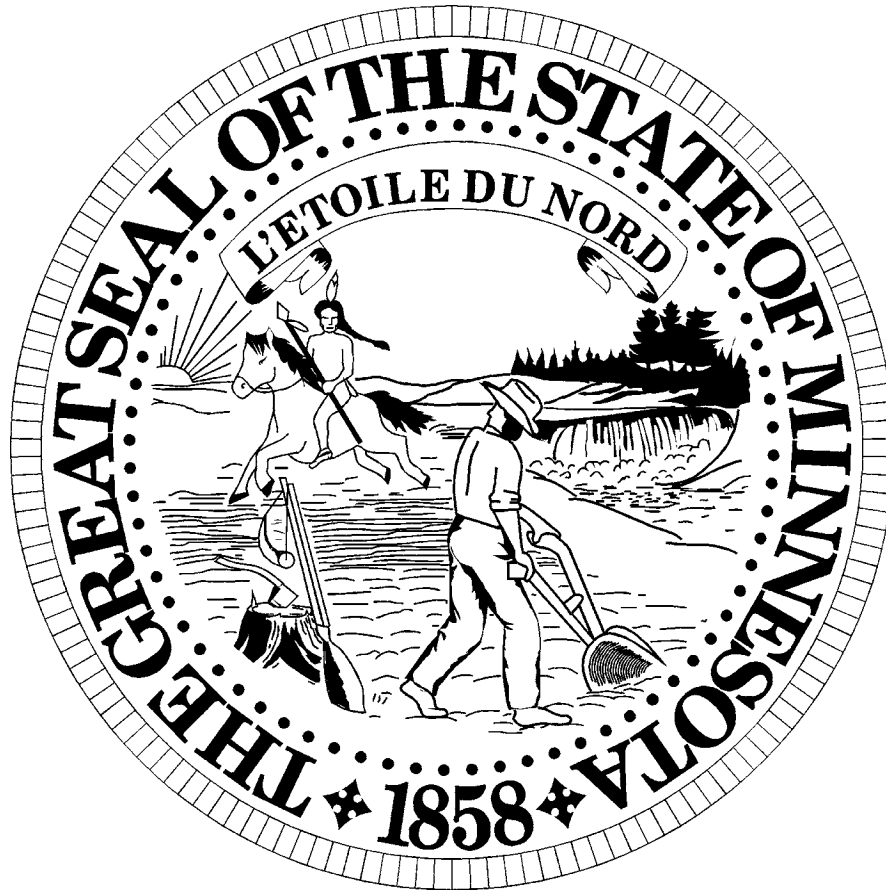


Minnesota State Register

Published every Monday (Tuesday when Monday is a holiday)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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

**Tuesday 27 December 2016
Volume 41, Number 26
Pages 795 - 824**

Minnesota State Register

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

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

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- Withdrawn Rules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

Printing Schedule and Submission Deadlines

Vol. 41 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
# 27	Tuesday 3 January	Noon Tuesday 27 December	Noon Thursday 22 December
# 28	Monday 9 January	Noon Tuesday 3 January	Noon Thursday 29 December
# 29	Tuesday 17 January	Noon Tuesday 10 January	Noon Thursday 5 January
# 30	Monday 23 January	Noon Tuesday 17 January	Noon Thursday 12 January

PUBLISHING NOTICES: We need to receive your submission **ELECTRONICALLY in Microsoft WORD format**. Submit ONE COPY of your notice via e-mail to: sean.plemmons@state.mn.us. State agency submissions must include a "State Register Printing Order" form, and, with contracts, a "Contract Certification" form. Non-State Agencies should submit **ELECTRONICALLY in Microsoft WORD**, with a letter on your letterhead stationery requesting publication and date to be published. Costs are \$10.20 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page = 4/10s of a page in the State Register, or \$40.80. About 2-1/2 pages typed, double-spaced, on 8-1/2"x11" paper = one typeset page in the *State Register*. Contact editor with questions (651) 297-7963, or **e-mail**: sean.plemmons@state.mn.us.

SUBSCRIPTION SERVICES: Copies are available at Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: 711. **NO REFUNDS**. E-mail subscriptions are available by contacting (651) 297-8777. Send address changes to Minnesota's Bookstore, 660 Olive Street, St. Paul, Minnesota 55155.

