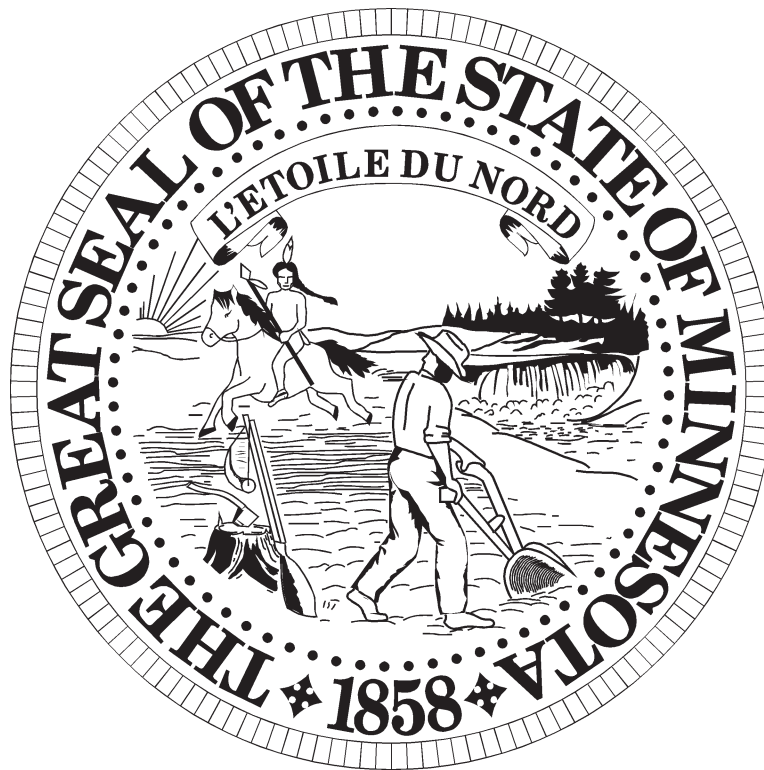


# Minnesota

# State Register

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



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  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

**Monday 4 January 2016  
Volume 40, Number 27  
Pages 743 - 776**

# 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- Withdrawn Rules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
- Non-State Public Bids, Contracts and Grants

### Printing Schedule and Submission Deadlines

Vol. 40 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> shows altered publish date)	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
# 28	Monday 11 January	Noon Tuesday 5 January 2016	Noon Thursday 31 December
# 29	<b>TUESDAY 19 January</b>	Noon Tuesday 12 January	Noon Thursday 7 January 2016
# 30	Monday 25 January	Noon Tuesday 19 January	Noon Thursday 14 January
# 31	Monday 1 February	Noon Tuesday 26 January	Noon Thursday 21 January

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USPS Publication Number: 326-630 (ISSN: 0146-7751)

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

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St. Paul, MN 55155 **Website:** [www.mncourts.gov](http://www.mncourts.gov)

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U.S. Government Printing Office – Fax: (202) 512-1262  
**Website:** [http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html)

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Contract information is available from the Materials Management (MMD)  
Helpline (651) 296-2600, or Web site: [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us)

For additional contracts go to:  
<http://www.mmd.admin.state.mn.us/solicitations.htm>

For additional grants go to the Office of Grants Management (OGM) at:  
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Statewide Integrated Financial Tools (SWIFT) Supplier Portal:  
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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

## Volume 40 - Minnesota Rules

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# Proposed Rules

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

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

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

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

## Minnesota Department of Labor and Industry (DLI)

### Proposed Amendment to Rules Governing the Adoption of the 2012 International Fire Code, *Minnesota Rules*, chapter 7511

#### DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received; Revisor's ID Number R-4148

**Introduction.** The Department of Labor and Industry intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on Friday, February 5, 2016, the Department will hold a public hearing in the Minnesota Room at the Department of Labor and Industry, 443 Lafayette Road N, St. Paul, Minnesota 55155, starting at 9:00 a.m. on Monday, February 29, 2016. To find out whether the Department will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after Friday, February 5, 2016 but before Monday, February 29, 2016.

**Please note:** the proposed rules have been drafted to give effect to the recent appellate decision of *Builders Association of the Twin Cities v. Minnesota Department of Labor and Industry*, \_\_\_N.W.2d\_\_\_ (Minn. Ct. App. October 13, 2015). Accordingly, any requirements to install automatic fire sprinklers in residential one- and two-family dwellings have been removed from these proposed rules.

**Agency Contact Person.** Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Colleen Clayton at the Department of Labor and Industry, 443 Lafayette Road N., St. Paul, Minnesota, **phone:** (651) 284-5867, **fax:** (651) 284-5749, and **e-mail** at: [colleen.clayton@state.mn.us](mailto:colleen.clayton@state.mn.us).

**Subject of Rules and Statutory Authority.** The proposed rules are about the adoption of the 2012 International Fire Code, with necessary amendments. Specifically, the subject matter of the rules include: codes and standards adopted by reference; applicability of the rules; general authority and responsibilities; permits; violations; general definitions; combustible waste material; open burning and recreational fires; open flames; general storage; clearance of vegetation from structures; unplanned evacuation; fire apparatus access roads; key boxes; fire protection water supplies; emergency responder radio coverage; fuel fired appliances; emergency and standby power systems; electrical equipment, wiring and hazards; pedestrian walkways and pedestrian tunnels and mezzanines; decorative vegetation in

# Proposed Rules

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new and existing buildings; decorative materials other than decorative vegetation in new and existing buildings; commercial and residential automatic sprinkler systems; alternative automatic fire-extinguishing systems; portable fire extinguishers; fire alarm and detection systems; emergency alarm systems; smoke control systems; smoke and heat vents; doors, gates and turnstiles; stairways; exit access; aisles; corridors; interior exit stairways and ramps; exit passageways; assembly; emergency escape and rescue; maintenance of the means of egress; fire safety requirements for existing buildings; means of egress for existing buildings; separation of occupancies and hazardous areas; owner's responsibility for fire protection; flammable and combustible liquid motor fuel-dispensing facilities; marine motor fuel-dispensing facilities; general fire protection and life safety features; liquefied petroleum gas motor fuel-dispensing facilities; spray finishing; medical gas systems; general fire protection and life safety features; fireworks display; special operations; liquefied petroleum gases; referenced standards; adult day care, residential hospice facilities, and supervised living facilities; temporary storage of fireworks; amendments to appendices of the International Fire Code; symbol placement; pressurized flammable gas; warning symbol required; symbol design; and symbol placement. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 326B.02, subdivisions 5 and 6. A copy of the proposed rules is published on the Department's website at: [www.dli.mn.gov/PDF/docket/7511rule2.pdf](http://www.dli.mn.gov/PDF/docket/7511rule2.pdf). A free copy of the rules is available upon request from the agency contact person listed above.

**Comments.** You have until 4:30 p.m. on Friday, February 5, 2016, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that the Department hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on Friday, February 5, 2016. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

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

**Cancellation of Hearing.** The Department will cancel the hearing scheduled for Monday, February 29, 2016, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person after Friday, February 5, 2016, to find out whether the hearing will be held.

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

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## Proposed Rules

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

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

**Statement of Need and Reasonableness.** The statement of need and reasonableness summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person. A copy of the SONAR can be viewed at: [www.dli.mn.gov/PDF/docket/7511sonar2.pdf](http://www.dli.mn.gov/PDF/docket/7511sonar2.pdf).

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone: (651) 539-1180 or 1-800-657-3889.

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

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

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

Dated: 16 December 2015

Ken B. Peterson, Commissioner  
Department of Labor and Industry

## Adopted Rules

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

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

## Minnesota Department of Labor and Industry Adopted Permanent Rules Relating to OSHA; Construction Safety and Technical Update

The rules proposed and published at *State Register*, Volume 40, Number 17, pages 467-469, October 26, 2015 (40 SR 467), are adopted as proposed.

## Exempt Rules

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

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

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

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

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

## Minnesota Department of Natural Resources (DNR) Adopted Exempt Permanent Game and Fish Rules Relating to Designated Experimental and Special Management Waters

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*,



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# Exempt Rules

sections 97C.001 and 97C.005.

Dated: 23 November 2015

Tom Landwehr, Commissioner  
Department of Natural Resources

## Adopted Exempt Permanent Fisheries Rule

### 6264.0300 DESIGNATED EXPERIMENTAL WATERS.

[For text of subps 1 to 31, see M.R.]

