fresh water with a maximum depth of 15 feet or less or with 80 percent or more of the lake area shallow enough to support emergent and submerged rooted aquatic plants (the littoral zone). It is uncommon for shallow lakes to thermally stratify during the summer. The quality of shallow lakes will permit the propagation and maintenance of a healthy indigenous aquatic community and they will be suitable for boating and other forms of aquatic recreation for which they may be usable. Shallow lakes are differentiated from wetlands and lakes on a case-by-case basis. Wetlands are defined in part 7050.0186, subpart 1a.

~~CC~~DD. “Summer-average” means a representative average of concentrations or measurements of nutrient enrichment factors, taken over one summer season.

~~DD~~EE. “Summer season” means a period annually from June 1 through September 30.

~~EE~~FF. “Transparency tube” means a tool that is used to measure the transparency of stream or river water. A transparency tube is a graduated clear plastic tube, 24 inches or more in length by 1-1/2 inches in diameter, with a stopper at the bottom end. The inside surface of the stopper is painted black and white. To measure water transparency, the tube is filled with water from a surface water; the water is released through a valve at the bottom end until the painted surface of the stopper is just visible through the water column when viewed from the top of the tube. The depth, in centimeters, is noted. More water is released until the screw in the middle of the painted symbol on the stopper is clearly visible; this depth is noted. The two observed depths are averaged to obtain a transparency measurement.

~~FF~~GG. “Trophic status or condition” means the productivity of a lake as measured by the phosphorus content, algae abundance, and depth of light penetration.

~~GG~~HH. “Water body” means a lake, reservoir, wetland, or a geographically defined portion of a river or stream.

## Minnesota Department of Public Safety (DPS) Adopted Permanent Rules Relating to Motorcycle Road Guard Certificate

The rules proposed and published at *State Register*, Volume 38, Number 19, pages 577-585, November 4, 2013 (38 SR 577), are adopted with the following modifications:

### **7422.0200 MOTORCYCLE ROAD GUARD; AUTHORITY; RESTRICTIONS.**

Subp. 3. **Restrictions.** In order for a motorcycle road guard to escort a motorcycle group ride, the motorcycle group ride must be an organized gathering of motorcyclists of at least 20 motorcyclists that:

A. ~~is sponsored by an entity that uses a motorcycle road guard who~~ has liability insurance in force for all participants and organizers ~~at the time~~ of the motorcycle group ride;

Subp. 4. **Requirement to produce proof of liability insurance.**

A. A motorcycle road guard must:

(1) carry proof of liability insurance ~~required under subpart 3~~; and

### **7422.0500 MOTORCYCLE ROAD GUARD CERTIFICATE ISSUANCE; DISQUALIFICATION.**

Subpart 1. **Issuance.**

A. Upon successful completion of the motorcycle road guard course and payment by an applicant of the program course fee under part 7422.0900, the commissioner shall issue a motorcycle road guard certificate for a period of ~~two~~ four years. There is no automatic renewal for a motorcycle road guard certificate.

### **7422.0600 ALCOHOL AND CONTROLLED SUBSTANCES USE PROHIBITION; VIOLATION.**

Subpart 1. **Prohibition of alcohol consumption and controlled substances use.** A person who holds a motorcycle road guard certificate shall not perform the duties of a motorcycle road guard, either while operating a motor vehicle or while standing in, or in proximity to, an intersection, under part 7422.0200:

B. ~~after having consumed alcoholic beverages or after having used controlled substances while physical evidence is present in the person's body that the person has consumed alcohol or a controlled substance.~~

### **7422.1100 ROAD GUARD FLAGGING EQUIPMENT; APPAREL REQUIREMENTS.**

Subp. 2. **Required high-visibility safety apparel.** A motorcycle road guard must wear the high-visibility safety apparel in items A to ~~D~~ C when acting as a flagger and performing traffic control in accordance with parts 7422.1000 and 7422.1100.

A. ~~The flagger must wear A safety vest and safety pants during low visibility situations, low light conditions, or inclement weather, shirt, or jacket labeled as meeting the ANSI standard identified in subpart 3.~~

~~D. A shirt or jacket may be substituted for a vest provided that it meets the color and visibility requirements of this subpart.~~

### **7422.1300 PENALTY.**

~~As provided in Minnesota Statutes, section 171.60, a person who violates any provisions or requirements of this chapter is guilty of a petty misdemeanor.~~

# 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 Deer Season Regulations, Quotas, and Special Hunts

### 6232.0200 DEFINITIONS.

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

Subp. 4a. **Deer permit area.** "Deer permit area" means an area of the state consisting of one or more deer registration blocks. Deer permit areas open for taking legal bucks and antlerless deer during the ~~regular firearms~~ deer season are defined as follows:

A. "intensive deer permit area" and "managed deer permit area" means a deer permit area where taking deer of either sex is authorized by a regular firearms license and where multiple bonus permits are authorized;

B. ~~"managed deer permit area" means a deer permit area where taking deer of either sex is authorized by a regular firearms license and where bonus permits are authorized; and~~

~~C. B.~~ "lottery deer permit area" means a deer permit area where taking:

(1) legal bucks is authorized by a regular firearms or muzzleloader license ~~and~~;

(2) antlerless deer is authorized by an either-sex permit; and

(3) either-sex deer is authorized by an archery deer license;

C. "hunter choice deer permit area" means a deer permit area where taking one deer of either sex is authorized; and

D. "bucks-only deer permit area" means a deer permit area where only legal bucks may be taken, regardless of deer license type.

[For text of subps 5 to 11, see M.R.]

Subp. 12. **Either-sex permit.** "Either-sex permit" is a permit obtained through the procedure described in part 6232.1800 that allows an individual to take an either-sex deer during the firearm or muzzleloader season, provided the individual possesses a license for that season.

### 6232.0300 GENERAL RESTRICTIONS FOR TAKING DEER.

Subpart 1. **Season options.** A firearm deer hunter may purchase a firearm license valid for the regular firearms deer season or a youth firearms license. A muzzleloader deer hunter may purchase a muzzleloader license valid for the muzzleloader season or a youth muzzleloader license. For the regular firearm season, a hunter must select either the A or B season and this option will be printed on the license at the time of purchase. A person may only hunt deer by firearms within the season option indicated on the person's firearm license, except:

A. as prescribed in part 6232.1970, subpart 2; and

B. a firearm license for any season option is valid in:

(1) the Metropolitan Deer Management Zone under part 6232.4700, subpart 158; and

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# Expedited Emergency Rules

(2) deer permit areas or portions thereof open for early antlerless hunting; ~~and,~~

(3) ~~the special bovine tuberculosis area (deer permit area 101);~~

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

## Subp. 3. **Party hunting.**

A. A party is a group of two or more licensed deer hunters who are afield hunting together and are all using firearms or all using archery equipment. A member of a party may kill a legal buck or antlerless deer for another member of the party who has an unused tag valid for that deer, except:

(1) as provided by *Minnesota Statutes*, section 97B.301; and

(2) in all 300 series deer permit areas as prescribed in part 6232.1300, subpart 3, where unused tags may be used on antlerless deer only.

~~B.~~ A mixed-weapons group is considered two separate parties. ~~Multizone buck licensees may party hunt with regular firearms licensees.~~ Persons issued permits under *Minnesota Statutes*, section 97B.055, subdivision 3, who are hunting in a lottery deer permit area and do not have an either-sex permit may not tag antlerless deer for another member of the party.

[For text of subps 4 and 5, see M.R.]

## Subp. 6. **License purchase and validation.**

A. A bonus permit may be purchased any time throughout the open deer seasons. Bonus permits are valid immediately upon purchase, as long as the purchaser has a valid regular license. When a regular license is purchased after the start of the season for that license, a bonus permit is not valid until the waiting period has expired for the regular license.

~~B. At the time a deer is tagged at the site of kill, the tag must be validated.~~ Site tags must be validated at the site of kill before the animal is moved. Validation consists of using a knife or similar sharp object to cut out or a pen to indelibly mark the appropriate notches on the tag indicating:

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

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

Subp. 8. **Bag limit.** A person may not tag more than one legal buck per calendar year using any combination of licenses. A person may not tag more than one deer during a license year by any method, except as authorized in items A to H.G.

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

D. Except as provided in items E, F, and G, the total bag limits by deer permit area are as follows:

(1) the total bag limit for lottery, hunter choice, and youth-only antlerless deer permit areas is one deer. The total bag limit for bucks-only deer permit areas is one legal buck. A person may take only one deer per year in one of these areas;

(2) the total aggregate bag limit for managed deer permit areas is two deer;

(3) the total aggregate bag limit for intensive deer permit areas is five deer; and

(4) in addition to the total bag limits under subitems (1) to (3), a person with a free landowner deer license may take one additional antlerless deer on land owned or leased by the person in hunter choice, managed, and intensive deer permit areas.

E. Up to ~~two~~ five antlerless deer may be taken in the early antlerless deer areas as prescribed in part 6232.1750. These deer may be taken in addition to the bag limit established in item C.

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

~~G. Hunters hunting in the special bovine tuberculosis area (deer permit area 101) may take and tag an unlimited number of deer.~~

~~H.G.~~ Muzzleloader and archery deer hunters hunting in deer permit areas 300 to 399 may take deer under the most liberal bag limits prescribed for the deer permit area.

[For text of subp 9, see M.R.]



# Expedited Emergency Rules

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## **6232.0350 LEGAL BUCKS; 300 SERIES DEER PERMIT AREAS.**

Notwithstanding part 6232.0200, subpart 6, in all 300 series deer permit areas, "legal buck" means a deer with a minimum of four antler points on at least one antler. Bucks with fewer antler points than the minimum defined points are protected and not legal for harvest. Youth hunters, ages 10 to 17, are exempt from this part.

## **6232.0400 REGISTRATION OF DEER.**

Subpart 1. [Repealed, 20 SR 2287]

### **Subp. 2. Registration requirements.**

A. Persons tagging a deer must present the deer for registration at a designated deer registration station or agent of the commissioner and obtain a big game possession tag or connect to online or telephone DNR harvest registration systems and follow the instructions to obtain a registration confirmation number. All information provided by a person registering deer must be accurate and include the correct date, sex and age of the deer, and permit area in which the animal was harvested.

B. Deer must be registered according to item A:

- (1) before the deer is processed either privately or commercially; and
- (2) within ~~24~~ 48 hours after ~~the close of the season in which~~ the deer was taken.

C. Antlers of legal bucks must remain attached to the carcass until the deer is registered.

D. All deer taken in special hunt areas must be registered as specified in the materials provided to all special hunt permittees.

Subp. 3. [Repealed, 20 SR 2287]

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

Subp. 5. [See repealer.]