SEE THE Minnesota State Register free at website: <http://www.minnesotasbookstore.com>

- **Minnesota State Register: On-line subscription** – \$180, includes links, index, special section "CONTRACTS & GRANTS," with Sidebar Table of Contents, Early View after 4:30 pm Friday (instead of waiting for early Monday), and it's sent to you via **E-mail**.
- **Single issues** are available for a limited time: Minnesota State Register \$5.00.
- **"Affidavit of Publication"** includes a notarized "Affidavit" and a copy of the issue: \$15.00.
- **Research Services** - will look up, photocopy, and fax or send copies from past issues at \$1.00 per page.

Governor: Mark Dayton (651) 296-3391	Lieutenant Governor: Tina Smith (651) 296-339	Minnesota's Bookstore: Mary Mikes (651) 297-3979	Subscriptions Manager: Loretta J. Diaz (651) 297-8777
Administration Commissioner: Matthew J. Massman (651) 201-2555	Plant Management Division: Christopher A. Guevin (651) 201-2350	Auditor: Rebecca Otto (651) 296-2551	Editor: Sean Plemmons (651) 297-7963
	Attorney General: Lori Swanson (651) 296-6196	Secretary of State: Steve Simon (651) 296-2803	sean.plemmons@state.mn.us

Copyright © 2016 Plant Management Division, Department of Administration, State of Minnesota.

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: <http://www.comm.media.state.mn.us/bookstore/mnbookstore>

Minnesota Legislative Information

Senate Public Information Office

(651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
<http://www.senate.mn>

Minnesota State Court System

Court Information Office (651) 296-6043
MN Judicial Center, Rm. 135,
25 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<http://www.mncourts.gov>

House Public Information Services

(651) 296-2146
State Office Building, Room 175
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<https://www.house.leg.state.mn.us/hinfo/hinfo.asp>

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office – Fax: (202) 512-1262
http://www.access.gpo.gov/su_docs/aces/aces140.html

Contents

Minnesota Rules: Amendments and Additions 798	
Adopted Rules	
Department of Agriculture	
Adopted Permanent Rules Relating to the Repeal of Obsolete Rules Administered by the Department of Agriculture..... 799	
Department of Natural Resources	
Adopted Permanent Rules Relating to Mississippi River Corridor Critical Area 799	
Expedited Emergency Rules	
Department of Natural Resources	
Adopted Expedited Emergency Game and Fish Rules: Chronic Wasting Disease Management Zone 806	
Expedited Rules	
Minnesota Racing Commission	
Adopted Expedited Permanent Rules Relating to Advance Deposit Wagering 809	
Official Notices	
Office of the Governor	
Waiver Pursuant to Minnesota Statutes, Section 14.127, Subdivision 4(e)..... 815	
Department of Human Services (DHS)	
Public Notice Regarding Changes to Payment Rates and Methodologies, and Services under the Medical Assistance Program..... 816	
Department of Labor and Industry	
Notice of Correction to Highway Heavy Prevailing Wage Rates 816	
Notice of Prevailing Wage Determinations for Commercial Projects 816	
Department of Natural Resources	
Notice of Proposed Conveyance to Correct Boundary Line Issues..... 817	
Minnesota Department of Transportation	
Notice of Petition of Non-Compliance and Request for Action under Minn. Stat. § 218.041 817	
Notice of Petition of Non-Compliance and Request for Action under Minn. Stat. § 218.041 817	
State Contracts	
Minnesota State Colleges and Universities (MnSCU)	
System Office, Academic and Student Affairs	
Request for Proposals for Identifying a Vendor Who Specializes in CRM Solutions for Higher Education 818	
Alexandria Technical & Community College	
Advertisement for Bids for 2016 Domestic Water Main Replacement 819	
Minnesota Department of Human Services	
Notice of Request for Proposals to Develop Integrated, Collaborative Care Models for Women with Maternal Opiate Use 819	
Minnesota Department of Transportation (Mn/DOT)	
Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (“Consultant Pre-Qualification Program”)..... 820	
Notice Concerning Professional/Technical Contract Opportunities and Taxpayers’ Transportation Accountability Act Notices..... 821	
Board of Water and Soil Resources	
Notice of Contract Opportunity for Core Competency Training Development Consultant 821	
Non-State Public Bids, Contracts & Grants	
City of Mankato	
Solicitations for Transit Development Plan Proposals..... 822	
Metropolitan Airports Commission (MAC)	
Notice of Call for Bids for 2017 Air Handling Unit Replacement P6 822	
Notice of Call for Bids for 2017 Noise Mitigation Consent Decree Amendment..... 823	
Notice of Call for Bids for 2017 Terminal 1-Lindbergh Passenger Boarding Bridge Replacement..... 823	