Subp. 32. **Rainy Lake experimental regulations.** To the extent that this subpart is inconsistent with part 6266.0700, subpart 2, the provisions of this subpart apply. While a person is on or fishing in the waters listed below, all walleye in possession or under control, regardless of where taken, must be less than ~~17~~ 18 inches in length or greater than ~~28~~ 26 inches in length. All walleye that are ~~17 to 28~~ 18 to 26 inches in length, inclusive, must be immediately returned to the water. A person's possession and daily limit for walleye is four, and must not include more than one walleye over ~~28~~ 26 inches in length. Walleye legally taken from Ontario waters of Rainy Lake that are not within the above length limits may be possessed with documented proof of fishing on Ontario waters of Rainy Lake. Proof of fishing must consist of documentation of a residence or property on Ontario waters of Rainy Lake, or a dated receipt from an Ontario resort on Rainy Lake. A person in possession of walleye that were legally taken in Ontario waters of Rainy Lake, but not within the legal sizes for the waters listed below, may not fish on the waters listed below.

Name	Location	County	End Date
Rainy Lake	T.67,68,69,70, 71, R.18,19,20, 21,22,23,24, S. Various, Minnesota waters of Rainy Lake from the dam in International Falls to the dam in Kettle Falls, Black Bay including Gold Portage, Rat Root Lake, and all of the Rat Root River	Koochiching,	<del>3/1/2016</del> <u>3/1/2026</u> St. Louis

[For text of subps 33 to 46, see M.R.]

Subp. 47. [See repealer.]

[For text of subps 48 to 65, see M.R.]

Subp. 66. [See repealer.]

[For text of subps 67 to 69, see M.R.]

Subp. 70. [See repealer.]

Subp. 71. [See repealer.]

[For text of subps 72 to 83, see M.R.]

Subp. 84. **Sunfish restrictions.** While a person is on or angling in the following waters, the daily and possession limit for sunfish is ten.

Name	Location	County	End Date
<u>A. Green Prairie Fish Lake</u>	<u>T.130, R.30, S.13</u>	<u>Morrison</u>	<u>3/1/2026</u>
<u>B. Long (Higgins) Lake</u>	<u>T.127, R.33, S.19</u>	<u>Todd</u>	<u>3/1/2026</u>
<u>C. Maple Lake</u>	<u>T.128, R.34, S.7</u>	<u>Todd</u>	<u>3/1/2026</u>
<u>D. Moose Lake</u>	<u>T.128, R.32, S.15</u>	<u>Todd</u>	<u>3/1/2026</u>

# Exempt Rules

E. <u>Platte Lake</u>	<u>T.43, R.28, S.31</u>	<u>Crow Wing</u>	<u>3/1/2026</u>
F. <u>Sullivan Lake</u>	<u>T.42, R.29, S.12</u>	<u>Morrison</u>	<u>3/1/2026</u>

## 6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

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

[For text of subp 4, see 39 SR 1539, 39 SR 1569, and 40 SR 217]

[For text of subs 5 to 34, see M.R.]

Subp. 35. **Catch and release trout fishing.** While a person is on or fishing in the following waters, angling for trout is limited to catch and release only, whereby any trout caught must be immediately returned to the water. Catch and release angling for trout is legal during the open season for trout in inland streams. All legal methods of taking trout are allowed.

<b>Name</b>	<b>Location</b>	<b>County</b>
A. Belle Creek	T.113, R.16, S.34,35 and T.112, R.16, S.3,4,9,16, from the confluence with the Cannon River in S.35, T.113, R.16, upstream approximately 7.3 miles to the posted boundary where the stream crosses State Highway 19 in S.16, T.112, R.16	Goodhue
B. Root River, Middle Branch	T.104, R.11, S.17,18,19,20 and R.12, S.23,24,26,27, 33,34,35 and T.103, R.12, S.4,8,9, from the confluence with the Root River, North Branch upstream approximately 12.5 miles to the confluence of Spring Valley Creek and Deer Creek in S.9, T.103, R.12	Fillmore
C. Zumbro River, North Fork	T.110, R.15, S.33,34,35,36 and R.14, S.31 and T.109, R.14, S.6,7,8,9,10 and R.15, S.1,2 from the confluence with the Zumbro River in S.10, T.109, R.14, upstream approximately 11.9 miles to the posted boundary where the stream crosses Goodhue County Hwy 10	Goodhue and Wabasha
D. Vermillion River	T.113,114, R.18-20, S.Various, the entire designated trout stream reach beginning 1.1 miles downstream of Highway 52 upstream to the Highview Avenue bridge, except for a two-mile reach in Farmington from State Highway 3 in S.29, 30, R.19, T.114, upstream to County Highway 31 in S.31, R.19, T.114 and S.36, R.19,20, T.114	Dakota
E. Unnamed tributary DOW M-49-10 (locally known as North Creek)	T.114, R.19, S.19,30	Dakota
F. Unnamed tributary DOW M-49-10-001 (locally known as Middle Creek)	T.114, R.19, S.30	Dakota
G. Unnamed tributary DOW M-29-12 (locally known as South Creek)	T.114, R.20, S.33,34, 35,36	Dakota
H. South Branch of Vermillion River	T.114, R.18, S.20,29,30, 31; T.114, R.19, S.36; and T.113, R.19, S.1,2,11	Dakota

[For text of subs 36 to 41, see M.R.]

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## Exempt Rules

Subp. 42. **Largemouth and smallmouth bass 12-inch maximum size limit and one over 20 inches.** While a person is on or angling in the following waters, all largemouth and smallmouth bass in possession must be less than 12 inches in length or greater than 20 inches in length. All largemouth and smallmouth bass that are 12 to 20 inches in length, inclusive, must be immediately returned to the water. A person's daily and possession limit may include not more than one largemouth bass or smallmouth bass in the aggregate over 20 inches in length.

Name	Location	County
A. Agnes	T.128, R.37, S.18	Douglas
B. Balm	T.150, R.35, S.22,23,26-28	Beltrami
C. Henry	T.128, R.37, S.7,18	Douglas
D. Pierz (Fish)	T.40, R.31, S.13,14	Morrison

[For text of subps 43 to 49, see M.R.]

Subp. 50. **Horseshoe Lake sunfish restrictions.** While on or angling in the following waters, all largemouth and smallmouth bass in possession must be less than 12 inches in length. All largemouth and smallmouth bass 12 inches and greater in length must be immediately returned to the water. All northern pike in possession must be 30 inches or greater in length. All northern pike that are less than 30 inches in length must be immediately returned to the water. Possession and daily limit for northern pike is one. The following additional daily and possession limits also apply: crappie, five fish; walleye, three fish; and sunfish, five fish the daily and possession limit for sunfish is five.

Name	Location	County
Horseshoe Lake	T.139, R.30, S.15,16,21,22	Cass

[For text of subps 51 to 57, see M.R.]

Subp. 58. **Ozawindib bass and crappie size restrictions.** While a person is on or angling in the following waters, all largemouth and smallmouth bass in possession must be less than 12 inches or greater than 20 inches in length. All largemouth and smallmouth bass that are 12 to 20 inches in length, inclusive, must be immediately returned to the water. A person's possession and daily limit may include not more than one bass over 20 inches in length. While a person is on or angling in the following waters, all crappie in possession must be ten inches or greater in length. All crappie less than ten inches must be immediately returned to the water.

Name	Location	County
A. North Turtle	T.133, R.41, S.25,26,34,35	Otter Tail
B. Ozawindib	T.143, R.36, S.5,6,7,8	Clearwater

[For text of subp 59, see 40 SR 563]

[For text of subps 60 to 124, see M.R.]

Subp. 125. **Vermillion River brown trout and rainbow trout seasons and angling restrictions.** Angling for brown trout and rainbow trout in the following waters is open from the Saturday nearest April 15 through October 15. While a person is on or angling in the following waters, angling for brown trout is limited to catch and release only, whereby any brown trout caught must be immediately returned to the water. While a person is on or angling in the following waters from September 15 through October 15, angling for rainbow trout is limited to catch and release only, whereby any rainbow trout caught must be immediately returned to the water. All legal methods of taking trout are allowed.