## **6232.0800 ARCHERY SPECIAL HUNT AREAS AND PROCEDURES.**

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

Subp. 2. **Areas.** Special bow and arrow permits are valid in areas designated by the commissioner and published in the annual hunting regulations booklet. A valid archery license and special permit are required to participate and hunters must meet any additional requirements from the municipality or sponsoring organization. The following archery special hunt areas are established for the 2014 season:

A. Vermillion Highlands Research, Recreation, and Wildlife Management Area is open September 13 to October 31 and December 20 to 31 for taking antlerless deer and legal bucks. No more than 60 permits shall be issued to individuals licensed to hunt deer by archery. The bag limit is two deer. Hunters must attend orientation;

B. portions of the city of New Ulm and Flandrau State Park in Brown County are open October 18 to December 31 for taking antlerless deer and legal bucks in an earn-a-buck hunt. No more than 50 permits shall be issued by the city of New Ulm. To tag a buck, a hunter must first tag two antlerless deer. The bag limit is five deer;

C. portions of the city of Mankato are open October 11 to December 31 for taking antlerless deer and legal bucks in an earn-a-buck hunt. No more than 40 permits shall be issued by the city of Mankato. The bag limit is five deer;

D. portions of the city of Granite Falls are open September 13 to December 31 for taking antlerless deer only. No more than 10 permits shall be issued by the city of Granite Falls. The bag limit is one deer;

E. portions of the city of Ortonville are open September 13 to December 31 for taking antlerless deer and legal bucks in an earn-a-buck hunt. No more than 30 permits shall be issued by the city of Ortonville. The bag limit is five deer;

F. Camp Ripley Military Reservation in Morrison County is open October 7 to October 9 for taking antlerless deer and legal bucks. No more than 300 permits shall be issued to Minnesota residents who have served in any branch of the United States armed forces. The

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# Expedited Emergency Rules

bag limit is one deer;

G. portions of the city of Camby are open September 13 to December 31 for taking antlerless deer and legal bucks. No more than 20 permits shall be issued by the city of Camby. The bag limit is five deer;

H. Crow-Hassan Park Reserve in Hennepin County is open October 31 to November 2 for taking antlerless deer and legal bucks. No more than 130 permits shall be issued. There is no bag limit;

I. Murphy-Hanrehan Park Reserve in Scott County is open October 31 to November 2 for taking antlerless deer and legal bucks. No more than 180 permits shall be issued. There is no bag limit;

J. portions of the city of Red Wing are open September 13 to December 31 for taking antlerless deer and legal bucks with a minimum of four antler points on at least one antler. The bag limit is five deer;

K. the East Minnesota River Refuge in Blue Earth and Le Sueur Counties is open September 13 to December 31 for taking antlerless deer and legal bucks. The bag limit is one deer;

L. Lake Bemidji State Park and portions of the city of Bemidji are open September 13 to December 31 for taking antlerless deer and legal bucks in an earn-a-buck hunt. No more than 65 permits shall be issued by the city of Bemidji. The bag limit is five deer;

M. portions of Greenleaf Lake State Recreation Area are open September 13 to December 31 for taking antlerless deer and legal bucks. The bag limit is one deer;

N. portions of the city of Tower and the Lake Vermilion-Soudan Underground Mine State Park are open September 13 to December 14 for taking antlerless deer and legal bucks. No more than 10 permits shall be issued. The bag limit is two deer;

O. portions of the city of Hallock are open September 13 to December 31 for taking antlerless deer. No more than 30 permits shall be issued. The bag limit is one deer;

P. portions of the city of Cook are open September 13 to December 31 for taking antlerless deer and legal bucks. No more than 25 permits shall be issued. The bag limit is two deer;

Q. portions of the city of Grand Rapids are open September 13 to December 31 for taking antlerless deer and legal bucks. The bag limit is five deer;

R. portions of the city of Fergus Falls are open September 13 to December 31 for taking antlerless deer and legal bucks. No more than 25 permits shall be issued. The bag limit is two deer;

S. portions of St. Croix State Park are open September 29 to October 31 and November 3 to 7 for taking antlerless deer and legal bucks. No more than 100 permits shall be issued. The bag limit is two deer;

T. portions of the city of Red Lake Falls are open October 1 to 14 for taking antlerless deer. No more than 10 permits shall be issued. The bag limit is one deer;

U. portions of the city of Owatonna are open November 1 to December 14 for taking antlerless deer. No more than 15 permits shall be issued. The bag limit is five deer; and

V. portions of the city of Duluth are open September 13 to December 31 for taking antlerless deer and legal bucks in an earn-a-buck hunt. No more than 400 permits shall be issued. There is no bag limit.

Subp. 3. **2014 archery managed and intensive deer permit areas.** Bonus permits may be used to take additional antlerless deer by archery in managed deer permit areas as prescribed in part 6232.1750 and, unless otherwise specified, the archery special hunt areas prescribed in subpart 2.

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## 6232.1300 SEASONS FOR TAKING DEER BY FIREARMS.

Subpart 1. **100 Series.** This subpart applies to deer permit areas 100 to 199. Legal bucks may be taken for a 16-day period beginning the Saturday nearest November 6. In hunters choice, managed, or intensive deer permit areas, antlerless deer may be taken throughout this season. In lottery deer permit areas and in special hunt areas, antlerless deer may be taken only by permit throughout this season and only within the deer permit or special hunt area specified on each hunter's permit, except as specifically authorized by statute. Antlerless deer may not be taken in bucks-only deer permit areas. A person who is authorized by statute to take a deer of either sex without an either-sex permit and who is licensed for season option A may take an antlerless deer without a permit, except in those lottery deer permit areas where no either-sex permits are offered and, in youth-only antlerless deer permit areas, and in bucks-only deer permit areas.

Subp. 2. **200 Series.** This subpart applies to deer permit areas 200 to 299. Legal bucks may be taken for a nine-day period beginning the Saturday nearest November 6. In hunters choice, managed, or intensive deer permit areas, antlerless deer may be taken throughout this season. In lottery deer permit areas and in special hunt areas, antlerless deer may be taken only by permit throughout this season and only within the deer permit or special hunt area specified on each hunter's permit, except as specifically authorized by statute. A person who is authorized by statute to take a deer of either sex without an either-sex permit and who is licensed for season option A may take an antlerless deer without a permit, except in those lottery deer permit areas where no either-sex permits are offered and in youth-only antlerless deer permit areas.

Subp. 3. **300 Series.**

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

B. Legal bucks may be taken in season option A for a ~~seven~~ nine-day period beginning the Saturday nearest November 6. In hunters choice, managed, or intensive deer permit areas, antlerless deer may be taken throughout this season. In lottery deer permit areas and in special hunt areas, antlerless deer may be taken only by permit throughout this season and only within the deer permit or special hunt area specified on each hunter's permit, except as specifically authorized by statute. A person who is authorized by statute to take a deer of either sex without an either-sex permit and who is licensed for season option A may take an antlerless deer without a permit, except in those lottery deer permit areas where no either-sex permits are offered and in youth-only antlerless deer permit areas.

C. Legal bucks may be taken in season option B for a nine-day period beginning the Saturday nearest November 20. In hunters choice, managed, or intensive deer permit areas, antlerless deer may be taken throughout this season. In lottery deer permit areas and in special hunt areas, antlerless deer may be taken only by permit throughout this season and only within the deer permit or special hunt area specified on each hunter's permit, except as specifically authorized by statute. A person who is authorized by statute to take a deer of either sex without an either-sex permit and who is licensed for season option B may take an antlerless deer without a permit, except in those lottery deer permit areas where no either-sex permits are offered and in youth-only antlerless deer permit areas.

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

Subp. 4b. **Early antlerless season.** Antlerless deer may be taken October 16 to 19 in those deer permit areas prescribed in part 6232.1750, subpart 1, item F. An adult who is licensed to hunt in early antlerless areas that are also open for the youth deer hunt may carry a firearm and take deer while accompanying youth. The bag limit is five.

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

## 6232.1600 SPECIAL HUNT PROCEDURES.

[For text of subps 1 to 6, see M.R.]

Subp. 7. **2014 firearms special hunt areas.** Unless otherwise specified, hunters must possess a valid permit for the following firearms special hunt areas, authorized for the 2014 season:

A. portions of Cascade River State Park in Cook County are open November 8 to 23 for taking legal bucks. Individuals authorized to hunt the statewide A season may hunt the open portions of the park without a special permit and numbers are not limited. The bag limit is one deer. This is special hunt area 900;

B. Rice Lake National Wildlife Refuge in Aitkin County is open November 15 to 23 for taking antlerless deer and legal bucks. All harvested deer must be registered at Rice Lake National Wildlife Refuge and presented for inspection. No more than 40 permits shall be issued to individuals authorized to hunt the statewide A season. The bag limit is one either-sex deer. This is special hunt area 901;

C. St. Croix State Park in Pine County is open November 20 to 23 for taking antlerless deer and legal bucks. No more than 300

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permits shall be issued to individuals authorized to hunt the statewide A season. All deer taken at the park must be registered at St. Croix State Park and presented for inspection on the day of harvest. The bag limit is one deer. This is special hunt area 902;

D. portions of Gooseberry Falls State Park in Lake County are open November 8 to 23 for taking antlerless deer and legal bucks. No more than 40 permits shall be issued to individuals authorized to hunt the statewide A season. The bag limit is two deer. This is special hunt area 904;

E. portions of Split Rock Lighthouse State Park in Lake County are open November 8 to 23 for taking antlerless deer and legal bucks. No more than 35 permits shall be issued to individuals authorized to hunt the statewide A season. The bag limit is two deer. This is special hunt area 905;

F. portions of Tettegouche State Park in Lake County are open November 8 to 23 for taking antlerless deer and legal bucks. No more than 135 permits shall be issued to individuals authorized to hunt the statewide A season. The bag limit is two deer. This is special hunt area 906;

G. portions of Scenic State Park in Itasca County are open November 8 to 23 for taking antlerless deer and legal bucks. No more than 30 permits shall be issued to individuals authorized to hunt the statewide A season. The bag limit is one deer. This is special hunt area 907;

H. Hayes Lake State Park in Roseau County is open November 8 to 16 for taking antlerless deer and legal bucks. No more than 75 permits shall be issued to individuals authorized to hunt the statewide A season. The bag limit is one deer. This is special hunt area 908;

I. Lake Bemidji State Park in Beltrami County is open November 8 to 11 for taking antlerless deer only. No more than 30 permits shall be issued to individuals authorized to hunt the statewide A season. The bag limit is two deer. This is special hunt area 909;

J. Zippel Bay State Park in Lake of the Woods County is open November 8 to 23 for taking antlerless deer only. No more than 55 permits shall be issued to individuals authorized to hunt the statewide A season. The bag limit is two deer. This is special hunt area 910;

K. portions of Judge C.R. Magney State Park in Cook County are open November 8 to 23 for taking legal bucks only. Individuals authorized to hunt the statewide A season may hunt the open portions of the park without a special permit and numbers are not limited. The bag limit is one deer. This is special hunt area 911;

L. Schoolcraft State Park in Cass County is open November 8 to 23 for taking antlerless deer and legal bucks. Schoolcraft State Park is open to all hunters possessing a valid firearms license. There is no special permit and numbers are not limited. The bag limit is one deer. This is special hunt area 912;

M. Lake Carlos State Park in Douglas County is open November 8 and 9 for taking antlerless deer only. No more than 17 permits shall be issued to individuals authorized to hunt the statewide A season. The bag limit is one deer. This is special hunt area 913;

N. William O'Brien State Park in Washington County is open November 15 and 16 for taking antlerless deer and legal bucks. The park is open only to individuals with a special hunt permit. No more than 50 permits shall be issued to individuals authorized to hunt the statewide A season. The bag limit is two deer. This is special hunt area 914;

O. Maplewood State Park in Otter Tail County is open November 8 to 11 for taking antlerless deer and legal bucks. No more than 100 permits shall be issued to individuals authorized to hunt the statewide A season. The bag limit is one deer. This is special hunt area 916;

P. Lake Alexander Scientific and Natural Area in Morrison County is open November 8 to 16 for taking antlerless deer and legal bucks. No more than 40 permits shall be issued to individuals licensed to hunt the statewide A season. The bag limit is one deer. This is special hunt area 918;

Q. Glacial Lakes State Park in Pope County is open November 13 to 16 for taking antlerless deer only. No more than 30 permits shall be issued to individuals authorized to hunt the statewide A season. The bag limit is one antlerless deer. This is special hunt area 919;

R. Beaver Creek Valley State Park in Houston County is open November 8 and 9 for taking antlerless deer and legal bucks. For purposes of this item, "legal buck" means a male deer with a minimum of four antler points on at least one antler. No more than 20 permits

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shall be issued to individuals licensed to hunt the statewide A season. The bag limit is two antlerless deer. This is special hunt area 921;

S. Whitewater State Game Refuge in Winona County is open November 8 to 11 for taking antlerless deer only. No more than 50 permits shall be issued to individuals licensed to hunt the statewide A season. The bag limit is one deer. This is special hunt area 924;

T. Vermillion Highlands Research, Recreation, and Wildlife Management Area is open November 8 to 16 for taking antlerless deer and legal bucks. No more than 20 permits shall be issued to individuals licensed to hunt deer with firearms. The bag limit is two deer. All hunters must attend a mandatory orientation. This is special hunt area 925;

U. Elm Creek Park Reserve in Carver County is open November 15 and 16 for taking antlerless deer and legal bucks. No more than 150 permits shall be issued to individuals licensed to hunt deer with firearms. There is no bag limit. All hunters must attend a mandatory orientation. This is special hunt area 926;

V. Whitewater State Park in Winona County is open November 22 and 23 for taking antlerless deer and legal bucks. For purposes of this item, "legal buck" means a male deer with a minimum of four antler points on at least one antler. No more than 50 permits shall be issued to individuals licensed to hunt deer with firearms. The bag limit is five deer. This is special hunt area 927;

W. Frontenac State Park in Goodhue County is open November 22 and 23 for taking antlerless deer and legal bucks. For purposes of this item, "legal buck" means a male deer with a minimum of four antler points on at least one antler. No more than 60 permits shall be issued to individuals licensed to hunt deer with firearms. The bag limit is two deer. This is special hunt area 929;

X. the city of Grand Rapids in Itasca County is open November 8 to 23 for taking antlerless deer and legal bucks. The bag limit is five deer. This is special hunt area 931;

Y. Lake Rebecca Park Reserve in Hennepin County is open November 22 and 23 for taking antlerless deer and legal bucks. No more than 80 permits shall be issued. There is no bag limit. All hunters must attend a mandatory orientation on November 12. This is special hunt area 933; and

Z. Whitewater State Game Refuge in Winona County is open November 22 to 30 for taking antlerless deer only. No more than 75 permits shall be issued to individuals licensed to hunt the late southeast B season. The bag limit is one deer. This is special hunt area 934.