Get the Earliest Delivery of the State Register

A subscription to the **STATE REGISTER** gets you the **EARLIEST DELIVERY**. Instead of waiting until Monday at 8:00 a.m. 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.

Yes, that’s right -- 2-1/2 days ahead of normal publication schedule -- to get to know what’s coming in the next week; to prepare your plans for your submissions to grant and loan programs and RFPs, RFIs and other contracts and bids.

Subscriptions for an entire year cost \$180. The magazine is **SENT TO YOU**, as well as ONE OTHER PERSON YOU DESIGNATE, in case of vacations, or illnesses, or other absences in your office . . . and you won’t have to access our website or click, click, click to find us.

Subscriptions include the most up-to-date information, including a growing index to issues in each volume, issue by issue, including the current volume, which others do not have access to until the end of the volume year.

And a subscription gets you our Current Listing of All OPEN bids, contracts, grants, loans, and RFPs that are still open for bid, so you don’t have to hunt through each back issue to find something.

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 41 - Minnesota Rules

(Rules Appearing in Vol. 40 Issues #27-52 are in Vol 40, #52 - Monday 27 June 2016)

Volume 41, #26

Tuesday 5 July - Tuesday 27 December

Department of Administration

1230.0150; .1400; .1450; .1600; .1601; .1602; .1603; .1604; .1605; .1606; .1607; .1608; .1609; .1700; .1805; .1810; .1820; .1850; .1900; .1910; .3900 (proposed expedited) 619

Department of Agriculture

1505.0960; .1100; .3070; 1513.0140 (proposed) 201, 799

State Arts Board

1900.0610; .1110 (adopted) 123

Board of Cosmetologist Examiners

2105; 2110 (adopted) 305
2105.0010; .0322; .0395; .0420 (proposed) 505

Board of Examiners for Nursing Home Administrators

6400.5100; .6100; .6500; .6650; .6655; .6710; .6720; .6740; .6850 (adopted) 599

Gambling Control Board

7861; 7863; 7864; 7865 (adopted) 137

Department of Health

Division of Health Policy

4654.0800 (adopted expedited) 281, 781

Division of Infectious Disease Epidemiology, Prevention and Control

4605.7000; .7030; .7040; .7060; .7075; .7090; .7400; .7700; .7900 (proposed) 53
4605.7000; .7042 (proposed repealer) 59

Office of Higher Education

4830.9100; .9110; .9120; .9130 (proposed) 579

Department of Human Services

Office of Inspector General, Financial Fraud & Abuse Investigation

9505.2240 (proposed) 271

Department of Labor and Industry

5210.0530 (adopted) 337
1309.0311 (adopted) 353, 762
5219; 5221 (adopted exempt) 385

Occupational Safety and Health Division

5205.0010 (adopted exempt) 135, 391

Board of Marriage and Family Therapy

5300 (adopted) 87
5300.0100 s. 6; .0210; .0240 s. 5 (repealed) 92

Department of Natural Resources

6106 (adopted) 799
6216 (adopted) 113
6232.1990 (adopted expedited) 161
6232.2460; .2550; .2560 (adopted expedited) 161
6232.2800 (adopted expedited) 358
6234.1000; .2200; .2400 (adopted expedited) 548
6237.0400; .0550 (adopted expedited) 164
6237.0550 s. 2 (repealer) 165
6232.0300; .0800; .0900; .1300; .1600; .1750; .1970; .1980; .2100; .2500; .4700 (adopted expedited) 165
6232.0300; .0400; .0800; .1600; .1980; .4700; .4800 806
6232.0300; .1000; .2500; .2550 (adopted expedited) 464
6232.2510 (adopted expedited) 425
6232.4700 s. 75a, 91 (repealer) 178
6230.0200; .0250; .0295; .0400; 6234.0600; .1700; .2600; 6236.0700 (adopted expedited) 178
6230.0200; 0295; .0400; .0600 (repealer) 181
6262 (proposed expedited) 417
6264.0050 (proposed) 203
6266.0100 (expedited) 619