# Exempt Rules

<u>Name</u>	<u>Location</u>	<u>County</u>
A. <u>Vermillion River</u>	<u>T.113,114, R.18-20, S.Various, the entire designated trout stream reach beginning 1.1 miles downstream of Highway 52 upstream to the Highview Avenue bridge in S.31, R.19, T.114 and S.36, R.19,20, T.114</u>	<u>Dakota</u>
B. <u>Unnamed tributary DOW M-49-10 (locally known as North Creek)</u>	<u>T.114, R.19, S.19,30</u>	<u>Dakota</u>
C. <u>Unnamed tributary DOW M-49-10-001 (locally known as Middle Creek)</u>	<u>T.114, R.19, S.30</u>	<u>Dakota</u>
D. <u>Unnamed tributary DOW M-29-12 (locally known as South Creek)</u>	<u>T.114, R.20, S.33,34,35,36</u>	<u>Dakota</u>
E. <u>South Branch of Vermillion River</u>	<u>T.114, R.18, S.20,29,30,31; T.114, R.19, S.36; and T.113, R.19, S.1,2,11</u>	<u>Dakota</u>

Subp. 126. **Pierz (Fish) Lake largemouth and smallmouth bass restrictions.** While a person is on or angling in the following waters, all largemouth and smallmouth bass in possession must be less than 14 inches in length or greater than 20 inches in length. All largemouth and smallmouth bass that are 14 to 20 inches in length, inclusive, must be immediately returned to the water. A person's daily and possession limit may include not more than one largemouth bass or smallmouth bass, in aggregate, over 20 inches in length.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Pierz (Fish) Lake</u>	<u>T.40, R.31, S.13,14</u>	<u>Morrison</u>

Subp. 127. **North Turtle Lake largemouth and smallmouth bass and crappie restrictions.** While a person is on or angling in the following waters, all largemouth and smallmouth bass in possession must be less than 14 inches in length or greater than 20 inches in length. All largemouth and smallmouth bass that are 14 to 20 inches in length, inclusive, must be immediately returned to the water. A person's possession and daily limit may include not more than one bass over 20 inches in length. While a person is on or angling in the following waters, all crappie in possession must be ten inches or greater in length. All crappie less than ten inches must be immediately returned to the water.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>North Turtle Lake</u>	<u>T.133, R.41, S.25,26,34,35</u>	<u>Otter Tail</u>

Subp. 128. **Kabekona Lake walleye restrictions.** While a person is on or angling in the following waters, all walleye in possession must be less than 20 inches in length or greater than 26 inches in length. All walleye that are 20 to 26 inches in length, inclusive, must be immediately returned to the water. A person's daily and possession limit for walleye is four fish, of which not more than one walleye shall be over 26 inches in length.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Kabekona Lake</u>	<u>T.142,143, R.32,33, S.Various</u>	<u>Hubbard</u>

Subp. 129. **Blackwater and Mule Lakes largemouth and smallmouth bass restrictions.** While a person is on or angling in the following waters, all largemouth and smallmouth bass in possession must be less than 14 inches in length or greater than 20 inches in length. All largemouth and smallmouth bass that are 14 to 20 inches in length, inclusive, must be immediately returned to the water. A person's

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## Exempt Rules

possession limit may not include more than one largemouth bass or smallmouth bass, in aggregate, over 20 inches in length.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>A. Blackwater Lake</u>	<u>T.140, R.29, S.25,26,34,35</u>	<u>Cass</u>
<u>B. Mule Lake</u>	<u>T.140, R.28,29, S.Various</u>	<u>Cass</u>

Subp. 130. **Battle, Deer, and Pickerel Lakes sunfish restrictions.** While a person is on or angling in the following waters, the daily and possession limit for sunfish is ten.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>A. Battle Lake</u>	<u>T.62, R.23,24, S.25,30</u>	<u>Itasca</u>
<u>B. Deer Lake</u>	<u>T.62, R.24, S.14,15,22-38,34</u>	<u>Itasca</u>
<u>C. Pickerel Lake</u>	<u>T.62, R.24, S.25,26,35</u>	<u>Itasca</u>

Subp. 131. **Crooked and Long Lakes largemouth bass restrictions.** While a person is on or angling in the following waters, all largemouth bass in possession must be less than 12 inches in length or greater than 20 inches in length. All largemouth bass that are 12 to 20 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one largemouth bass over 20 inches in length.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>A. Crooked Lake</u>	<u>T.122, R.27, S.5</u>	<u>Stearns</u>
<u>B. Long Lake</u>	<u>T.122, R.27, S.5,8</u>	<u>Stearns</u>

**REPEALER.** Minnesota Rules, part 6264.0300, subparts 47, 66, 70, and 71, are repealed.

**EFFECTIVE PERIOD.** The amendments to Minnesota Rules, parts 6264.0300 and 6264.0400, and the repealer are effective March 1, 2016.

# 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.

## Agricultural Utilization Research Institute (AURI) Second Amended and Restated Bylaws

### Article I. NAME

**Section 1.1 Name.** The name of the corporation shall be Agricultural Utilization Research Institute, Inc., a nonprofit Minnesota Corporation.

**Section 1.2 Abbreviations.** Whenever it is desirable to abbreviate the name of the Agricultural Utilization Research Institute, Inc. the initials "AURI" shall be considered in every way the equivalent of the legal name of Agricultural Utilization Research Institute, Inc.

### Article II. PURPOSE

**Section 2.1 Purpose Defined.** The purpose of the Corporation shall be as provided in Article Two of the Articles of Incorporation for the Corporation, as such may be amended or restated from time to time.

### Article III. OFFICES

**Section 3.1 Registered Office.** The registered office of the Corporation shall be located in the city of Crookston, Minnesota. The registered office shall be at 510 County Road 71, Suite 120, Crookston, Minnesota 56716. The Board of Directors may, from time to time, change the location of the registered office. On or before the day that such change is to become effective, a certificate of such change and of the location of the new registered office shall be filed with the Secretary of State of the State of Minnesota.

### Article IV. BOARD OF DIRECTORS & COMMITTEES

#### Section 4.1 Number, Composition, & Term for the Board of Directors.

(a) **Number and Composition of Directors.** The number and composition of the Board of Directors of the Corporation shall be as set forth in the Articles of Incorporation for the Corporation, as such may be amended and restated from time to time.

(b) **Terms of Directors.** The length of each Directors term and the number of terms each Director may serve shall be as set forth in the Articles of Incorporation for the Corporation, as such may be amended and restated from time to time. All Directors shall serve until their successors are elected or appointed.

(c) **Alternates.** Directors representing a statewide farm organization, agribusiness, and commodity promotion councils may designate an alternate from the same organization to represent him/her at meetings of the Board of Directors in the event that the Director is unable to attend. Such alternates may be designated as permanent alternates by due notice provided in writing to the Secretary-Treasurer or as temporary alternates with notice provided to the Secretary-Treasurer at least 24 hours in advance of the meeting. Alternates designated as permanent shall receive the regular notification and materials for Board of Directors meetings. Alternates having proper credentials at the beginning of a meeting, as determined by the Secretary-Treasurer, may be seated and entitled to full participation at that meeting, including voting on such matters as may come before the Directors at that meeting.

**Section 4.2 Nomination and Election of Directors.** The Chair shall appoint a Nominating Committee, which will recommend at least one name for each seat on the Board of Directors, other than the statewide farm organizations' designees and those seats to be held

by the chairs of the senate and the house of representatives standing committees with jurisdiction over agriculture finance, that is or will become vacant, or is filled by a temporary replacement, for election to the Board of Directors at the Annual Meeting. The Nominating Committee shall be appointed at least 60 days prior to the Annual Meeting and shall present a slate of names for election as Directors at the Annual Meeting. The election of Directors to the Board of Directors shall be as set forth in the Articles of Incorporation for the Corporation, as such may be amended and restated from time to time.

**Section 4.3 Vacancies.** If the office of any Director or Directors becomes vacant by reason of death, resignation, retirement, disqualification, removal from office, or otherwise, then a successor shall be appointed as follows:

(a) For the chairs of the senate and the house of representative standing committees with jurisdiction over agriculture finance, the successor shall be whomever succeeds such individual as the chair of the respective committee, or their designees;

(b) For the remainder of the Directors, the successor shall be whomever is appointed as a replacement by the entity that the deceased, resigned, retired, disqualified, or removed Director represented.

The Board of Directors may appoint a temporary replacement to fill a vacancy in an unexpired term until a permanent successor can be selected.

**Section 4.4 Removal.** Any Director, other than the chairs of the senate and the house of representatives standing committees with jurisdiction over agriculture finance, or the chair's designee, may be removed from the Board of Directors upon receipt of written notice of the proposed removal at least seven calendar days prior to the Board of Directors meeting at which the removal action will be considered and upon a majority of the Board of Directors voting in favor of the removal.

**Section 4.5 Chair, Vice-Chair & Officers.** The Board of Directors shall at its Annual Meeting elect from its membership a Chair, Vice-Chair, Secretary-Treasurer, and any other Officers necessary for the performance of its duties and to operate and manage the Corporation. The Chair shall, if present, preside at all meetings of the Board of Directors. In the absence of the Chair, the Vice-Chair shall preside. The Chair and Vice-Chair shall continue in said office only so long as they are Directors. In the event of a vacancy in either the position of Chair or Vice-Chair, the Board of Directors shall appoint a replacement from the remaining Directors to fill the unexpired term.

**Section 4.6 Voting Rights.** Each Director shall have full and equal voting rights and shall exercise one vote. The acts and resolutions of the Board of Directors shall be enacted by affirmative vote of a majority of a quorum of the Directors present at any meeting of the Board of Directors, unless otherwise specified by statute, the Articles of Incorporation or Bylaws for the Corporation, as such may be amended or restated from time to time.

**Section 4.7 Management of Corporate Affairs.** The business of the Corporation shall be managed by its Board of Directors, which may exercise all powers of the Corporation and do all such lawful acts and things as are not precluded by statute or by the Articles of Incorporation or Bylaws of the Corporation, as such may be amended and restated from time to time.