## **6232.1750 DEER PERMIT AREA DESIGNATION.**

Subpart 1. **Designation.** The commissioner shall annually designate all deer permit areas as intensive, managed, or hunter choice, lottery, or bucks-only and shall establish permit quotas for taking deer of either sex in lottery deer permit areas. Unless otherwise specified, deer permit areas are comprised of registration blocks of the same number.

A. The following deer permit areas are designated bucks-only deer permit areas: 108, 117, 118, 119, 122, 126, 127, 169, 176, 177, 178, 180, 181, and 199.

B. The following deer permit areas are designated lottery deer permit areas: 101, 103, 105, 110, 111, 152, 155, 156, 159, 171, 172, 173, 179, 183, 184, 197, 203, 208, 213, 229, 234, 237, 238, 242, 246, 247, 250, 251, 252, 253, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 288, 289, 290, 291, 294, 295, 296, 297, 298, and 299.

C. The following deer permit areas are designated hunter choice deer permit areas: 157, 201, 209, 210, 214, 215, 218, 219, 221, 222, 223, 224, 225, 227, 230, 232, 233, 235, 236, 239, 240, 241, 248, 249, 254, 255, 256, 257, 292, 293, 338A, 338B, 339A, 339B, 341A, 341B, 342A, 342B, 344A, 344B, 345A, 345B, 347A, 347B, 348A, and 348B.

D. The following deer permit areas are designated managed deer permit areas: 114, 287, 343A, and 343B.

E. The following deer permit areas are designated intensive deer permit areas: 182, 346A, 346B, 349A, and 349B.

F. The following sub-permit areas are designated early antlerless deer areas:



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(1) Zone A: Beginning at the intersection of State Trunk Highway (STH) 76 and Interstate Highway 90 (I-90); thence along I-90 to United States Highway 61 (U.S. 61); thence along U.S. 61 to STH 16; thence along STH 16 to County State-Aid Highway (CSAH) 21, Houston County; thence along CSAH 21 to CSAH 9, Houston County; thence along CSAH 9 to STH 76; thence along STH 76 to the point of beginning. This sub-permit area is in deer permit area 346; and

(2) Zone B: Beginning at the intersection of State Trunk Highway (STH) 76 and County State-Aid Highway (CSAH) 4, Houston County; thence along STH 76 to STH 44; thence along STH 44 to CSAH 12, Houston County; thence along CSAH 12 to CSAH 4, Houston County; thence southerly along CSAH 4 to CSAH 19, Houston County; thence along CSAH 19 to CSAH 18, Fillmore County; thence along CSAH 18 to STH 43; thence along STH 43 to CSAH 10, Fillmore County; thence easterly along CSAH 10 to Township Road (TR) 211, Houston County; thence along TR 211 to CSAH 4; thence along CSAH 4 to the point of beginning. This sub-permit area is in deer permit area 349.

### **6232.1800 EITHER-SEX PERMITS AND PREFERENCE DRAWINGS.**

Subpart 1. **Procedures for applying for an either-sex permit.** Residents and nonresidents are eligible for one either-sex permits permit. A person may not apply for an either-sex deer permit without first purchasing a firearms or muzzleloader deer license. The application may be made for only one of the deer permit areas described in this part, and must be for the season option on the applicant's deer license. A person may submit more than one application for an either-sex permit. ~~A person may apply for an either-sex permit or a special hunt permit, but not both.~~ licensed hunter may apply for an either-sex permit or special hunt permit with the purchase of a firearms or muzzleloader license. If both licenses are purchased, a person may submit up to two permit applications. An either-sex permit is valid during both the firearms and muzzleloader seasons, provided the hunter has purchased both licenses.

The application deadline is the first Thursday following Labor Day.

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

Subp. 4. **2014 either-sex permit quotas - 100 series.** Up to the following quotas of either-sex permits are available in deer permit areas in the 100 series for the 2014 season:

A. 101: 25;

B. 103: 50;

C. 105: 100;

D. 110: 350;

E. 111: 50;

F. 152: 200;

G. 155: 500;

H. 156: 300;

I. 159: 500;

J. 171: 300;

K. 172: 500;

L. 173: 300;

M. 179: 500;

N. 183: 100;

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O. 184: 3000; and

P. 197: 200.

Subp. 5. 2014 either-sex permit quotas - 200 series. Up to the following quotas of either-sex permits are available in deer permit areas in the 200 series for the 2014 season:

A. 203: 25;

B. 208: 100;

C. 213: 2000;

D. 229: 300;

E. 234: 300;

F. 237: 200;

G. 238: 100;

H. 242: 500;

I. 246: 500;

J. 247: 300;

K. 250: 300;

L. 251: 100;

M. 252: 400;

N. 253: 300;

O. 258: 500;

P. 259: 500;

Q. 260: 100;

R. 261: 150;

S. 262: 150;

T. 263: 100;

U. 264: 500;

V. 266: 150;

W. 267: 100;

X. 268: 100;

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Y. 269: 250;

Z. 270: 100;

AA. 271: 250;

BB. 272: 100;

CC. 273: 1000;

DD. 274: 250;

EE. 275: 500;

FF. 276: 1100;

GG. 277: 2000;

HH. 278: 200;

II. 279: 600;

JJ. 280: 400;

KK. 281: 300;

LL. 282: 25;

MM. 283: 200;

NN. 284: 300;

OO. 285: 1100;

PP. 286: 400;

QQ. 288: 500;

RR. 289: 200;

SS. 290: 400;

TT. 291: 800;

UU. 294: 500;

VV. 295: 300;

WW. 296: 300;

XX. 297: 100;

YY. 298: 100; and

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ZZ. 299: 400.

## **6232.1970 TAKING DEER BY ARCHERY, FIREARMS, OR MUZZLELOADER UNDER EARLY ANTLERLESS PERMITS.**

Subpart 1. **Purchase.** A person who purchases and presents a license valid for the archery, firearm, or muzzleloader season may purchase up to ~~two~~ five early antlerless permits. Early antlerless permits may be purchased for one-quarter the cost of a regular license from electronic license system agents, the Department of Natural Resources License Center, and other authorized agents.

Subp. 2. **Restrictions.** For the early antlerless season, hunters must have an archery license, a firearms license valid for any season option, or a muzzleloader license. Up to ~~two~~ five early antlerless permits may be used to take antlerless deer by archery, firearms, or muzzleloader in deer areas as prescribed in part 6232.1750. At least one early antlerless permit must be purchased to participate in the season. Deer must be taken with equipment authorized by the license in possession.

## **6232.1980 TAKING DEER BY ANY WEAPON USING DISEASE MANAGEMENT PERMITS.**

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

Subp. 2. **Restrictions.** Disease management permits are not valid only in deer area 101 as described in part 6232.4700, subpart 1a for the 2014 season.

## **6232.2100 MUZZLELOADER SEASON AND AREAS.**

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

Subp. 3. **Legal deer by muzzleloader.** Antlerless deer and legal bucks may be taken by muzzleloader in any hunter choice, managed, or intensive deer permit area during the muzzleloader season in any managed or intensive area. Muzzleloader hunters may take Legal bucks may be taken in a lottery deer permit area or bucks-only deer permit area. Antlerless deer may be taken in a lottery deer permit area only if the person has obtained an either-sex permit through the procedure described in part 6232.1800.

Subp. 4. **2014 muzzleloader special hunt areas.** Muzzleloader hunters must possess a valid permit for the following special hunt areas authorized for the 2014 season:

A. portions of Jay Cooke State Park and Hemlock-Ravine Scientific and Natural Area in Carlton County are open December 6 to 10 for taking antlerless deer and legal bucks. No more than 120 permits shall be issued to individuals authorized to hunt during the muzzleloader season. The bag limit is two deer. This is special hunt area 935;

B. Crow Wing State Park in Crow Wing County is open December 5 to 7 for taking antlerless deer and legal bucks in an earn-a-buck hunt. No more than 25 permits shall be issued to individuals authorized to hunt during the muzzleloader season. The bag limit is one deer. This is special hunt area 936;

C. portions of Lake Vermilion-Soudan Underground State Park in St. Louis County are open November 29 to December 14 for taking antlerless deer and legal bucks. No more than 20 permits shall be issued to individuals authorized to hunt during the muzzleloader season. The bag limit is two deer. This is special hunt area 937;

D. portions of the city of Tower in St. Louis County are open November 29 to December 14 for taking antlerless deer and legal bucks. No more than 20 permits shall be issued to individuals authorized to hunt during the muzzleloader season. The bag limit is two deer. This is special hunt area 938;

E. Lake Shetek State Park in Murray County is open December 6 and 7 for taking antlerless deer only. The park is open only to individuals with a special hunt permit. No more than 15 permits shall be issued to individuals authorized to hunt during the muzzleloader season. The bag limit is two deer. This is special hunt area 939;

F. Lake Maria State Park in Wright County is open December 6 to 8 for taking antlerless deer and legal bucks in an earn-a-buck hunt. The park is open only to individuals with a special hunt permit. No more than 25 permits shall be issued to individuals authorized to hunt during the muzzleloader season. The bag limit is two deer. This is special hunt area 940;

G. Nerstrand Big Woods State Park and Prairie Creek Scientific and Natural Area in Rice County are open December 6 and 7 for taking antlerless deer and legal bucks in an earn-a-buck hunt. No more than 50 permits shall be issued to individuals authorized to hunt

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during the muzzleloader season. The bag limit is two deer. This is special hunt area 941;

H. Rice Lake State Park in Steele County is open December 6 and 7 for taking antlerless deer only. The park is open only to individuals with a special hunt permit. No more than 20 permits shall be issued to individuals authorized to hunt during the muzzleloader season. The bag limit is two deer. This is special hunt area 943;

I. Vermillion Highlands Research, Recreation, and Wildlife Management Area in Dakota County is open November 29 to December 14 for taking antlerless deer and legal bucks. No more than 20 permits shall be issued to individuals licensed to hunt during the muzzleloader season. All hunters must attend an orientation session. The bag limit is two deer. This is special hunt area 944;

J. Camp Ripley Military Reservation in Morrison County is open December 1 to 3 for taking antlerless deer and legal bucks. Camp Ripley Military Reservation is open only to individuals with a special hunt permit. No more than 20 permits shall be issued to Minnesota residents who have served in any branch of the United States armed forces. Hunters may use bonus permits to take antlerless deer and may take a deer of either sex on a regular muzzleloader license. The bag limit is two deer. This is special hunt area 945;

K. portions of the city of Grand Rapids in Itasca County are open November 29 to December 14 for taking antlerless deer and legal bucks. The bag limit is five deer. This is special hunt area 946; and

L. portions of Lake Bemidji State Park are open December 5 to 7 for taking antlerless deer and legal bucks. No more than 30 permits shall be issued to individuals authorized to hunt during the muzzleloader season. The bag limit is two deer. This is special hunt area 947.