Minnesota Rules: Amendments and Additions

Nursing Board

6301.0100; .2300; .2310; .2320; .2330; .2340; .2350; .2360
(adopted) 239, 599

Board of Pharmacy

6800.2150; .2160 (proposed) 355

Pollution Control Agency

7005; 7007; 7008; 7009; 7011; 7017 (adopted)..... 763
7050.0190; 7052.0282; 7053.0195 (adopted) 463
7050.0250; .0260; .0265; .0270; .0285 (adopted) 545
7050; 7052 659
7081.0040 (adopted expedited) 312

Public Employment Relations Board

7325.0020; .0100; .0110; .0150; .0240; .0260; .0270; .0300; .0320; .0400;
.0410 (adopted) 5

Racing Commission

7869.0100; 7877.0100; .0110; .0120; .0125; .0160; 7880.0010; .0020;
.0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110
(adopted) 272, 809

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.

Department of Agriculture

Adopted Permanent Rules Relating to the Repeal of Obsolete Rules Administered by the Department of Agriculture

The rules proposed and published at State Register, Volume 41, Number 8, pages 201-203, August 22, 2016 (41 SR 201), are adopted as proposed.

Department of Natural Resources

Adopted Permanent Rules Relating to Mississippi River Corridor Critical Area

The rules proposed and published at State Register, Volume 40, Number 41, pages 1359-1393, April 11, 2016 (40 SR 1359), are adopted with the following modifications:

6106.0050 DEFINITIONS.

Subp. 8. **Bluff.** "Bluff" means a natural topographic feature having:

A. a slope that rises at least 25 feet ~~above the ordinary high water level or toe of the slope to the top of the slope~~ and the grade of the slope averages 18 percent or greater, measured over a horizontal distance of 25 feet, as follows:

(1) where the slope begins above the ordinary high water level, from the toe of the slope to the top of the slope; or

(2) where the slope begins below the ordinary high water level, from the ordinary high water level or toe of the slope to the top of the slope averages 18 percent or greater, measured over a horizontal distance of 25 feet. See Figure 1; or

B. a natural escarpment or cliff with a slope that rises at least ten feet above the ordinary high water level or toe of the slope, whichever is applicable, to the top of the slope, with an average a slope of 100 percent 75 degrees or greater.

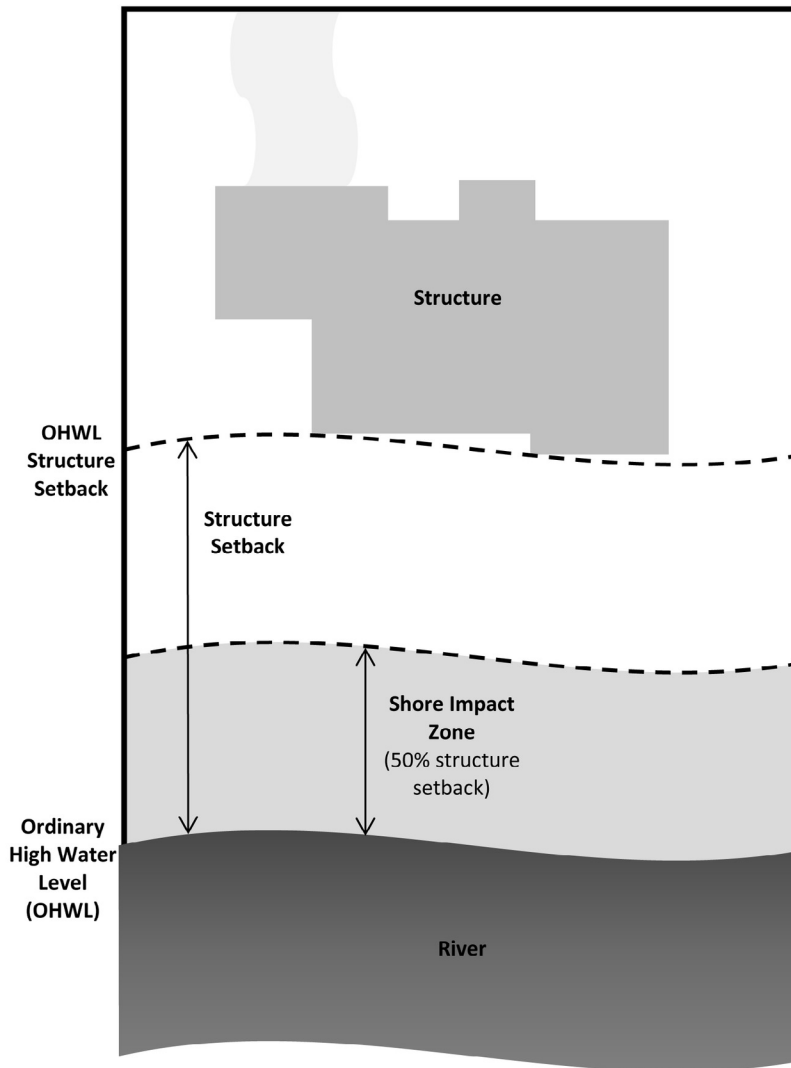
Subp. 39. **Native plant community.** "Native plant community" means a plant community that has been ~~mapped~~ identified as