**Section 4.8 Committees.** The Board of Directors may establish any of the committees listed in this Section. Directors and the Executive Director may participate in any meeting of any of such committees, but may not vote unless they are a member of such committee. All meetings of the committees must be held in the same manner and in accordance with the same requirements as are imposed on meetings of the Board of Directors.

(a) **Executive Committee.** An Executive Committee consisting of the Chair, ViceChair, the Secretary-Treasurer and one other member of the Board of Directors appointed by the Board of Directors. The Chair shall be the chairperson of the Executive Committee. All the members must be present for the Executive Committee to take any action. The Executive Committee may adopt rules of procedure. Meetings of the Executive Committee will be held as provided in its rules, upon Board of Directors resolution calling for a meeting, or upon the request of any member of the Executive Committee.

During the intervals between the meetings of the Board of Directors, the Executive Committee will possess and may exercise all the powers of the Board of Directors to direct the business and affairs of the Corporation subject to the following limitations:

(1) The Executive Committee may not exercise any powers or take any action reserved by resolution of the Board of Directors for action solely by the Board of Directors;

# Official Notices

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(2) The Executive Committee may not authorize the spending of funds or the incurring of any obligations which exceeds any expenditure limitations established by resolution of the Board of Directors unless the Executive Committee determines that an emergency exists requiring its immediate action;

(3) The Executive Committee may not amend the Articles of Incorporation or Bylaws or the Corporation, or any amendments or restatements thereof;

(4) The Executive Committee may not approve an agreement of merger or consolidation, the dissolution of the Corporation or the sale, lease, or exchange of all or substantially all of the Corporation's property; and

(5) The Executive Committee may not take any action affecting the position or authority of the Officers appointed by the Board of Directors.

All actions by the Executive Committee shall be reported to the Board of Directors at its meeting that next occurs after such action, and shall be subject to revision and alteration by the Board of Directors, provided no vested rights of third parties shall be affected by such revision or alteration.

**(b) Committee on Finance and Audit.** A standing Finance and Audit Committee, which shall report at least annually to the Board of Directors on the financial affairs of the Corporation. The Chair shall appoint a chairperson for the Finance and Audit Committee from its members.

**(c) Other Committees.** Any other committee that the Board of Directors deems appropriate and necessary. Each such committee shall consist of at least one Director and such other members as the Board of Directors shall establish and appoint. Any such committee shall perform the function assigned it in the resolution establishing said committee, but no such committee shall be granted any power or authority exceeding that to be granted to the Executive Committee in Section 4.8 (a). The Chair shall appoint the chairpersons for each committee from its members.

**Section 4.9 Committee Conduct.** The activity of all committees of this Corporation shall be conducted in such manner as will advance the best interests of the Corporation. The rules of procedure and all other regulations of each committee shall be consistent with the Articles of Incorporation and Bylaws of the Corporation, as such may be amended or restated from time to time, and policies of the Corporation. Except as otherwise provided in the Articles of Incorporation and Bylaws of the Corporation, as such may be amended or restated from time to time, committee members need not be members of the Board of Directors.

**Section 4.10 Compensation of Directors.** Directors may receive per diem compensation for their official duties as Directors, including service upon committees created by the Board of Directors, and may be reimbursed for expenses they incur as a result of attending Board of Directors or committee meetings. Such compensation and expense reimbursement shall be provided in accordance with policies adopted by resolution of the Board of Directors, provided, however, such compensation shall not be contrary to any limitations or requirements imposed by statute. Membership on the Board of Directors or any committee of the Corporation shall not preclude such Directors from serving the Corporation in any other capacity and receiving fair compensation therefore.

**Section 4.11 Proxies.** A Director or alternate shall not appoint a proxy for himself/herself or vote by proxy.

## Article V. BOARD MEETINGS

**Section 5.1 Annual Meeting.** The Board of Directors shall hold an Annual Meeting in January of each year. At the annual meeting the Board of Directors shall (i) hold an election for those seats on the Board of Directors that are vacant or will become vacant at the end of the annual meeting, or are filled by temporary replacements, (ii) elect a Chair, Vice-Chair and Secretary-Treasury who must be Directors, (iii) appoint members of the Advisory Board if the Board of Directors has created such a board, (iv) review the accomplishments of the Corporation that occurred since the last Annual Meeting, and (v) transact such other business as may come before the Board of Directors at such meeting.

**Section 5.2 Regular Meetings.** The Board of Directors shall, by resolution, hold at least one additional meeting, other than the Annual Meeting, each year and may establish regular periodic meetings at such time and place as provided for in the resolution at which meetings any business of the Corporation may be conducted. No notice of regular meetings need be given other than as provided in the



resolution establishing said meetings provided that the Secretary-Treasurer shall provide notice to each Director of said regular meeting at least ten (10) days prior thereto.

**Section 5.3 Special Meetings.** Special meetings of the Board of Directors may be called at the request of three (3) Directors or the Chair on notice of not less than five (5) business days directed to each Director. Business transacted at any special meeting of the Board of Directors shall be limited to the purposes stated in the notice.

**Section 5.4 Place of Meetings.** The Board of Directors may hold its meetings at such places within the state of Minnesota as the majority of the Board of Directors may from time to time determine.

**Section 5.5 Notice of Meetings.** The Chair or the Executive Director, as directed by the Board of Directors, shall call the meetings of the Board of Directors by way of notice to each Director not more than thirty (30) days or less than five (5) days prior to such meeting, stating the time and place of the meeting. Notice of all meetings of the Board of Directors must also comply with all requirements contained in Chapter 13D of *Minnesota Statutes* Section for public meetings and all amendments, substitutions or replacements thereof for as long as such requirements exist, unless the Board of Directors is specifically exempted from such requirements by a specific statutory provision. If allowed by Chapter 13D of the *Minnesota Statutes*, no notice of the Annual Meeting or other regular meetings need be given other than as provided in the resolution that originally establishes said meetings provided that the Secretary-Treasurer shall provide notice to each Director of said meetings at least ten (10) days prior thereto.

**Section 5.6 Quorum.** At all meetings of the Board of Directors, there shall be a quorum for the transaction of business if there are at least one - half (1/2) of all Directors present. The act of a majority of the Directors present and voting shall be the act of the Board of Directors, except as may be otherwise specifically provided by statute or the Articles of Incorporation and Bylaws of the Corporation, as such may be amended or restated from time to time. Duly seated alternates shall be counted among the number needed to reach a quorum. If a quorum shall not be present at any meeting of the Board of Directors, the Directors present thereat may adjourn the meeting from time to time, without notice other than announcement at the meeting until a quorum is present. If a quorum is otherwise present, a Director's written vote on an issue shall have the same effect as if the Director had voted in person.

**Section 5.7 Attendance at Meetings.** Unless otherwise restricted by statute or the Articles of Incorporation and Bylaws of the Corporation, as such may be amended or restated from time to time, members of the Board of Directors, or any committee designated by the Board of Directors, may participate in a meeting of the Board of Directors, or any committee, by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other, and such participation in a meeting shall constitute presence in person at the meeting.

**Section 5.8 Minutes.** The Board of Directors and each committee created by the Board of Directors shall keep regular minutes of its meetings and each committee shall report the same to the Board of Directors when required.

**Section 5.9 Compliance with Open Meeting Requirements.** All meetings of the Board of Directors must be held in compliance with the Open Meeting requirements contained in Chapter 13D of the *Minnesota Statutes* and all amendments, substitutions or replacements thereof for as long as such requirements exist, unless the Board of Directors is specifically exempted from such requirements by a specific statutory provision.

## Article VI. OFFICERS

**Section 6.1 Election, Qualifications.** The Officers of the Corporation shall consist of a Chair, Vice-Chair, and Secretary-Treasurer, and other such Officers as the Board of Directors and Executive Director shall determine from time to time. The Officers of the Corporation shall be elected by the Board of Directors at the Annual Meeting. All of the Officers of the Corporation must be Directors. A vacancy in any office of an Officer occurring by reason of death, disqualification, resignation or removal shall be filled for the unexpired portion of the term by election or appointment of a successor by the affirmative vote of a majority of a quorum of the remaining Directors present at any meeting of the Board of Directors.

**Section 6.2 Compensation.** The salary, if any, of the Officers shall be fixed by the Board of Directors, but in no event may such salary exceed any limitations contained in any statute.

**Section 6.3 Term, Removal and Vacancy.** The Officers of the Corporation shall hold office for one (1) year terms or until their

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successors are elected and qualified. Any Officer elected or appointed by the Board of Directors may be removed at any time by the affirmative vote of a majority of the Board of Directors. Any vacancy occurring in any office shall be filled by the Board of Directors.