## 6232.2500 DISABLED HUNT.

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

Subp. 2. **Open areas.** Disability permittees may hunt in open areas and seasons as designated by the commissioner and published in the annual hunting regulations booklet. In 2014, the following areas are open for hunting by disabled hunters:

A. Camp Ripley Military Reservation in Morrison County is open October 8 and 9 for taking antlerless deer and legal bucks using legal firearms or bows and arrows. No more than 60 permits shall be issued. One bonus permit may be used, but a hunter may not take more than one deer. The St. Cloud Veterans Affairs Medical Center is the sponsoring organization;

B. Rosemoen Island in the Lac qui Parle Wildlife Management Area Sanctuary in Chippewa County is open September 13 to 21 for taking antlerless deer and legal bucks using legal firearms or bows and arrows. No more than 20 permits shall be issued. The bag limit is two deer. This is special hunt area 999. Capable Partners is the sponsoring nonprofit organization;

C. Orwell Wildlife Management Area in Otter Tail County is open November 18 to 20 for taking antlerless deer and legal bucks using legal firearms and bows and arrows. No more than six permits shall be issued. The bag limit is one either-sex deer. Midwest Outdoors Unlimited is the sponsoring organization;

D. Rice Lake National Wildlife Refuge is open October 2 to 5 for taking antlerless deer and legal bucks using legal firearms. No more than 20 permits shall be issued. A hunter may not take more than one deer. The Friends of the Rice Lake National Wildlife Refuge is the sponsoring organization;

E. portions of the Legionville School Patrol Camp in Crow Wing County are open October 3 to 5 for taking antlerless deer and legal bucks using legal firearms. No more than four permits shall be issued. The bag limit is one either-sex deer. The Sons of the American Legion is the sponsor;

F. Crane Meadows National Wildlife Refuge in Morrison County is open October 14 and 15 for taking antlerless deer or legal bucks using legal firearms. No more than 15 permits shall be issued. One bonus permit may be used, but the bag limit is one either-sex deer. Midwest Outdoors Unlimited is the sponsor;

G. Bend in the River Park is open October 21 and 22 for taking antlerless deer or legal bucks using legal firearms. No more than five permits shall be issued. One bonus permit may be used, but the bag limit is one either-sex deer. Midwest Outdoors Unlimited is the sponsor;



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H. Vermillion Highlands Research, Recreation, and Wildlife Management Area is open September 13 and 14 and October 25 and 26 for taking antlerless deer and legal bucks. No more than 20 permits shall be issued. The bag limit is two deer. Capable Partners is the sponsor;

I. portions of Wasioja Township in Dodge County; Sumner and Fountain Townships in Fillmore County; Pleasant Valley and Sargeant Townships in Mower County; and High Forest Township in Olmsted County are open October 16 to 19 for taking antlerless deer and legal bucks using legal firearms. No more than 10 permits shall be issued. The bag limit is one either-sex deer. Special Youth Challenge of Minnesota is the sponsor; and

J. portions of Carlos Avery Wildlife Management Area Sanctuary in Anoka County are open October 4 to 12 for taking antlerless deer and legal bucks using legal firearms or bows and arrows. No more than 30 permits shall be issued. The bag limit is two deer. Capable Partners is the sponsor.

## **6232.4700 REGISTRATION BLOCKS.**

[For text of subps 1 to 15, see M.R.]

Subp. 16. **Registration Block 122.** Registration Block 122 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 1 and County State-Aid Highway (CSAH) 2, Lake County; thence southerly along CSAH 2 to the Duluth, Missabe and Iron Range Railroad (DM&IR); thence southerly and westerly along the DM&IR to St. Louis County Road (CR) 547 at Brimson; thence westerly along CR 547 to CSAH 4, St. Louis County; thence northerly along CSAH 4 to the point immediately south of the Superior National Forest boundary at Whiteface Reservoir; thence due north along the forest boundary to Township Road 340 (Deer Forest Road); then north along Deer Forest Road to CSAH 16, St. Louis County; thence easterly along CSAH 16 to Forest Road (FR) 130 (Moose Line Road); thence along FR 130 (Moose Line Road) to CSAH 110; thence northerly and easterly to the DM&IR; thence along the DM&IR to the LTV/Erie Railroad; thence along the LTV/Erie Railroad to FR 424 (Tomahawk Road); thence along FR 424 to STH 1; thence along STH 1 southerly to the point of beginning.

[For text of subps 17 to 42, see M.R.]

Subp. 43. **Registration Block 178.** Registration Block 178 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 169 and STH 53 at Virginia; thence along STH 53 to County State-Aid Highway (CSAH) 135, St. Louis County; thence easterly along CSAH 135 to CSAH 100, St. Louis County; thence along CSAH 100 to CSAH 110, St. Louis County; thence along CSAH 110 to Forest Road (FR) 130 (Moose Line Road); thence along FR 130 (Moose Line Road) to CSAH 16, St. Louis County; thence westerly along CSAH 16 to Township Road 340 (Deer Forest Road)/Superior National Forest boundary; thence southerly to the shoreline of the Whiteface Reservoir; thence south to the Whiteface River to CSAH 4; thence along CSAH 4 to CSAH 49; thence along CSAH 49 to U.S. Highway 53; thence along U.S. Highway 53 to CSAH 133; thence along CSAH 133 to CSAH 25; thence along CSAH 25 to U.S. Highway 2; thence along U.S. Highway 2 to STH 65; thence northerly along STH 65 to STH 169; thence along STH 169 to the point of beginning.

[For text of subps 44 to 99, see M.R.]

Subp. 100. **Registration Block 347.** Registration Block 347 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 63 and State Trunk Highway (STH) 30; thence along U.S. Highway 63 to the south boundary of the state; thence along the south boundary of the state to STH 138; thence along STH 138 to U.S. Highway 52; thence along U.S. Highway 52 to STH 30; thence along STH 30 to the point of beginning.

[For text of subps 101 to 158, see M.R.]

**REPEALER.** Minnesota Rules, part 6232.0400, subpart 5, is repealed.

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**EFFECTIVE PERIOD.** The expedited emergency amendments to *Minnesota Rules*, parts 6232.0200; 6232.0300; 6232.0400; 6232.0800; 6232.1300; 6232.1600; 6232.1750; 6232.1800; 6232.1970; 6232.1980; 6232.2100; 6232.2500; and 6232.4700, expire December 31, 2014. After the emergency amendment to *Minnesota Rules* expire, the permanent rules as read prior to these amendments again take effect, except as they may be amended by permanent rule. *Minnesota Rules*, part 6232.0350, expires December 31, 2014.

## Minnesota Department of Natural Resources (DNR) Adopted Expedited Emergency Game and Fish Rules: 2014 Camp Ripley Archery Deer Hunt Quota; 2014 Prairie Chicken Hunting

### 6232.0900 CAMPRIPLEY ARCHERY HUNT.

Subpart 1. **Deer season and hunter quota.** Camp Ripley may be open, by permit only, for the taking of deer by archery. Open dates are the two-day period beginning the third Thursday in October 15 and 16 and the two-day period beginning the last Saturday in October.

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

Subp. 3. **Antlerless deer and legal bucks.** In 2014, Camp Ripley is open for taking antlerless deer and legal bucks. No more than 2,000 permits shall be issued for each two-day hunting period.

Subp. 4. **Bag limits.** The bag limit for the Camp Ripley archery hunt is one deer. Hunters may use bonus permits to take antlerless deer or may take a deer of either sex on a regular license.

### 6237.0200 PRAIRIE CHICKEN HUNT DRAWING.

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

Subp. 2. **Participation in application drawings.**

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

F. The application deadline is the last Friday in July nearest August 17.

[For text of subps 3 to 6, see M.R.]

### 6237.0400 TAKING PRAIRIE CHICKENS.

Subpart 1. **Open season and methods.** Prairie chickens may be taken during the five-day nine-day period beginning on the last Saturday nearest October 20 in September.

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

Subp. 4. **Open areas.** Prairie chicken permit areas are open for the prairie chicken season as prescribed by the commissioner. Prairie chicken licenses are valid only in the prairie chicken permit area specified on the license. The following prairie chicken permit areas, as described in part 6237.0550, are open with prescribed quotas for the 2014 season:

#### Permit Area Quota

801A:	0 - closed
803A:	10
804A:	12
805A:	12
806A:	12
807A:	20
808A:	15
809A:	15
810A:	15
811A:	5

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812A: 5  
813A: 5  
Total: 126

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

## 6237.0550 PRAIRIE CHICKEN PERMIT AREA DESCRIPTION.

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

Subp. 2. [See repealer.]

Subp. 3. **Area 803A.** Prairie chicken permit area 803A consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of United States Highway (U.S.) 59 and State Trunk Highway (STH) 32; thence along U.S. 59 to U.S. 2; thence along U.S. 2 to STH 32; thence along STH 32 and Pennington County State-Aid Highway (CSAH) 3; thence along U.S. 59 to U.S. 2; thence along U.S. 2 to U.S. 75; thence along U.S. 75 to Polk CSAH 21; thence along Polk CSAH 21 to Pennington CSAH 3; thence along Pennington CSAH 3 to the point of beginning.

[For text of subps 4 to 11, see M.R.]

Subp. 12. **Area 812A.** Prairie chicken permit area 812A consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 32 and STH 113; thence along STH 113 to United States Highway (U.S.) 59; thence along U.S. 59 to U.S. 10; thence along U.S. 10 to STH 32; thence along STH 32 to the point of beginning.

Subp. 13. **Area 813A.** Prairie chicken permit area 813A consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 32 and Polk County State-Aid Highway (CSAH) 1; thence along CSAH 1 to United States Highway (U.S.) 59; thence along U.S. 59 to STH 113; thence along STH 113 to STH 32; thence along STH 32 to the point of beginning.

**REPEALER.** Minnesota Rules, part 6237.0550, subpart 2, is repealed.

**EFFECTIVE PERIOD.** The emergency amendments to Minnesota Rules, parts 6232.0900, 6237.0200, 6237.0400, and 6237.0550, and the repealer expire December 31, 2014. After the emergency amendments and repealer expire, the permanent rules as they read prior to those amendments or repealer again take effect, except as they may be amended by permanent rule.

## Minnesota Department of Natural Resources (DNR) Adopted Expedited Emergency Game and Fish Rules: State Game Refuges, Wildlife Management Areas, and Furbearer Seasons

### 6230.0200 SPECIAL PROVISIONS FOR WILDLIFE MANAGEMENT AREAS.

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

Subp. 11. **Areas with other restrictions.**

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

[For text of item E, see 38 SR 1145]

F. The Sandstone Wildlife Management Area in Pine County is closed to firearms hunting for deer, bear, and wolf but open to hunting and trapping of all other species by legal means during designated seasons.

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# Expedited Emergency Rules

Subp. 12. **Sanctuary areas open to hunting.** The following sanctuary areas of wildlife management areas posted with “Wildlife Sanctuary Do Not Trespass” signs are open for hunting as specified:

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

[For text of item B, see 38 SR 1277]

C. The Haverhill Wildlife Management Area in Olmsted County is open to pheasant hunting on October 25 for youth ages 12 to 17 who are participating in the Pheasants Forever special mentored youth hunt. Pheasants Forever is sponsoring the hunt.

D. The posted sanctuary within the Ricehaven Wildlife Management Area in St. Louis County is open:

(1) May 1 through September 14 for wild rice harvesting during the wild rice season, canoeing, and birdwatching; and

(2) November 25 through April 30 for hunting and trapping of any species for which there is an open season.

[For text of subp 13, see M.R.]

## **6230.0295 VERMILLION HIGHLANDS WILDLIFE MANAGEMENT AREA.**

Subpart 1. **Hunting.** The Vermillion Highlands Wildlife Management Area located in Dakota County is closed to all hunting and trapping except:

A. archery, firearms, and muzzleloader deer hunting by special permit only;

B. pheasant and Canada goose hunting starting on the day following the close of the muzzleloader deer season through the end of the respective statewide seasons;

C. trapping and predator hunting by special permit only; and

D. spring turkey hunting.

Subp. 2. [See repealer.]

## **6230.0400 SPECIAL PROVISIONS FOR STATE GAME REFUGES.**

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

Subp. 2. **Bemidji Game Refuge, Beltrami County.** The Bemidji Game Refuge in Beltrami County is open to:

A. small game hunting, except waterfowl, through the Thursday nearest November 4 and after the close of the 200 Series firearms deer season November 23;

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

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

Subp. 5. **Clay County Game Refuge, Clay County.** The Clay County Game Refuge in Clay County is open to:

A. ~~prairie chickens~~ small game hunting, except ducks and geese during the regular duck season;

B. deer and bear hunting by firearms;

C. deer and bear hunting by archery; and

D. Canada goose hunting during the early goose season.

[For text of subps 6 to 11, see M.R.]

Subp. 12. **Fish Lake-Ann River Game Refuge, Kanabec County.** The Fish Lake-Ann River Game Refuge in Kanabec County is open to all hunting and trapping, ~~except waterfowl~~.

[For text of subps 13 to 42, see M.R.]

Subp. 43. **Schoolcraft Game Refuge, Hubbard County.** The Schoolcraft Game Refuge in Hubbard County is open to:

A. small game hunting, except waterfowl, through the Thursday nearest November 4 and after December 31;

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

[For text of subps 44 to 48, see M.R.]

# Expedited Emergency Rules

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Subp. 49. **Warroad Game Refuge, Roseau County.** The Warroad Game Refuge in Roseau County is open to:

A. trapping; and

B. archery deer hunting as described in part 6232.0600.

[For text of subs 50 to 54, see M.R.]