**Section 6.4 Chair.** The Chair shall preside at meetings of the Board of Directors.

**Section 6.5 Vice Chair.** In absence of the Chair, the Vice-Chair shall preside at meetings of the Board of Directors.

**Section 6.6 Secretary-Treasurer.** The Secretary-Treasurer shall be responsible for maintaining the records and funds of the Corporation. Any duty of the Secretary-Treasurer may be delegated to the Executive Director.

The Secretary-Treasurer's primary duties shall include:

(a) Attending all meetings of the Board of Directors and recording all proceedings;

(b) Exercising the care and custody of the Corporation's funds and securities, keeping full and accurate accounts of receipts and disbursements in books belonging to the Corporation and depositing all monies and other valuable effects in the name and to the credit of the Corporation in such depositories as may be designated by the Board of Directors.

(c) Rendering to the Board of Directors at its Annual Meeting or when the Board of Directors so require an account of all transactions and of the financial condition of the Corporation. If required by the Board of Directors, the Secretary-Treasurer and staff assistant shall give the Corporation a bond in such sum and with such surety or sureties as shall be satisfactory to the Board of Directors for the faithful performance of duties of his/her office and for the restoration to the Corporation, in case of his/her death, resignation, retirement, or removal from office, of all books, papers, vouchers, money, and other property of whatever kind in his/her possession under his/her control belonging to the Corporation.

**Section 6.7 Executive Director.** The Executive Director shall be the chief executive and operating officer of the Corporation and shall be hired by the Board of Directors as an at will employee, subject to discharge by the Board of Directors. Subject to the provisions of these Amended and Restated Bylaws and the direction of the Board of Directors, the Executive Director shall have ultimate authority for decisions relating to the general management and control of the business and affairs of the Corporation. The Executive Director shall see that all orders and resolutions of the Board of Directors are carried into effect.

In addition, the Executive Director shall be responsible for:

(a) Directing and administering the affairs of the Corporation in accordance with the policies of the Board of Directors;

(b) Setting compensation, hiring and discharging of all employees within the limits and policies established by the Board of Directors;

(c) Having responsibility to prepare, submit and maintain the records of the Corporation, and for submitting information and reports to the Board of Directors as required thereby;

(d) Initiating, managing and promoting programs which serve and advance the purposes of the Corporation;

(e) Coordinating, assisting, and monitoring all committees established by the Board of Directors and their programs;

(f) Directing all the Corporation administrative functions;

(g) Submitting budgets as required by the Board of Directors, together with supporting documentation;

(h) Creating and updating, when necessary, employee job descriptions and requiring individual annual interviews with each employee;

(i) Subject to such limitations as the Board of Directors may provide, executing contracts of the Corporation, except where required by law to be otherwise signed or executed;

(j) Preparing and filing such reports of the Corporation as may be required by applicable law, including returns and reports required in the Internal Revenue Code, applicable state tax law and applicable state laws regulating charitable organizations and their solicitation of contributions;

(k) Performing such other duties as may be assigned by the Board of Directors pertaining to the function of the Corporation; and

(l) Reporting, from time to time, to the Board of Directors on matters within his or her knowledge that may be of interest to the Board of Directors.

**Section 6.8 Execution of Instruments.** All deeds, bonds, mortgages, notes, contracts, and other instruments requiring execution by the Corporation shall be executed on behalf of the Corporation by the Chair, except where the execution and attestation thereof shall be delegated to the Executive Director or some other named individual. All expenditures of \$25,000 or more must be approved by the Board of Directors in accordance with state statutes. When authorized by the Board of Directors or the Executive Director, the signature of any Officer or agent of the Corporation may be a facsimile.

**Section 6.9 Management and Administrative Employees.** The Corporation may have such other management and administrative employees as from time to time determined necessary by the Executive Director. All the Corporation employees shall be appointed in a manner, have duties and responsibilities, be compensated as, and hold their positions for the time determined and prescribed by the Executive Director.

**Section 6.10 Compensation.** The Executive Director shall be paid such reasonable compensation for his/her services rendered to the Corporation in those capacities and be reimbursed for reasonable out-of-pocket expenses, as the Board of Directors from time to time determines to be directly in furtherance of the purposes of, and in the best interest of, provided, however, in no event may such compensation or remuneration exceed any amount that may be imposed by statute.

**Section 6.11 Bond.** The Board of Directors shall from time to time determine which, if any, of the Officers, agents, or employees of the Corporation shall be bonded and the amount of each bond.

### Article VII. ADVISORY BOARD

**Section 7.1 Creation of an Advisory Board.** The Board of Directors may establish an advisory board to be known as the Advisory Board, the purpose of which is to represent and provide the Corporation with assistance and advice regarding the various segments of Minnesota's agricultural industry. The provisions in this Article Seven shall only apply if the Board of Directors establishes an Advisory Board.

**Section 7.2 Members of Advisory Board.** The Advisory Board is to be constituted in accordance with *Minnesota Statutes* § 116O.09, Subd. 5, as such may subsequently be amended or replaced from time to time, and if such statute is repealed and not replaced, then the Board of Directors may establish the manner in which the Advisory Board will be constituted that will encompass broad representation from the producers, processors, suppliers and organizations that comprise the agricultural industry of the state.

**Section 7.3 Terms.** The members of the Advisory Board shall be appointed or elected by the Board of Directors at the Annual Meeting and shall serve terms of one year. Members of the Advisory Committee may be re-elected or reappointed to successive terms. In the event of a vacancy in an unexpired term, a replacement member may be appointed by the Board of Directors to fill the remainder of that term.

**Section 7.4 Purpose.** The purpose of the Advisory Board is to assess the utilization needs and opportunities for the various segments of the agricultural industry in the state, and to annually develop a utilization program to address those needs and opportunities and provide a list of priorities and suggested research and marketing studies that should be performed by the Corporation. The Advisory Board also provides policy guidance, direction and support in the implementation of the utilization program and in the overall development of the Institute.

**Section 7.5 Advisory Board Meetings.** The Advisory Board will hold at least two regular meetings, one in the spring and one in the fall. One of these meetings will focus on the development of a Strategic Plan for the Corporation and the other on gathering input from the various segments of Minnesota's agricultural industry on utilization needs and opportunities. Special meetings of the Advisory Board

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may be called at any time by the Chair.

**Section 7.6 Task Forces.** The Advisory Board may create Task Forces for the purpose of conducting detailed assessments and development of major utilization opportunities, promising new technologies, key development matters, or cooperative efforts with public, private and non-profit groups. Task Forces shall be chaired by a member of the Advisory Board and must have no less than three (3) members of the Advisory Board on each such group. Other members of Task Forces may be drawn from producer groups, business and industry, research, academia, government and other sectors based upon their expertise, experience or interest in the subjects to be addressed. Task Forces shall be responsible to the Advisory Board and shall provide regular action reports at Advisory Board meetings or more frequently if necessary. Task Forces are intended to be temporary structures and therefore shall automatically terminate at the next meeting of the Advisory Board unless specifically extended by action of the Advisory Board.

**Section 7.7 Advisory Board Meetings.** Members of the Advisory Board, who are not otherwise members of the Board of Directors, shall be given notice of all meetings of the Board of Directors. Advisory Board members may attend any Board of Directors meeting and may provide input on Board of Directors decisions, but may not vote unless he/she is a Director.

**Section 7.8 Compensation of Advisory Board Members.** Members of the Advisory Board may not receive compensation, but may be reimbursed for expenses they incur as a result of attending Advisory Board meetings. Such expense reimbursement shall be provided in accordance with policies adopted by resolution of the Board of Directors, but shall not exceed any limitations imposed by statute. Membership on the Advisory Board shall not preclude such members from providing goods or services to the Corporation in any other capacity and receiving compensation therefore.

## Article VIII. CESSATION OF OPERATIONS AND DISTRIBUTION OF ASSETS

**Section 8.1 Right to Cease Operations and Distribute Assets.** The Board of Directors, by three-fourths (3/4) vote of the entire Board of Directors, may choose at any time to cause the Corporation to cease operations and voluntarily dissolve if such cessation of operation and dissolution is allowed by statute. If any such cessation and distribution is called for, the Board of Directors shall also establish a date for commencement of the distribution procedure.

**Section 8.2 Cessation and Distribution.** When cessation of operations and distribution of assets has been approved, the Board of Directors shall cause the Corporation to discontinue the regular business activities and operations as soon as practical, and shall liquidate and distribute all of the Corporation's remaining assets to such units or instrumentalities of government or organizations organized and operated exclusively for one or more of the purposes defined in Section 501(c)(3) of the Internal Revenue Code, as amended, as the Board of Directors shall determine.

## Article IX. INDEMNITY

**Section 9.1 Indemnity.** Each Director, Officer, and employee, past or present, of the Corporation and each person who serves or may have served at the request of the Corporation, as a Director, Officer, or director, officer, or agent of another corporation, partnership, joint venture, trust or other enterprise, and their respective heirs, administrators and executors, shall be indemnified by the Corporation in accordance with, and to the fullest extent permitted by, the provisions of the Minnesota Nonprofit Corporation Act as it may from time to time be amended.