Subp. 55. **Collegetown (St. John's) Game Refuge, Stearns County.** The Collegetown (St. John's) Game Refuge in Stearns County is open to archery deer hunting and firearms deer and bear hunting during the established seasons, by written permission of the landowner.

[For text of subs 56 to 60, see M.R.]

Subp. 61. **St. Cloud Game Refuge, Stearns County.** The St. Cloud Game Refuge in Stearns County is open to taking deer and bear by archery.

Subp. 62. **Hagali-Rice Game Refuge, Beltrami County.** The Hagali-Rice Game Refuge in Beltrami County is open to:

A. small game hunting, except waterfowl, beginning November 1 through the end of the respective seasons;

B. trapping beginning November 1 through the end of the respective seasons;

C. deer and bear hunting by archery; and

D. deer hunting by firearms.

## 6234.0500 TAKING GRAY PARTRIDGE.

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

Subp. 3. **Bag limit.** A person may not take more than five gray partridge per day or possess more than ten gray partridge at a time.

## 6234.1700 TAKING FISHER AND PINE MARTEN.

Subpart 1. **Open season.** Fisher and pine marten may be taken by trapping from the first Saturday following Thanksgiving to the Sunday nearest ~~December 12~~ December 4.

Subp. 2. **Bag limits.** The combined limit for fisher and pine marten is ~~five~~ two per season, in aggregate. A person may not take more than ~~five~~ two fisher and pine marten, combined, per season or possess more than ~~five~~ two fisher and pine marten, combined, at a time, except that a person may possess additional pelts that the person lawfully took, tagged, and registered during previous seasons.

Subp. 3. **Validation and tagging.** Each pine marten or fisher must be validated on a site validation coupon issued by the state. The person taking the animal must validate the coupon at and prior to removing the animal from the kill site. The coupons must be obtained and validated according to part 6234.2600. Pelts and skinned carcasses of fisher and pine marten are subject to the provisions of part 6234.2600.

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

## 6234.1900 TAKING BEAVER.

Subpart 1. **Open season and bag limits for beaver in North Zone.** Beaver may be taken and possessed without limit by trapping from 9:00 a.m. on the Saturday nearest October 26 to ~~May 15~~ April 30 in that portion of the state described in part 6234.1000, subpart 3.

Subp. 2. **Open season and bag limits for beaver in South Zone.** Beaver may be taken and possessed without limit by trapping from 9:00 a.m. on the Saturday nearest October 30 to ~~May 15~~ April 30 in that portion of the state described in part 6234.1000, subpart 4.

[For text of subp 3, see 38 SR 1381]

## 6234.2000 TAKING OTTER.

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

Subp. 2. **Open season and area for otter in South Zone.** ~~Except as provided in subpart 1,~~ Otter may be taken by trapping from 9:00



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# Expedited Emergency Rules

a.m. on the Saturday nearest October 30 to the Sunday nearest January 6 in that portion of the state described in part 6234.1000, subpart 4.

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

Subp. 4. **Validation and tagging otter.** Each otter must be validated on a site validation coupon issued by the state. The person taking the animal must validate the coupon at and prior to removing the animal from the kill site. The coupons must be obtained and validated according to part 6234.2600. Pelts are subject to the provisions of part 6234.2600.

## 6234.2200 USE OF TRAPS.

[For text of subps 1 to 5, see M.R.]

[For text of subp 5a, see 38 SR 727]

[For text of subps 6 to 11, see M.R.]

Subp. 12. **Authorized agent.** A trapper may authorize, in writing, an agent who possesses all necessary licenses to check, pick up, and reset, at the same site, traps set by the trapper. Authorized agents may remove trapped animals and, if the animal removed from the trap is required to be tagged validated as provided by part 6234.2600, must affix their own tag to the animal validate their own site validation coupon as prescribed at and prior to removing the animal from the site of the kill.

[For text of subps 13 to 16, see 38 SR 727]

## 6234.2400 SPECIAL RESTRICTIONS ON USE OF SNARES.

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

Subp. 2. **Farmland Furbearer Zone restrictions.** In the Farmland Furbearer Zone, a person may use snares as follows:

A. from April 1 to ~~November 30~~ October 24, a person may not set, place, or operate any snare except as a waterset in the North Mink/Muskrat/Beaver/Otter Zone described in part 6234.1000, subpart 3;

B. from October 25 to March 31, a person may not set, place, or operate any snare on public lands, including the surface of frozen water within public lands, on road rights-of-way, or in fencelines along road rights-of-way, except as a water set in the North Mink/Muskrat/Beaver/Otter Zone, described in part 6234.1000, subpart 3;

C. from April 1 to October 31, a person may not set, place, or operate any snare except as a waterset in that part of the state lying outside the North Mink/Muskrat/Beaver/Otter Zone described in part 6234.1000, subpart 3; and

~~B, D.~~ from ~~December~~ November 1 to March 31, a person may not set, place, or operate any snare on public lands, including the surface of frozen water within public lands, on road rights-of-way, or in fencelines along road rights-of-way, except as a waterset in that part of the state lying outside the North Mink/Muskrat/Beaver/Otter Zone as described in part 6234.1000, subpart 3.

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

[For text of subps 8 and 9, see 38 SR 727]

[For text of subps 10 and 11, see M.R.]

## 6234.2600 PELT TAGGING AND REGISTRATION.

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

Subp. 3. **Registration of pelts.** The pelt of each bobcat, fisher, pine marten, and otter ~~and the whole carcass of each bobcat~~ must be presented along with completed site validation coupons for each fisher, pine marten, or otter, by the person taking it, to a state wildlife manager designee for registration before the pelt is sold and before the pelt is transported out of the state, but in no event more than ~~48~~ 24 hours after the season closes for ~~each species, respectively fisher and pine marten and 48 hours after the season closes for otter and bobcat.~~ The entire carcass of bobcat and the entire head of pine marten and fisher must be surrendered to the state wildlife manager designee. The pelt of bobcat, otter, fisher, and pine marten must have been removed from the carcass.

Subp. 4. **Prohibition on validation or tagging animals not personally taken.** A person may not validate a site validation coupon or affix any tag or seal to the pelt or carcass of any animal that the person did not take or is not authorized to take.

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

# Expedited Emergency Rules

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## Subp. 6. Obtaining and using site validation coupons.

A. Fisher, otter, and pine marten site validation coupons may be obtained at no cost through the electronic licensing system.

B. The site validation coupon is part of the trapper's license to take fisher, otter, and pine marten and must be in the trapper's possession while taking and transporting these species.

C. Site validation coupons are not transferable.

Subp. 7. Validating coupons. Site validation coupons must be notched with a knife or other sharp instrument in the appropriate locations indicating the species for fisher or pine marten, month, and date and time (a.m./p.m.) the animal was taken. The coupon must be validated at and prior to removing the animal from the kill site.

**REPEALER.** *Minnesota Rules*, part 6230.0295, subpart 2, is repealed. The expedited emergency amendments to *Minnesota Rules*, parts 6230.0295; 6230.0400; 6234.1900; and 6234.2400, published in the *State Register*, volume 38, page 185, August 5, 2013, are repealed.

**EFFECTIVE PERIOD.** The emergency amendments to *Minnesota Rules*, parts 6234.0500, 6234.1700, 6234.2000, 6234.2200, and 6234.2600, expire January 31, 2015. The emergency amendments to *Minnesota Rules*, parts 6230.0200, 6230.0295, 6230.0400, 6234.1900, and 6234.2400, expire August 15, 2015. After the emergency amendments expire, the permanent rules as they read prior to those amendments again take effect, except as they may be amended by permanent rule.

## Executive Orders

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

## Office of the Governor

### Executive Order 14-13: Establishing the Governor's Committee on the University of Minnesota Medical School

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

**WHEREAS**, the University of Minnesota Medical School plays a crucial role in ensuring Minnesota remains a leader in health care transformation and provides quality health care to its citizens; and

**WHEREAS**, the University of Minnesota Medical School's continued success is vital in achieving Minnesota's goals of improving patient and population health, lowering costs, and improving health care experiences.

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# Executive Orders

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

1. The Governor's Committee on the University of Minnesota Medical School is created to advise the Governor and Legislature on future strategies, investments, and actions to strengthen the position of the University's Medical School.
2. The Committee will consist of a Blue Ribbon Commission of members appointed by the Governor.
3. The purpose of the Blue Ribbon Commission is to:
  - a. Ensure the Medical School's national preeminence by attracting and retaining world-class faculty, staff, students, and residents.
  - b. Sustain the University's national leadership in health care research, innovation, and service delivery, capitalizing on the State's investments in biomedical research and technology.
  - c. Expand the University's clinical services to strengthen its ability to serve as a statewide health care resource for providers and patients, as a training site for health professional students and residents, and as a site for cutting-edge clinical research.
  - d. Address the state's health workforce needs to serve Minnesota's broad continuum of health care needs, including primary care, a growing aged population, and increased chronic health needs.
4. The Blue Ribbon Commission will provide recommendations and convey its findings in a report to the Governor's Office, the Legislature, and the public by December 15, 2014.
5. The Commissioner of the Office of Higher Education will provide general administrative and technical support to the Blue Ribbon Commission.
6. The Blue Ribbon Commission will make its meetings open to the public and provide opportunities for public comment.

This Executive Order is effective fifteen days after publication in the *State Register* and filing with the Secretary of State, and shall remain in effect until rescinded by proper authority or until it expires in accordance with *Minnesota Statutes*, section 4.035, subdivision 3.

**IN TESTIMONY WHEREOF**, I have set my hand on this 30th day of July, 2014.

Signed: **Mark Dayton, Governor**

Filed According to Law

Signed: **Mark Ritchie, Secretary of State**

# Official Notices

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

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

## Minnesota Department of Human Services (DHS) 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 NOTICE OF INTENT TO REPEAL OBSOLETE RULE

**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 6, 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](mailto: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.

**Comments.** You have until 4:30 p.m. on Monday, October 6, 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 6, 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: 23 July 2014

Lucinda E. Jesson, Commissioner  
Minnesota Department of Human Services

## Minnesota Department of Human Services (DHS) Children and Family Services Updated Child Care Fund Sliding Fee Biweekly Copayment Schedule

Pursuant to *Minnesota Statutes* section 119B, and *Minnesota Rules*, part 3400.0100, Subp. 5 (Publication of state median income and fee schedule in *State Register*), the Department of Human Services hereby gives notice of the updated Child Care Fund Sliding Fee Biweekly Copayment Schedule. This schedule is based on the FFY15 state median income as published in the July 21, 2014 *Federal Register*. The schedule published is for family sizes of two through six for a biweekly period and is effective October 13, 2014 until further notice. Please contact the Child Care Assistance Program for the schedule for larger families. This fee schedule replaces the schedule published August 5, 2013.