**Section 9.2 Insurance.** The Corporation may purchase and maintain insurance on behalf of any person who is or was a Director or Officer (and may purchase and maintain insurance on behalf of any person who is or was an employee or agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, or agent of another corporation, partnership, joint venture, trust or other enterprise) against any liability asserted against any such person and incurred by him or her in any such capacity, or arising out of his or her status as such, whether or not the Corporation would have the power to indemnify such person against such liability under the provisions of the Minnesota Nonprofit Corporation Act or of these Amended and Restated Bylaws, as they may from time to time be amended.

## Article X. NOTICES

**Section 10.1 Notices.** Unless otherwise provided by statute or by the Articles of Incorporation and Bylaws of the Corporation, as such may be amended or restated from time to time, whenever notice is required to be given to a Director or any other individual or entity

it shall not be construed to mean or require personal notice, and such notice may be given by way of (i) mail, (ii) telegram, (iii) telex, (iv) fax, (v) electronic mail, or (vi) other commonly used electronic means, and such notice shall be addressed to such Director or other individual or entity at its street address, telex or fax number, electronic mail address, or other electronic address as has been supplied thereby in writing to the Corporation.

**Section 10.2 Waiver.** A written waiver of any notice requirement, signed by the person or persons entitled to said notice, whether provided before or after the occurrence of the event for which notice is required, shall be deemed equivalent to and the same effect as if the required notice had been properly and promptly supplied.

### Article XI. GENERAL PROVISIONS

**Section 11.1 Fiscal Year.** The fiscal year of the Corporation shall be October 1 to September 30 of the succeeding year.

**Section 11.2 Seal.** The Corporation shall not have a corporate seal.

**Section 11.3 Securities Owned by the Corporation.** Voting securities in any other corporation held by the Corporation shall be voted by the Executive Director, unless the Board of Directors specifically confers authority upon some other person to vote with respect thereto, which may be general or confirmed to specific instances. Any person authorized to vote securities shall have the power to appoint proxies, with general power of substitution.

**Section 11.4 Annual Audited Financial Statements.** The Board of Directors shall engage a firm of independent certified public accountants and for each fiscal year of the Corporation shall cause such firm to prepare audited financial statements in accordance with generally accepted accounting principals which fairly present the financial condition and the results of operations of the Corporation. A copy of these financial statements shall be provided to each Director.

**Section 11.5 Annual Report.** The Officers of the Corporation shall annually prepare a report summarizing the activities of the Corporation conducted in the course of its prior fiscal year and distribute the same to each Director.

**Section 11.6 Contracts.** The Board of Directors may authorize any Officer or agent or of the Corporation to enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation, and any such authority may be general or confined to specific instances.

**Section 11.7 Loans and Pledges.** No loans shall be contracted nor pledges or guarantees given on behalf of the Corporation unless specifically authorized by the Board of Directors.

**Section 11.8 Authorized Signatures.** All checks, drafts, or other orders for the payment of money, notes, or other evidence of indebtedness issued in the name of the Corporation shall be signed by such person or persons and in such manner as shall be from time to time determined by the Board of Directors or these Amended and Restated Bylaws, as such may be amended or restated from time to time.

**Section 11.9 Deposits.** All funds of the Corporation shall be deposited to the credit of the Corporation in such banks, trust companies, or other depositories as the Executive Director or the Board of Directors may designate and shall be disbursed under such general rules and regulations as the Board of Directors shall from time to time determine.

**Section 11.10 Books and Records.** The Board of Directors shall cause to be kept:

- (a) Records of all proceedings of the Board of Directors and all committees established by the Board of Directors;
- (b) All of the records and books of account as shall be necessary and appropriate to the conduct of the business of the Corporation.

**Section 11.11 Documents Kept at Registered Office.** The Board of Directors shall cause to be kept at the registered office of the Corporation originals or copies of:

- (a) Records of the proceedings of all committees established by the Board of Directors;

# Official Notices

- (b) Records of all votes and actions of the Board of Directors;
- (c) All financial statements of the Corporation; and
- (d) The Articles of Incorporation and Bylaws of the Corporation, as such may be amended or restated from time to time.

## Article XII. AMENDMENT OR RESTATEMENT OF ARTICLES AND BYLAWS

**Section 12.1 Right to Amend.** The Articles of Incorporation and Bylaws of the Corporation, as such may be amended or restated from time to time, may only be altered or amended by a majority vote of the entire Board of Directors at any meeting for which notice of such alteration or amendment was contained in the notice for such meeting.

**THE FOREGOING AMENDED AND RESTATED BYLAWS** were adopted by the Board of Directors of the Agricultural Utilization and Research Institute, Inc. by way of a resolution that was unanimously agreed to by the Directors thereof at a meeting of such Board of Directors that was held on the 17th day of December, 2015.

ATTESTED TO BY:

Chair, Board of Directors  
Agricultural Utilization Research Institute, Inc.  
The 17th day of December, 2015

Secretary-Treasurer  
Agricultural Utilization Research Institute, Inc.  
The 17th day of December, 2015

## Minnesota Department of Health (MDH) Office of Medical Cannabis Notice of Medical Cannabis Analyte List

*Minnesota Rules* 4770.1900, Subp. 5 (B) require that the MN Office of Medical Cannabis publish the analyte list in the State Register that state approved laboratories must test for prior to the manufacturers distributing the medical cannabis to an approved patient.

Extract/Stock Solution/Final Product Acceptance Criteria

Analyte	Maximum level	Comment	Guideline
<b>Metals</b>			
Arsenic	1.5 ppm	Consistent negative tests for three months-then will change to a random test on a quarterly basis. A change in a manufacturer's cultivation process will trigger a new round of consistent testing for three months.	FDA Q3D, Elemental Impurities Guidance*
Cadmium	0.30 ppm		
Lead	1.0 ppm		
Mercury	0.5 ppm		
<b>Toxins</b>			
Aflatoxin B1	5 ppb	Consistently test for all four toxins. B1 has a limit of 5 ppb and there is a 20ppb total limit for all four toxins combined.	American Herbal Pharmacopoeia Recommended Standards
Aflatoxin B2	- ppb		
Aflatoxin G1	- ppb		
Aflatoxin G2	- ppb		
<b>Microbials</b>			
Salmonella	Absence in 1g	Consistent testing on all microbials	American Herbal Pharmacopoeia Cannabis Inflorescence*
E. Coli	7 CFU/g		
Mold and Yeast	1000 CFU/g		

Aerobic Bacteria	100000 CFU/g	Consistent testing on all microbials	AmericanHerbal PharmacopeiaCannabis Inflorescence*
Bile tolerant gram negative bacteria	150 CFU/g		
<b>Pesticides</b>			
		Random quarterly testing for Pesticides. Consistent testing of stock solutions will occur if a manufacturer has notified the OMC that they intend to use a particular pesticide.	US Pharmacopeia Herbal Medicines Compendium Chapter 561**
<b>Solvents</b>			
Pentane	3000 ppm	Random quarterly testing.	FDA Q3C Guidance*
n-hexane	290 ppm		

\*Limits are at or below the recommended guidelines, E. Coli level is based on the laboratory reporting limit of 5 CFU/g

\*\*Specific tolerance limits are listed in table 4 of Chapter 561 of the US Pharmacopeia Herbal Medicines Compendium

## Minnesota Higher Education Facilities Authority (MHEFA) Notice of Public Hearing on Revenue Obligations on Behalf of the University of St. Thomas

**NOTICE IS HEREBY GIVEN** that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the “Authority”) with respect to a proposal to issue revenue bonds or other obligations on behalf of the University of St. Thomas (the “University”), as owner and operator of the University of St. Thomas, at the Authority’s offices at Suite 450, 380 Jackson Street, Saint Paul, Minnesota, on January 20, 2015 at 2:00 p.m.

Under the proposal, the Authority would issue its revenue bonds or other obligations in an original principal amount of up to approximately \$85 million to finance a project (the “Project”) consisting of (a) the refunding of the Authority’s outstanding Revenue Bonds, Series Six-I (University of St. Thomas), dated February 16, 2006, which were issued in the original principal amount of \$38,860,000 (the “Series Six-I Bonds”); (b) the refunding of the Authority’s outstanding Revenue Bonds, Series Six-W (University of St. Thomas), dated December 16, 2008, which were issued in the original principal amount of \$18,305,000 (the “Series Six-W Bonds”); and (c) the refunding of the Authority’s outstanding Revenue Bonds, Series Six-X (University of St. Thomas), dated June 17, 2009, which were issued in the original principal amount of \$58,405,000 (the “Series Six-X Bonds”).