Any questions about the updated schedule should be directed to:

Child Care Assistance Program  
Department of Human Services  
Children and Family Services  
P. O. Box 64962  
St. Paul, MN 55164-0962  
Phone: (651) 431-4045

# Official Notices

## Two Person Household

State Median Income (SMI) \$61,080  
 47% of SMI (Entrance Limit) **\$28,708**

Gross Income Range	Biweekly Copayment
\$0 - \$11,797	\$ -
\$11,798 - \$15,729	\$ 2
\$15,730 - \$16,936	\$ 17
\$16,937 - \$17,743	\$ 18
\$17,744 - \$18,549	\$ 18
\$18,550 - \$19,355	\$ 19
\$19,356 - \$20,162	\$ 23
\$20,163 - \$20,968	\$ 24
\$20,969 - \$21,780	\$ 24
\$21,781 - \$22,580	\$ 25
\$22,581 - \$23,393	\$ 29
\$23,394 - \$24,199	\$ 30
\$24,200 - \$25,005	\$ 31
\$25,006 - \$25,811	\$ 38
\$25,812 - \$26,618	\$ 39
\$26,619 - \$27,424	\$ 47
\$27,425 - \$28,230	\$ 52
\$28,231 - \$29,036	\$ 56
\$29,037 - \$29,843	\$ 65
\$29,844 - \$30,649	\$ 70
\$30,650 - \$31,455	\$ 76
\$31,456 - \$32,261	\$ 85
\$32,262 - \$33,068	\$ 96
\$33,069 - \$33,874	\$ 108
\$33,875 - \$34,680	\$ 123
\$34,681 - \$35,486	\$ 138
\$35,487 - \$36,293	\$ 153
\$36,294 - \$37,099	\$ 165
\$37,100 - \$37,911	\$ 177
\$37,912 - \$38,718	\$ 190
\$38,719 - \$39,524	\$ 204
\$39,525 - \$40,924	\$ 220
\$40,925	INELIGIBLE

## Three Person Household

State Median Income (SMI) \$75,452  
 47% of SMI (Entrance Limit) **\$35,462**

Gross Income Range	Biweekly Copayment
\$0 - \$14,842	\$ -
\$14,843 - \$19,789	\$ 2
\$19,790 - \$20,922	\$ 21
\$20,923 - \$21,918	\$ 22
\$21,919 - \$22,914	\$ 23
\$22,915 - \$23,910	\$ 24
\$23,911 - \$24,906	\$ 28
\$24,907 - \$25,902	\$ 29
\$25,903 - \$26,905	\$ 30
\$26,906 - \$27,894	\$ 31
\$27,895 - \$28,897	\$ 36
\$28,898 - \$29,893	\$ 37
\$29,894 - \$30,889	\$ 38
\$30,890 - \$31,885	\$ 47
\$31,886 - \$32,881	\$ 48
\$32,882 - \$33,877	\$ 58
\$33,878 - \$34,873	\$ 64
\$34,874 - \$35,869	\$ 70
\$35,870 - \$36,865	\$ 80
\$36,866 - \$37,861	\$ 87
\$37,862 - \$38,857	\$ 93
\$38,858 - \$39,853	\$ 105
\$39,854 - \$40,849	\$ 119
\$40,850 - \$41,845	\$ 134
\$41,846 - \$42,841	\$ 151
\$42,842 - \$43,837	\$ 170
\$43,838 - \$44,833	\$ 189
\$44,834 - \$45,829	\$ 204
\$45,830 - \$46,832	\$ 219
\$46,833 - \$47,828	\$ 235
\$47,829 - \$48,824	\$ 251
\$48,825 - \$50,553	\$ 272
\$50,554	INELIGIBLE

## Four Person Household

State Median Income (SMI) \$89,824  
 47% of SMI (Entrance Limit) **\$42,217**

Gross Income Range		Biweekly Copayment
\$0	\$17,887	\$ -
\$17,888	\$23,849	\$ 2
\$23,850	\$24,907	\$ 25
\$24,908	\$26,093	\$ 26
\$26,094	\$27,279	\$ 27
\$27,280	\$28,464	\$ 29
\$28,465	\$29,650	\$ 33
\$29,651	\$30,836	\$ 35
\$30,837	\$32,030	\$ 36
\$32,031	\$33,207	\$ 37
\$33,208	\$34,402	\$ 42
\$34,403	\$35,587	\$ 44
\$35,588	\$36,773	\$ 45
\$36,774	\$37,959	\$ 56
\$37,960	\$39,144	\$ 58
\$39,145	\$40,330	\$ 69
\$40,331	\$41,516	\$ 76
\$41,517	\$42,701	\$ 83
\$42,702	\$43,887	\$ 96
\$43,888	\$45,073	\$ 103
\$45,074	\$46,258	\$ 111
\$46,259	\$47,444	\$ 125
\$47,445	\$48,630	\$ 142
\$48,631	\$49,815	\$ 160
\$49,816	\$51,001	\$ 180
\$51,002	\$52,187	\$ 202
\$52,188	\$53,372	\$ 225
\$53,373	\$54,558	\$ 242
\$54,559	\$55,753	\$ 261
\$55,754	\$56,938	\$ 280
\$56,939	\$58,124	\$ 299
\$58,125	\$60,182	\$ 324
\$60,183		INELIGIBLE

## Five Person Household

State Median Income (SMI) \$104,196  
 47% of SMI (Entrance Limit) **\$48,972**

Gross Income Range		Biweekly Copayment
\$0	\$20,932	\$ -
\$20,933	\$27,909	\$ 2
\$27,910	\$28,893	\$ 29
\$28,894	\$30,268	\$ 30
\$30,269	\$31,643	\$ 32
\$31,644	\$33,019	\$ 33
\$33,020	\$34,394	\$ 38
\$34,395	\$35,769	\$ 40
\$35,770	\$37,155	\$ 42
\$37,156	\$38,520	\$ 43
\$38,521	\$39,906	\$ 49
\$39,907	\$41,281	\$ 51
\$41,282	\$42,657	\$ 53
\$42,658	\$44,032	\$ 65
\$44,033	\$45,408	\$ 67
\$45,409	\$46,783	\$ 80
\$46,784	\$48,158	\$ 88
\$48,159	\$49,534	\$ 96
\$49,535	\$50,909	\$ 111
\$50,910	\$52,285	\$ 120
\$52,286	\$53,660	\$ 129
\$53,661	\$55,035	\$ 145
\$55,036	\$56,411	\$ 164
\$56,412	\$57,786	\$ 185
\$57,787	\$59,161	\$ 210
\$59,162	\$60,537	\$ 234
\$60,538	\$61,912	\$ 260
\$61,913	\$63,288	\$ 281
\$63,289	\$64,673	\$ 302
\$64,674	\$66,049	\$ 324
\$66,050	\$67,424	\$ 347
\$67,425	\$69,811	\$ 376
\$69,812		INELIGIBLE



# Official Notices

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## Six Person Household

State Median Income (SMI)	\$118,568
47% of SMI (Entrance Limit)	<b>\$55,727</b>
Gross Income Range	Biweekly Copayment
\$0 \$23,977	\$ -
\$23,978 \$31,969	\$ 2
\$31,970 \$32,878	\$ 33
\$32,879 \$34,443	\$ 35
\$34,444 \$36,008	\$ 36
\$36,009 \$37,573	\$ 38
\$37,574 \$39,138	\$ 44
\$39,139 \$40,703	\$ 46
\$40,704 \$42,280	\$ 48
\$42,281 \$43,834	\$ 49
\$43,835 \$45,411	\$ 56
\$45,412 \$46,976	\$ 58
\$46,977 \$48,541	\$ 60
\$48,542 \$50,106	\$ 74
\$50,107 \$51,671	\$ 76
\$51,672 \$53,236	\$ 91
\$53,237 \$54,801	\$ 100
\$54,802 \$56,366	\$ 109
\$56,367 \$57,931	\$ 126
\$57,932 \$59,496	\$ 136
\$59,497 \$61,062	\$ 147
\$61,063 \$62,627	\$ 165
\$62,628 \$64,192	\$ 187
\$64,193 \$65,757	\$ 210
\$65,758 \$67,322	\$ 238
\$67,323 \$68,887	\$ 267
\$68,888 \$70,452	\$ 296
\$70,453 \$72,017	\$ 320
\$72,018 \$73,594	\$ 344
\$73,595 \$75,159	\$ 369
\$75,160 \$76,724	\$ 395
\$76,725 \$79,441	\$ 428
\$79,442	INELIGIBLE

## 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 Management & Budget (MMB)

### Budget Services Division

#### Notice of Rate for Provider Tax Research Credit

**NOTICE IS HEREBY GIVEN** that pursuant to *Minnesota Statutes* 295.53, Subdivision 4a and 4a(e), the research tax credit for companies subject to the gross earnings tax under *Minnesota Statutes* 295.52 shall be 1.0 percent of revenues for patient services used to fund expenditures for qualifying research conducted by an allowable research program in calendar year 2015.

For additional information, please call Angela Vogt, Executive Budget Coordinator, at (651) 201-8036.

Jim Schowalter, Commissioner  
Minnesota Management & Budget

## Minnesota Pollution Control Agency (MPCA)

### Public Notice on Draft / Proposed Air Emission Facility Part 70 Manufacturing General Permit

**NOTICE IS HEREBY GIVEN**, that the Commissioner of the Minnesota Pollution Control Agency (MPCA) proposes to issue a federal general permit governing certain manufacturing sources located in Minnesota. The issuance of this general permit is authorized by *Minnesota Rules* 7007.1100, subp. 1, which allows the MPCA to issue a general permit if “numerous and similar stationary sources are subject to substantially similar regulatory requirements.” The general permit applies to new and existing sources.

The stationary source eligible for the proposed general permit are major sources as defined in *Minnesota Rules* 7007.0200. The general permit covers stationary sources required to obtain permits under *Minnesota Rules* 7007.0250. The proposed general permit contains federally enforceable conditions to limit the Potential-To-Emit (PTE) of Particulate Matter (PM), Particulate Matter less than 10 microns (PM<sub>10</sub>), Particulate Matter less than 2.5 microns (PM<sub>2.5</sub>), Carbon Monoxide (CO), Nitrogen Oxides (NO<sub>x</sub>), and Hazardous Air Pollutants (HAPs) to 90 tons per year (tpy) or less; Ozone (Volatile Organic Compounds (VOC)) to 225 tpy or less; and Greenhouse Gas (GHG) to 90,000 tpy or less as Carbon Dioxide Equivalent (CO<sub>2</sub>e). Therefore, each stationary source covered by this general permit is a non major source as defined in 40 CFR § 52.21, Prevention of Significant Deterioration (*Minnesota Rules* 7007.3000). Also, each stationary source is a non major source as defined in 40 CFR § 52.24 (*Minnesota Rules* 7007.4000) for all pollutants.

Each stationary source eligible for the proposed general permit may include the following types of equipment and activities for which a permit is required by *Minnesota Rules* 7007.0150: Abrasive blasting, adhesive, bag houses, boilers, burn-off ovens, casting, catalytic or thermal afterburners, cleaning (including acid cleaning, degreasers, general cleanup with solvents), dip tanks, fabric filters, fuel storage, furnaces, injection molding, internal combustion engines (generators), lamination, mixing, molding, ovens, resin and gel coating, sanding, screen printing, space heaters, spraying and coating activities, stenciling, storage tanks, wall/panel filters, water wash paint booths, and/or any of the insignificant activities listed in *Minnesota Rules* 7007.1300 and/or conditionally insignificant activities listed in *Minnesota Rules* 7008.

A stationary source is not eligible for the proposed general permit, or ceases to be eligible for the proposed general permit, if any of the following are true:

# Official Notices

1. The stationary source has an emission unit other than those described above.
2. The stationary source has an emission unit subject to a Standard of Performance for New Stationary Sources in 40 CFR pt. 60 already adopted other than 40 CFR pt. 60, subp. Kb for volatile organic liquid storage vessels, and subp. IIII for compression ignition internal combustion.
3. The stationary source is affected by a 40 CFR pt. 63 National Emission Standard for Hazardous Air Pollutants (NESHAP) already adopted other than 40 CFR pt. 63, subp. MMMM for surface coating of miscellaneous metal parts and products, subp. PPPP for surface coating of plastic parts, subp. WWWW for reinforced plastic composites production, subp. ZZZZ for reciprocating internal combustion engines, and subp. DDDDD for industrial/commercial/institutional boilers and process heaters.
4. The stationary source is one of the source categories listed in 40 CFR § 52.21(b)(1)(iii), the PSD of air quality rule.
5. The stationary source is located in or comes to be located in a PM<sub>10</sub> maintenance area.
6. The stationary source includes a type of control equipment not covered in the proposed general permit.
7. The stationary source emits at any time a 12-month rolling sum of more than 90 tons of PM, PM<sub>10</sub>, PM<sub>2.5</sub>, CO, NO<sub>x</sub>, or HAPs.
8. The stationary source emits at any time a 12-month rolling sum of more than 225 tons of VOC.
9. The stationary source emits at any time a 12-month rolling sum of more than 90,000 tons of CO<sub>2e</sub>.

A summary of the highest allowable PTE rates in tpy for each stationary source described in the proposed general permit are as follows:

Pollutant	PM	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	VOC	CO	CO <sub>2e</sub>	HAP
Total Facility PTE	90	90	90	90	225	90	90,000	100

As allowed by *Minnesota Rules* 7007.1100, subp. 5, the MPCA has developed a source-specific permit application that does not include all the required information given in *Minnesota Rules* 7007.0100 to 7007.1850. The differences between the application requirements and this general permit application are discussed in the Technical Support Document. The MPCA has developed application forms tailored to this general permit which the MPCA plans to use. The application forms and worksheets will be updated periodically, but will continue to contain the elements discussed in the Technical Support Document needed to determine eligibility for the general permit.

The overall general permit contains each applicable requirement that could apply to eligible stationary sources. Based upon the information in the permit application, certain geographic requirements that do not apply to a particular source's location will not be included in the general permit issued to that source. If a source is located outside the Minneapolis-St. Paul Air Quality Control Region, it will receive a general permit that does not include requirements that only apply to that region. Similarly, for sources located in the Minneapolis - St. Paul Air Quality Control Region, requirements that only outside the Twin Cities region will not be included in the general permit issue to the source. This will reduce unnecessary material in the general permits issued that could confuse a source.

The preliminary determination to issue the air emission general permit is tentative. There are four formal procedures for public participation in the MPCA's consideration of the general permit. Interested persons may (1) submit written comments on the proposed general permit; (2) request that the MPCA hold a public information meeting; (3) request the MPCA hold a contested case hearing; and/ or (4) submit a petition to the Commissioner requesting that the MPCA Board consider the permit matter.

The decision whether to issue the permit and, if so, under what terms, will be presented to the MPCA Board for decision if:

- (1) the Commissioner grants the petition requesting the matter be presented to the MPCA Board;
- (2) an MPCA Board member requests to hear the matter prior to the time the Commissioner makes a final decision on the permit; or
- (3) a request for a contested case hearing is pending. Otherwise, the Commissioner will make the decision.

Persons who submit comments or petitions to the MPCA must state (1) their interest in the general permit application or the draft permit; (2) the action they wish the MPCA to take, including specific references to the section of the draft permit they believe should be changed; and (3) the reasons supporting their position, stated with sufficient specificity as to allow the MPCA to investigate the merits of the position.

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## Official Notices

decision to hold a contested case hearing. Failure to comply with these rules exactly may result in a denial of the request. The decision whether to hold a contested case hearing will be made under *Minnesota Rules* 7000.1900. Most public libraries throughout the state have copies of the current *Minnesota Rules*. They are also available on the Internet at [www.revisor.leg.state.mn.us](http://www.revisor.leg.state.mn.us).

**Public Comment:** The public comment period commences August 5, 2014 and terminates September 3, 2014. Interested persons or groups may submit comments in writing to the MPCA, St. Paul Office until 4:30 p.m. on September 3, 2014. Evidence of timely receipt includes a date/time stamp imprinted on the first page of the written comments by the first floor information and reception area of the MPCA or by the Industrial Division support staff, or receipt by fax (651) 296-8717 or email.

Comments, requests and petitions should be mailed to:

Kira Gillette, Air Permit Engineer  
Air Quality Permits Section,  
Industrial Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, Minnesota 55155  
**Phone:** (651) 757-2840  
**Fax:** (651) 296-8717  
**E-mail:** [kira.gillette@state.mn.us](mailto:kira.gillette@state.mn.us)

A copy of the draft/proposed general permit, Technical Support Document, and proposed Application Forms will be available on the MPCA's website at <http://www.pca.state.mn.us/news/data/index.cfm?PN=I>, or will be mailed or emailed to any interested person upon the MPCA's receipt of a written request. These materials are also available upon request for inspection at the Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155, **phone:** (651) 757-2667, and at the MPCA's Regional Division Offices at the addresses and phone numbers listed below, by appointment between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. All MPCA offices may be reached by calling 1-800-657-3864.

### MPCA Regional Division:

- |    |  |   |   |
|----|--|---|---|
| 1. | <b>Duluth Office</b><br>525 Lake Avenue South, Suite 400<br>Duluth, MN 55802<br><b>Phone:</b> (218) 723-4660<br><b>Fax:</b> (218) 723-4727         | 4.  | <b>Mankato Office</b><br>12 Civic Center Plaza, Suite 2165<br>Mankato, MN 56001<br><b>Phone:</b> (507) 389-5977<br><b>Fax:</b> (507) 389-5422 |
| 2. | <b>Brainerd Office</b><br>7678 College Road, Suite 105<br>Baxter, MN 56425<br><b>Phone:</b> (218) 828-2492<br><b>Fax:</b> (218) 828-2594           | 5.  | <b>Rochester Office</b><br>18 Wood Lake Drive Southeast<br>Rochester, MN 55904<br><b>Phone:</b> (507) 285-7343<br><b>Fax:</b> (507) 280-5513  |
| 3. | <b>Detroit Lakes Office</b><br>714 Lake Avenue, Suite 220<br>Detroit Lakes, MN 56501<br><b>Phone:</b> (218) 847-1519<br><b>Fax:</b> (218) 846-0719 | 6.  | <b>Willmar Office</b><br>1601 Highway 12 East, Suite 1<br>Willmar, MN 56201<br><b>Phone:</b> (320) 214-3786<br><b>Fax:</b> (320) 214-3787     |
|    | 7.   | <b>Marshall Office</b><br>504 Fairgrounds Road, Suite 200<br>Marshall, MN 56258<br><b>Phone:</b> (507) 537-7146<br><b>Fax:</b> (507) 537-6001 |   |

Dated: 18 July 2014

John Linc Stine, Commissioner  
Minnesota Pollution Control Agency

# Official Notices

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## Minnesota Public Utilities Commission (PUC)

### REQUEST FOR COMMENTS In the Matter of a Rulemaking to Consider Possible Amendments to *Minnesota Rules* parts 7810.4100 through 7810.6100; Revisor's ID Number R-04269; PUC Docket No. P-999/R-14-413

**Subject of Rules.** On March 26, 2014, CenturyLink, Inc. petitioned the Commission to open a rulemaking docket to examine service quality standards. On May 22, 2014, in its *Order Detailing Disposition of Petition and Initiating Rulemaking*, the Commission concluded that “a rulemaking proceeding would enable it to consider how to best promote a key objective of the regulatory framework, the duty to maintain and improve service quality, and to explore whether possible rule changes would more accurately and appropriately further this policy.”

**Comments Sought.** Consistent with the *Order*, the Commission seeks comments regarding possible changes to the existing rules, parts 7810.4100 through 7810.6100, including specific language suggestions and substantive evidence supporting any suggested rule changes. The Commission invites comments on whether the rules should be modified and, if so, how they should be changed. Anyone requesting rule changes that would eliminate or reduce current service quality standards, at a minimum, is requested to:

1. Provide evidence of competition, including the level and scope of such competition in relation to different types of customers (large business, small business, residential, etc.) and geography, and the extent to which existing competition supports the rule changes being recommended. Such evidence and analysis should, at a minimum, reflect or be guided by the following:
  - a. Any market-power analysis should, at a minimum, address the analysis set forth in: (i) *Horizontal Merger Guidelines*, U.S. Department of Justice and Federal Trade Commission, August 19, 2010; and (ii) Memorandum Opinion and Order, *Petition of Qwest Corporation for Forbearance Pursuant to 47 U.S.C. § 160(c) in the Phoenix, Arizona Metropolitan Statistical Area*, Federal Communications Commission, WC Docket No. 09-135, June 22, 2010.
  - b. Commenters should provide evidence of whether wireless service is a substitute for and/or a complement to wireline local service in each relevant market and, if so, to what extent.
  - c. Relevant markets should, at a minimum, reflect (i) different customer segments, including but not necessarily limited to residential, small business (1-3 lines, suggested), medium business (4-200 lines, suggested) and large business (over 200 lines, suggested); and (ii) different geographic areas where customers face the same choice of competitive services (in some cases this may require defining the market at a level less than that covered by a wire center - for example where cable is offered in an urban area but not in the rural portion of the wire center).
  - d. Relevant substitutes for traditional landline service should exclude services provided by carriers affiliated with the traditional landline service provider.
2. Provide proposed language for each rule change sought, and for each rule change provide:
  - a. A demonstration of how the recommended rule change would impact retail service quality and the extent to which service quality would be adequately protected by competition and/or the recommended rule change;
  - b. An analysis of how the change would, if at all, maintain or improve service quality;
  - c. An analysis and evidence of the impact any recommended change would potentially have on competition, local exchange carriers and wholesale service quality;
  - d. Any other relevant evidence, analysis and argument supporting any recommended rule change and the impact of such change on telecommunications consumers;
3. Provide arguments or evidence as to why rule changes should or should not be made regardless of evidence related to competition.

**Persons Affected.** The amendment to the rules would likely affect providers of telecommunication services in Minnesota, as well as retail and wholesale telecommunications consumers.

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## Official Notices

**Statutory Authority.** *Minnesota Statutes* §216A.05, subd. 1 gives the Commission general rulemaking authority. *Minnesota Statutes* §237.10 requires the Commission to prescribe uniform rules pertaining to the conduct of intrastate telephone business. Further, *Minnesota Statutes* § 237.011 requires the Commission to consider, in its oversight of telecommunications services, the state's policy goal of maintaining or improving service quality.

**Public Comment Period.** Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on December 4, 2014. The Commission will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. **When commenting please refer to PUC Docket No. P-999/R-14-413.** You may also electronically file your comments using the Commission's electronic filing system located at: <https://www.edockets.state.mn.us/EFiling>.

**Agency Contact Person.** Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Kevin O'Grady, **phone:** (651) 201-2218; **e-mail:** [kevin.ograde@state.mn.us](mailto:kevin.ograde@state.mn.us); or Lillian Brion, **phone:** (651) 201-2216; **e-mail:** [lillian.brion@state.mn.us](mailto:lillian.brion@state.mn.us), Public Utilities Commission, 121 Seventh Place East, Suite 350, Saint Paul, Minnesota 55101-2147.

**Alternative Format/Telecommunications Relay Service.** Upon request, this information can be made available in an alternative format (e.g., large print or audio) by calling (651) 296-0406 (voice). Persons with hearing loss or speech disabilities may call us through their preferred Telecommunications Relay Service.

**Advisory Committee.** The Commission has not determined whether to appoint an advisory committee under *Minnesota Statutes* §14.101 to comment on the possible rules. Persons interested in this issue should address it in their comments. And persons interested in serving on an advisory committee should include a request to do so in their comments.

**Draft Rules.** The Commission has not yet drafted possible rule amendments.

**NOTE:** Should the Commission formally propose adoption of rules the comments received in response to this notice will not necessarily be included in the formal record submitted to the Administrative Law Judge. The agency is required to submit to the Judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after rules are formally proposed.

## Teachers Retirement Association (TRA) Notice of Meeting of the Board of Trustees 20 August 2014

The Board of Trustees, Minnesota Teachers Retirement Association will hold a planning and educational retreat on Wednesday, August 20, 2014 at 9:30 a.m. in Room 117 of the Minnesota Retirement Systems building, located at 60 Empire Drive, St. Paul, MN. Board members may participate by telephone.

## Teachers Retirement Association (TRA) Notice of Meeting of the Internal Audit Committee 19 August 2014

The Minnesota Teachers Retirement Association Internal Audit Committee will hold a meeting on Tuesday, August 19, 2014 at 1:30 p.m. in Room 414, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the committee. Committee members may participate by telephone.

# Official Notices

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

### NOTICE OF SUSPENSION

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

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

**NOTICE 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.

## Minnesota Department of Transportation (Mn/DOT) Office of Transportation System Management Notice of Solicitation for Public Review and Comment on the Draft State Transportation Improvement Program (STIP) for State Fiscal Years 2015-2016-2017-2018 (July 1, 2014 through June 30, 2018)

The Minnesota Department of Transportation is offering an opportunity for public review and comment on a draft list of projects to be included in the *State Transportation Improvement Program* (STIP) for state fiscal years 2015-2016-2017-2018 (July 1, 2014 through June 30, 2018). The program of transportation projects annually utilizes about \$590 million federal funds, \$290 million of state trunk highway funds, plus funds from trunk highway bonds, local agencies and other sources. Projects include local road and bridge projects utilizing federal funds; transit capital investments; state highway road and bridge projects; Transportation Alternative Program (TAP) projects; Congestion Mitigation and Air Quality (CMAQ) projects; and other projects intending to utilize federal highway funds, federal transit funds, or state trunk highway funds. The draft list of projects in the STIP is available for review at the Department of Transportation District Offices:

- District 1 – Duluth, 1123 Mesaba Avenue, Duluth, MN 55811 - Phone (218) 725-2700
- District 2 – Bemidji, 3920 Highway 2 West, Bemidji, MN 56601 - Phone (218) 755-6500



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## Official Notices

- District 3 – Baxter, 7694 Industrial Park Road, Baxter, MN 56425-8096 - Phone 1-800-657-3971
- District 4 – Detroit Lakes, 1000 Hwy. 10 West, Detroit Lakes, MN 56501 - Phone 1-800-657-3984
- District 6 – Rochester, 2900 48<sup>th</sup> Street NW, Rochester, MN 55901-5848 - Phone (507) 286-7500
- District 7 – Mankato, 2151 Bassett Dr, Mankato, MN 56001-6888 - Phone 1-800-657-3747
- District 8 – Willmar, 2505 Transportation Road, Willmar, MN 56201 - Phone 1-800-657-3792
- Metro District – Water's Edge Building, 1500 W. Co. Rd. B-2, Roseville, MN 55113-3174 - Phone (651) 234-7500  
Or the Office of Transportation System Management, Mail Stop 440, 395 John Ireland Boulevard,  
Third Floor South, St. Paul, MN 55155.