The Series Six-I Bonds were issued to provide funds to finance the refunding of (A) the Authority’s outstanding Revenue Bonds, Series Four-A1 (University of St. Thomas) dated March 1, 1996, which were issued in the original principal amount of \$11,645,000 to finance the construction of O’Shaughnessy and Owens Science Hall (together known as Frey Science and Engineering Center) located on the University’s Saint Paul, Minnesota campus; (B) the Authority’s outstanding Revenue Bonds, Series Four-M (University of St. Thomas) dated June 15, 1997, which were issued in the original principal amount of \$21,680,000 to finance (i) the construction of a residence hall (“Morrison Hall”), (ii) the construction of a parking ramp beneath Morrison Hall, (iii) the construction of a commons building connecting Brady Hall and Dowling Hall for administrative and office space and recreational facilities and related improvements to Brady Hall and Dowling Hall, and (iv) construction of a skyway between the commons building and Morrison Hall and related improvements, all located on the University’s Saint Paul, Minnesota campus; and (C) the Authority’s outstanding Revenue Bonds, Series Four-P (University of St. Thomas) dated December 1, 1997, which were issued in the original principal amount of \$15,435,000 to finance the construction of Opus Hall, a multistory education building, and related improvements located on the University’s Minneapolis, Minnesota campus.

The Series Six-W Bonds were issued to provide funds to finance the construction and equipping of a five-level below- and above-ground parking facility with approximately 725 parking stalls for students, faculty and visitors located on the University’s Saint Paul, Minnesota campus.

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The Series Six-X Bonds were issued to provide funds to finance the construction and equipping of a three-level, approximately 180,000 square foot athletic and recreation complex for students, faculty and staff, known as the Anderson Athletic and Recreation Complex, located on the University's Saint Paul, Minnesota campus.

All of the facilities and improvements to be refinanced by the Project are owned and operated by the University. The principal street address of the University's Saint Paul, Minnesota, campus is 2115 Summit Avenue, Saint Paul, Minnesota. The principal street address of the University's Minneapolis, Minnesota, campus is 1000 LaSalle Avenue, Minneapolis, Minnesota.

At said time and place the Authority shall give all parties who appear or who have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the Project.

Dated January 4, 2016

By Order of the Minnesota Higher  
Education Facilities Authority  
Marianne Remedios, Executive Director

## Minnesota Interagency Council on Homelessness Request for Comment on Heading Home: Minnesota's Plan to Prevent and End Homelessness

The Minnesota Interagency Council on Homelessness is requesting Public Comment on Heading Home: Minnesota's Plan to Prevent and End Homelessness.

The Minnesota Interagency Council on Homelessness, which includes the Commissioners of 11 State agencies and the Governor's office, developed and released Heading Home in December 2013. Over the past two years, the Council led implementation of this two-year action plan. This update releases strategies and actions for 2016 and 2017.

Stable Housing is out of reach for far too many Minnesotans. More than 7,500 Minnesotans experience homelessness every night, based on the statewide Point-in Time (PIT) count conducted on January 22, 2015. While the 2015 count represents the first decrease in recent history, it also shows that many children and adults in Minnesota live without a stable foundation of housing. In addition, a much larger group of housed Minnesotans pay more than they can afford for their housing. According to U.S. Census and American Community Survey Data, over 590,000 Minnesota households paid more than 30 percent of their income for housing in 2014 and of these, over 254,000 paid more than half of their income for housing.

For many of these Minnesotans, a single health, employment or transportation crisis could result in homelessness. A lack of stable and affordable housing undermines Minnesota's efforts to improve educational outcomes for children, build a stronger workforce, improve health, and reduce racial and ethnic disparities.

The State of Minnesota's Heading Home plan is a direct response to this challenge. While the full solution to homelessness and housing instability, including addressing income inequality, will require the commitment of many sectors and all levels of government, this plan focuses on strategies and actions for State agencies. These strategies set us on a path not only to end homelessness for more families and individuals, but also to substantially prevent homelessness by addressing significant barriers to maintaining housing stability.

The 2016-2017 Heading Home Plan can be found on Minnesota Housing's website <http://www.mnhousing.gov> (*Home* > Multifamily Rental Partners > Ending Homelessness > Heading Home).

All public comments must be received no later than 4:30 p.m. CT on Thursday, January 14th, 2016.

Comments may be e-mailed to [amy.stetzel@state.mn.us](mailto:amy.stetzel@state.mn.us) or mailed to:

Minnesota Housing  
Attn: Amy Stetzel – MN Interagency Council on Homelessness  
400 Sibley Street, Suite 300  
Saint Paul, MN 55101



**Minnesota Department of Labor and Industry (DLI)****Labor Standards Unit****Notice of Correction to Commercial and Highway Heavy Prevailing Wage Rates  
for Various Labor Codes and Locations**

Corrections have been made to the Commercial Wage Rates certified 12/21/2015 for;

- **Cement Masons**, (Labor Code 706) in Grant, Douglas, Todd, Morrison, Traverse, Big Stone, Lac Qui Parle, Renville, Redwood, Cottonwood, Watonwan, Faribault, Mower and Goodhue Counties.
- **Electricians**, (Labor Code 707) in Stearns County
- **Plumbers**, (Labor Code 719) in Anoka, Hennepin, Scott, Carver, Isanti, McLeod, Mille Lacs, Sherburne, Wright, Benton, Chippewa, Kandiyohi, Meeker, Morrison, Stearns, Stevens, Todd, Pope, Dakota and Goodhue Counties.
- **Sprinkler Fitters**, (Labor Code 722) in Anoka, Hennepin, Ramsey, Scott, Dakota and Washington Counties
- **Terrazzo Workers**, (Labor Code 723) in Roseau, Lake of the Woods, Marshall, Pennington, Polk, Clearwater, Koochiching, Itasca, St. Louis, Lake, Cook, Cass, Hubbard, Becker, Wilkin, Otter Tail, Wadena, Crow Wing, Aitkin, Kanabec, Morrison, Todd, Douglas, Traverse, Pope, Stearns, Benton, Sherburne, Isanti, Chisago, Kandiyohi, Meeker, Wright, Hennepin, Anoka, Ramsey, Washington, Dakota, Scott, McLeod, Carver, Renville, Yellow Medicine, Sibley, Le Sueur, Rice, Goodhue, Brown, Cottonwood, Watonwan, Blue Earth, Steele, Dodge, Jackson, Martin, Faribault, Freeborn, Mower, Fillmore, Carlton, Pine, Clay, Beltrami, Mille Lacs, Grant, Stevens, Big Stone, Swift, Lincoln, Lyon, Redwood, Wabasha, Winona, Waseca, Red Lake, and Houston Counties.
- **Tile Finishers**, (Labor Code 725) in Roseau, Lake of the Woods, Marshall, Pennington, Polk, Clearwater, Koochiching, Itasca, St. Louis, Lake, Cook, Cass, Hubbard, Becker, Wilkin, Otter Tail, Wadena, Crow Wing, Aitkin, Kanabec, Morrison, Todd, Douglas, Traverse, Pope, Stearns, Benton, Sherburne, Isanti, Chisago, Kandiyohi, Meeker, Wright, Hennepin, Anoka, Ramsey, Washington, Dakota, Scott, McLeod, Carver, Renville, Yellow Medicine, Sibley, Le Sueur, Rice, Goodhue, Brown, Cottonwood, Watonwan, Blue Earth, Steele, Dodge, Olmstead, Jackson, Martin, Faribault, Freeborn, Mower, Fillmore and Houston Counties.
- **Ironworkers**, (Labor Code 712) in Roseau, Lake of the Woods, Marshall, Pennington, Polk, Clearwater, Koochiching, Itasca, St. Louis, Lake, Cook, Cass, Wilkin, Otter Tail, Wadena, Crow Wing, Aitkin, Kanabec, Morrison, Todd, Pope, Stearns, Benton, Sherburne, Isanti, Chisago, Kandiyohi, Meeker, Wright, Hennepin, Anoka, Ramsey, Washington, Dakota, Scott, McLeod, Carver, Renville, Yellow Medicine, Sibley, Le Sueur, Rice, Goodhue, Brown, Cottonwood, Watonwan, Blue Earth, Steele, Dodge, Olmstead, Martin, Faribault, Freeborn, Mower, Pipestone, Lincoln, Lyon, Waseca, Wabasha, Nicollet, Chippewa, Pine, Carlton, Mille Lacs, Grant, Clay, Mahnomen, Norman, Kittson, Beltrami, Red Lake, Fillmore and Rock Counties.

Corrections have been made to the Highway Heavy Rates certified 10/12/2015 for;

- **Ironworkers**, (Labor Code 712) in Regions 1 through 10
- **Cement Masons**, (Labor Code 706) in region 7

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

Ken B. Peterson, Commissioner  
Department of Labor and Industry

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## Minnesota Department of Veterans Affairs (MDVA) REQUEST FOR COMMENTS on Possible Amendment to Rules Governing the Minnesota Veterans Homes, *Minnesota Rules*, Chapter 9050; Revisor's ID Number R-04384

**Subject of Rules.** The Minnesota Department of Veterans Affairs requests comments on its possible amendment to rules governing the Minnesota veterans homes operation. The Department is considering rule amendments that add new or modify existing definitions; obtain compliance with statutory changes; and make technical corrections. These changes will permit the Department to: update and clarify definitions; clarify repayment options; update bed hold requirements; update the discharge process including the addition of an immediate discharge process; clarifying the cost of care calculation; update income and property allowances for board and care residents; update for HIPAA requirements; and other things as time allows.