You have 30 days to submit written comments. Comments must be received by 4:30 p.m. on August 19, 2014. Comments are encouraged and should identify the portion of the STIP addressed, reason for the comment, and any change proposed.

Please direct all correspondence to:

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

## State Grants & Loans

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

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

### Minnesota Department of Health (MDH) Office of Rural Health and Primary Care Community Clinic Grant Program Notice of Grant Opportunity to Improve Minnesota's Clinic-based Safety Net Providers

The Minnesota Department of Health (MDH) is seeking applications from eligible community clinics through the Community Clinic Grant Program. The purpose of these grants is to improve the ongoing viability of Minnesota's clinic-based safety net providers. Grants help clinics serve people with low incomes, reduce current or future uncompensated care burdens, or improve care delivery infrastructure. The level of funding for the community clinic grant program is approximately \$561,000 for fiscal year 2015. An eligible community clinic means a nonprofit clinic, government entity, Indian tribal government or Indian health service unit; or a consortium of these entities. Applicants must provide or plan to provide clinical services and use a sliding fee scale or other procedure to determine eligibility for charity care or to ensure that no person will be denied services because of inability to pay. The Office of Rural Health and Primary Care expects that successful applicants will be able to begin their grant projects by April 2015.

Because of limited funding, applicants will be required to submit pre-applications and only the strongest of these will be invited to submit a final application. Prospective applicants who have questions and/or would like a copy of the application forms may contact Debra Jahnke at **phone:** (651) 201-3845, or 1-800-366-5424, or **e-mail:** [debra.jahnke@health.state.mn.us](mailto:debra.jahnke@health.state.mn.us). The pre-application and final application forms are also available on the Office of Rural Health and Primary Care Web site at:

<http://www.health.state.mn.us/divs/orhpc/funding/#community>

Pre-applications must be received by 4 p.m. on September 12, 2014. Final applications must be received by 4 p.m. on December 22, 2014. Applications postmarked prior to these due dates but not received prior to the time deadline will be considered late. Late applications will not be considered for review. Applications may be mailed or delivered to the following addresses:

Debra Jahnke  
Office of Rural Health and Primary Care  
Division of Community Health  
Minnesota Department of Health  
P.O. Box 64882  
St. Paul, MN 55164-0882  
Or via courier:  
85 East 7<sup>th</sup> Place, Suite 220  
St. Paul, MN 55101

### Minnesota Housing Finance Agency (MHFA) Request for Proposals for the Publicly Owned Housing Program

Minnesota Housing announces the availability of \$20 million in General Obligation Bond proceeds through a one-time Request for Proposal (RFP). Funds are administered through the Publicly Owned Housing Program (POHP), for the cost of rehabilitation of public housing.

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# State Grants & Loans

## Application Process

Further information, eligibility criteria and the application will be available on the Minnesota Housing website: ([www.mnhousing.gov](http://www.mnhousing.gov) -> Multifamily Rental Partners -> Programs & Funding -> Publicly Owned Housing Programs) on **Tuesday, August 5, 2014**. Applications must be received by Minnesota Housing by 5:00 pm Central Standard Time on Wednesday, November 5, 2014.

Please Contact Emily Strong for more information at **e-mail: [Emily.strong@state.mn.us](mailto:Emily.strong@state.mn.us)** or **phone: (651) 296-3631**.

## State Contracts

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

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

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

## Minnesota State Colleges and Universities (MnSCU) / State Department of Administration (Admin) State Designer Selection Board Project No. 14-08 Notice of Availability of Request for Proposal (RFP) for Designer Selection for St. Cloud State University – Student Health and Academic Renovation

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of St. Cloud State University, 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 14-08).

A **MANDATORY** informational meeting is scheduled for **Tuesday, August 12 at 10:00 AM** Central Time at St. Cloud State University, Atwood Memorial Center, 720 4th Ave. S., St. Cloud, MN 56301-4498, in the Glacier North room.

Any questions should be directed by email only, to John Frischmann at [jmfrischmann@stcloudstate.edu](mailto:jmfrischmann@stcloudstate.edu). Project questions will be taken by this individual only. Questions regarding this RFP must be received by **Monday August 18, 2014** no later than **12:00 noon**

# State Contracts

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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 (651.201.2372) not later than **12:00 noon on Monday, August 25, 2014**. Late responses will not be considered.

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

## Minnesota State Colleges and Universities (MnSCU) St. Cloud Technical & Community College Formal Request for Proposal for Refuse Removal

Response Due Date and Time: Tuesday, August 12, 2014 at 2:00 p.m. Central Time

The complete Request for Proposal will be available on Monday, July 28, 2014 on the website <http://www.sctcc.edu/rfp>.

Title of Project: Refuse Removal

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](mailto:smeyer@sctcc.edu)

Contact for questions: Susan Meyer, Phone: (320) 308-5973, e-mail: [smeyer@sctcc.edu](mailto: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 Health (MDH) Notice of Availability of Contract for Worksite Wellness Partner Engagement

MDH is in the early stages of developing a statewide public, private, non-profit partnership with the business community and worksite wellness stakeholders. Organizations in different sectors like business and public health have different missions. However they do have common a common interest of improving the health of Minnesotans. These organizations are interested in improving the health

status of their employees, reducing healthcare costs and maximizing the impact healthier Minnesotans can have in their workplaces and communities. By identifying and articulating the common interest, partnerships can develop to promote shared goals. This will be accomplished by convening partners at the local and regional levels to assure relevance to the communities.

The Minnesota Department of Health (MDH) is requesting proposals for the purpose of engaging business organizations and other interested stakeholders regionally to inform, motivate, and enable participants to improve worksite wellness initiatives. Each of these stakeholder groups will help MDH build a statewide employer coalition of stakeholders that can provide the structure to sustain workplace wellness efforts across Minnesota.

Work is proposed to start after August 29, 2014.

A Request for Proposals will be available by email from this office through August 25, 2014. **A written request (by e-mail) is required to receive the Request for Proposal.** After August 25, 2014, the Request for Proposal will no longer be available.

The Request for Proposal can be obtained from:

Susan Bishop, Project Coordinator  
Minnesota Department of Health  
85 East 7<sup>th</sup> Place  
St. Paul, MN 55164  
E-mail: susan.bishop@state.mn.us

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00 pm, August 25, 2014. **Late proposals will NOT be considered.** Fax or emailed proposals will **NOT** be considered.

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

## Minnesota Judicial Branch 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> Judicial Districts Request for Proposal for Multifunction Copiers

The 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> Districts, of the Minnesota Judicial Branch (MJB), are using a competitive selection process to obtain a list of vendors who would be able to provide multifunction copiers throughout their Districts.

These devices are to be the primary enterprise/work group multifunction copier in each location and should be proposed as such.

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

Interested party's submissions must be in writing and received by the MJB no later than 4:30 CST, August 11, 2014. The sealed proposal must include three (3) paper copies and sent to the following address; no electronic submissions will be accepted:

Wade Young  
Ninth Judicial District Administration Office  
Minnesota Judicial Branch  
616 America Ave NW, Suite 250  
Bemidji, MN 56601

A complete copy of the Request for Proposal may be found on the Minnesota Judicial Branch website (in the News and Announcements/Public Notices section) at [www.mncourts.gov](http://www.mncourts.gov)

# State Contracts

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## Minnesota State Lottery Request for Proposals for Sponsorship Agreements

### Description of Opportunity

The Minnesota State Lottery develops sponsorship agreements throughout the year with organizations, events, and sports teams to create excitement for lottery players, to interest new players and increase the visibility of lottery games. The Lottery encourages and continually seeks new sponsorship agreements to help achieve current Lottery marketing goals.

### Proposal Content

A sponsorship proposal presented to the Lottery should meet the following three criteria:

**1. Maximize Lottery Visibility** – the event, sports or tie-in proposal should draw a large number of desired participants (typically 50,000 or more) whose demographics match the Lottery player profile. The Lottery is interested in effectively delivering its message of fun and entertainment to Minnesota adults whose demographics skew primarily towards those aged 25-64, with a household income of \$35,000-\$75,000, and having an educational background of some college or higher. The Lottery does not market to those under the age of 18, and family events with high levels of children present are generally not accepted. Attendance, on-site signage visibility and paid media exposure will be critical components that will be evaluated.

**2. Enhance Lottery Image-** – the event, sports or tie-in proposal should inherently project the attitude that the Lottery is a fun and socially acceptable part of the community. The Lottery's presence should fit well within the lineup of other sponsors. The Lottery is interested in creating opportunities whereby the sponsorship can translate into sales revenue, either via on-site sales from a Lottery booth, from sales-generating promotions with Lottery retailers or from joint programs with the sponsor's media partners.

**3. Provide Promotional Extensions** – the event, sports or tie-in proposal should offer exciting, value-added ways to interact with our players and have opportunities to motivate attendees, listeners and viewers to participate in and purchase Lottery games. The proposal must include proper staffing availability or other considerations to help the Lottery implement any appropriate promotional extension ideas.

Proposals should address all pertinent elements of the sponsorship and how the Lottery criteria as stated above and on the Evaluation Form are to be met. To view or print copies of the Request for Proposal go to <http://www.mnlottery.com/vendorops.html>

This Solicitation does not obligate the state to award a contract or pursue a proposed sponsorship opportunity, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

### Questions

Questions concerning this Solicitation should be directed to:

Jason LaFrenz, Marketing Director  
Minnesota State Lottery  
2645 Long Lake Road  
Roseville, MN 55113  
**Telephone:** (651) 635-8230  
**Toll-free:** 1-888-568-8379 ext. 230  
**Fax:** (651) 297-7496  
**TTY:** (651) 635-8268  
**E-mail:** [jasonla@mnlottery.com](mailto:jasonla@mnlottery.com)

Other personnel are not authorized to answer questions regarding this Solicitation.

### Response Delivery

All responses must be in writing and delivered to the contact noted above. Proposals will be accepted on an ongoing basis.

**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) Minneapolis-St. Paul International Airport Notice of Call for Bids for 2014-2016 Glycol Recovery Program

MAC Contract No.

35839 SC

Bids Close At:

2:00 PM on August 12, 2014

**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. **NOTE: This project is being bid for a term of two (2) years covering the 2014-2015 and 2015-2016 seasons.** This project provides for the installation and removal of sewer by-pass plugs in existing storm sewer pipes at various locations on the airfield. This project also provides for the collection of glycol/water mixtures resulting from aircraft deicing operations at Minneapolis-St. Paul International Airport and transportation of this material to the Owner's Glycol Management Facility shown on the Location Plan. The project also includes cleaning the interiors of existing Glycol Tanks in preparation for inspection by the Owner, and repairs to the Glycol tank liners. **NOTE:** Glycol Tank liner repairs will be performed by a qualified subcontractor retained by the Contractor.

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

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

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of TKDA, the Minnesota Builders Exchange, McGraw-Hill Construction/Dodge, and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from TKDA; 444 Cedar Street, Suite 1500; St. Paul, MN, 55101; **phone:** (651) 292-4400; **fax:** (651) 292-0083. Make checks payable to: TKDA. Deposit per set (refundable): \$50.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on July 28, 2014, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

## Minnesota's Bookstore

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**Minnesota Food Code (reprint)**

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

**Nursing Home & Boarding Care Laws - NEW**

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

**Home Care Laws & Rules - new edition**

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

**Minnesota Session Laws**

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

**Health Care Facilities Directory 2013**

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

**Learning Objectives for Professional Peace Officer Education**

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

**Motor Vehicle & Traffic Laws - NEW**

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

**2014 Motor Vehicle Tax Manual - NEW**

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

**Nursing Laws - NEW**

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

**Annual Compilation & Statistical Report of Multi -Member Agencies**

Published: Secretary of State, 8-1/2"x11", loose leaf, no binder, 287-pages, Stock No. 403, hard copy or PDF: \$19-95 + tax

**Architects & Engineering Laws & Rules**

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

**Campaign Finance Laws & Rules - NEW**

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

**Child Care Center Laws & Rules - NEW**

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

**Cosmetology Laws - NEW**

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

**Cosmetology Rules - NEW**

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

**Criminal Code - NEW**

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

**Data Practices Laws & Rules - NEW**

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

**Dentistry Laws & Rules - NEW**

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



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

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