**Persons Affected.** The amendment to the rules would likely affect current and future potential residents of the Minnesota Veterans Homes, the resident's spouses and dependent children, veteran service organizations, and individuals and groups advising veterans and their families.

**Statutory Authority.** *Minnesota Statutes*, sections 196.04 and 198.003, subdivision 1, authorizes the Department to adopt rules to govern the procedure of the divisions of the Department and adopt, amend, and repeal rules for the governance of the homes.

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

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

**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: Kristen Root at Minnesota Department of Veterans Affairs, 5101 Minnehaha Avenue South, Building 10, Minneapolis, Minnesota 55417. **Phone:** (612) 548-5956; **Fax:** (612) 548-5964 and **E-mail:** [Kristen.Root@state.mn.us](mailto:Kristen.Root@state.mn.us) .

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

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

Dated: January 4, 2016

Larry Shellito, Commissioner  
Department of Veterans Affairs

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

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

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

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

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

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

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

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

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

# State 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.

**Requirements:** There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements:

\$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600

\$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days.

\$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days.

Anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days

## Minnesota State Colleges and Universities (MnSCU) Campus Service Cooperative REBID - Notice of Request for Proposals for Digital Signature Services

**NOTICE IS HEREBY GIVEN** that the State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of the various member institutions, is soliciting proposals from qualified vendors for assistance in implementing an enterprise-wide electronic signature system.

The full Request for Proposal (RFP) will be available Monday January 4, 2016 at the following website:

<http://www.csc.mnscu.edu/sourcing/RFP.html> .

All requirements and information, as well as proposal delivery instructions will be contained in the RFP.

Deadline for proposal response is 3:00pm Central Time Monday January 25, 2016. Submit proposals to:

Michael Noble-Olson, Chief Procurement Officer

MnSCU Campus Service Cooperative

30 - 7<sup>th</sup> St, East, Suite 350

St. Paul, MN 55101

Minnesota State Colleges and Universities reserves the right to reject any or all proposals, to waive any irregularities or informalities in proposals received, and to cancel the solicitation if it is considered to be in its own best interest. This Request for Proposal does not obligate the Minnesota State Colleges and Universities to award a contract.

## Minnesota Department of Commerce (COMM) Division of Energy Resources Notice of Contract Availability for Financial Analysts

The Minnesota Department of Commerce (Commerce) requests proposals from qualified financial analysts experienced in testifying in contested cases before a state or federal utility regulatory commission on the appropriate cost of capital to include in regulated rates. The consultant will need to provide written and oral testimonies along with drafting and responding to information requests and assisting with briefs. Overall goal is to investigate and analyze the reasonableness of the proposed cost of capital to be included in retail rates by Northern States Power d/b/a Xcel Energy in its current contested general rate proceeding (Docket No. E002/GR-15-826) before the

Minnesota Public Utilities Commission.

A Request for Proposals (RFP) and required forms, along with background information will be available for download on the Department's website: <http://mn.gov/commerce/industries/rfp/> through February 01, 2016. Potential responders may also request a hard copy of the RFP by mail from this office. Requests for hard copies must be received by the Department no later than 12:00 p.m. (Noon) CT on February 01, 2016.

The RFP and forms can be obtained from:

Preferred Method: Commerce Website: <http://mn.gov/commerce/industries/rfp/>  
Under the "Industries & Agencies" tab, Request for Proposals

U.S. Postal Service: Grants Staff  
Minnesota Department of Commerce  
Division of Energy Resources  
85 - 7th Place East, Suite 500  
St. Paul, MN 55101-2198

Proposals submitted in response to this RFP must be received no later than 11:59 pm (CT) Monday, February 01, 2016. **Late proposals will NOT be considered.** Instructions for submitting proposals are detailed in the RFP.

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

## Minnesota Department of Health (MDH) Emergency Preparedness and Response Notice of Contract Opportunity for Minnesota Crisis Standards of Care Facilitator

### DETAILS:

The Minnesota Department of Health is requesting proposals for the purpose of developing and implementing an ethical framework and standards of care for response to and recovery from catastrophic disasters that support optimal community resilience across the statewide healthcare system. The framework will support and guide the MN Crisis Standards of Care plan to ensure ethically sound decision making processes are in place during a catastrophic disaster.

Work is anticipated to start after February 15, 2016

### COPY REQUEST

A copy of the Request for Proposal (RFP) will be available by e-mail from this office through January 8, 2016. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After January 8, 2016 the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Kara Cornils  
Financial Management Analyst  
Emergency Preparedness and Response  
Minnesota Department of Health  
625 North Robert Street  
P.O. Box 64975  
Saint Paul, MN 55164-0975  
**Fax Number:** (651) 201-5720

# State Contracts

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## PROPOSAL DEADLINE:

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00pm (CST), Friday, January 15, 2016. **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 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.

## State Department of Military Affairs Notice of Availability of Request for Proposal (RFP) for Commissioning Services for Construction of a Minnesota National Guard Readiness Center, Arden Hills, Minnesota (DMA PROJECT NO. 13101)

The State of Minnesota, Department of Military Affairs is soliciting proposals from interested, qualified consultants for commissioning services for the above referenced project.

A full Request for Proposals is available on the Minnesota National Guard's website: <http://www.MinnesotaNationalGuard.org/rfp>.

Any questions should be directed to Mr. Justin Skoglund at [justin.a.skoglund2.nfg@mail.mil](mailto:justin.a.skoglund2.nfg@mail.mil). Project questions will be taken by this individual only. Questions regarding this RFP must be received by **Tuesday, January 19, 2016, no later than 5:00 PM** Central Time.

A project site tour may be scheduled by contacting Mr. Justin Skoglund.

Proposals must be sent to Ms. Anna Swoboda, Department of Military Affairs, Facilities Management Office, Camp Ripley, 15000 Highway 115, Little Falls, MN 56345-4173 NOT later than **2:00 p.m., Central Time, on Tuesday, January 26, 2016**. Late responses will NOT be considered.

The Minnesota National Guard 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 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 (Cite 40 SR 773)

# State Contracts

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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.

## *Minnesota's Bookstore*

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

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

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

**Order Online at: [www.minnesotasbookstore.com](http://www.minnesotasbookstore.com)**

### ***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, 61-pages, Stock No. 179, \$14.00 + tax

### ***Barber Laws & Rules - NEW***

Published by the Barber Examiner's Board, 6"x9", saddle stitched, 38-pages, Stock No. 92, \$15.00

### ***Boiler Laws & Rules - REPRINT***

Published by the Department of Labor and Industry, 6"x9", saddle stitched, 56-pages, Stock No. 136, \$14.00 + tax



### **Campaign Finance Laws & Rules - NEW**

Published by the Campaign Finance & Public Disclosure Board, 8.5" x 11", Spiral bound, 106-pages, Stoick 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

### **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

### **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.

## **A Subscription Gets You the Earliest Delivery Giving You a Jump on Bid Preparation**

A subscription to the *STATE REGISTER* gets you the EARLIEST DELIVERY. Instead of waiting until Monday at 8:00 am when the magazine is posted on our website, we'll SEND you the magazine on Friday at close of business with the State, 4:30 pm: 2-1/2 days early.

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Try a subscription for one year and see if it is worth your investment. We think you'll be glad you did.

# Minnesota's Bookstore

## Several convenient ways to order:

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

**PREPAYMENT REQUIRED.** Prices and availability subject to change. Fax and phone orders require credit card.

Please allow 1-2 weeks for delivery. For mail orders, complete order blank and send to address above.

Enclose payment - for security reasons, we do not recommend mailing credit card information.

Please allow 2-3 weeks for delivery.

Please make checks payable to "Minnesota's Bookstore."

A \$20.00 fee will be charged for returned checks.

Stock No.	Title	Quantity	Unit Price	Total

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<b>City:</b>	<b>State:</b>	<b>Zip:</b>
<b>Daytime phone:</b> ( ) <i>(In case we have a question about your order - please include area code)</i>		

Shipping Charges	
<i>If Product Subtotal is:</i>	<i>Please Add:</i>
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\$15.01-\$25.00	\$ 6.00
\$25.01-\$50.00	\$ 9.00
\$50.01-\$100.00	\$ 14.00
\$100.01-\$500.00	\$ 17.00
\$500.01-\$1,000	\$ 22.00*
<small>*\$22 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.</small>	
More than \$1,000	Call

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