Adopted Rules

part of the Minnesota biological survey or other scientifically based studies biological survey issued or adopted by a local, state, or federal agency.

Subp. 68. **Shore impact zone.** “Shore impact zone” means land located between the ordinary high water level of public waters and a line parallel to it at a setback of 50 percent of the required structure setback or, for areas in agricultural use, 50 feet landward of the ordinary high water level in areas of agricultural use. See Figure 2.

Figure 2: Shore Impact Zone



Subp. 71. **State or regional agency.** “State or regional agency” means the Metropolitan Airports Commission, Minnesota Historical Society, University of Minnesota, Department of Natural Resources, Department of Transportation, and Metropolitan Council and other state agencies.

Subp. 72. **Steep slope.** “Steep slope” means a natural topographic feature with an average slope of 12 to 18 percent, measured over a horizontal distance equal to or greater than 50 feet, and any slopes greater than 18 percent that are not bluffs.

6106.0060 ADMINISTRATION OF PROGRAM.

Subp. 3. **Consistent plans and ordinances.** Local governments within the Mississippi River Corridor Critical Area must adopt, administer, and enforce plans and ordinances consistent with this chapter. Plans and ordinances must be submitted to the Metropolitan Council for review and must be approved by the commissioner before they are adopted as provided under part

Adopted Rules

6106.0070. For the purpose of this part, “consistent” means that each local plan and ordinance, while it may be structured or worded differently, meets the purpose, scope, and numeric thresholds and standards set forth in this chapter. ~~Plans and Ordinances~~ that are not consistent with this chapter require approval of flexibility from the commissioner, according to part 6106.0070, subpart 6.

Subp. 5. **Duties of commissioner.** The commissioner must:

C. ~~be the lead agency~~ to coordinate preparation, submission, review, and modification of plans and ordinances that are prepared by local governments as provided under part 6106.0070;

Subp. 7. **Duties of cities.** Cities must:

D. send notice of public hearings to consider plans and ordinances, and amendments thereto, and other development requiring discretionary action affecting lands within the river corridor boundary to the following parties so that the parties receive the notice at least ten days before the public hearing:

(3) adjoining local governments within the Mississippi River Corridor Critical Area, including those with overlapping jurisdiction and those across the river, where buildings exceed the height limits specified in part 6106.0120, as part of the conditional use permit or variance process; and

6106.0070 PREPARATION, REVIEW, AND APPROVAL OF PLANS AND ORDINANCES.

Subp. 6. **Flexibility requests for ordinances.**

A. Local governments may, under special circumstances and with the commissioner’s prior approval, adopt ordinances that are not consistent with this chapter, provided that the purposes of Minnesota Statutes, section 116G.15, ~~and the purposes and scope of this chapter~~ are met and the ordinance is consistent with the plan prepared by the local government and approved according to this chapter. Special circumstances include the following situations:

C. Within 60 days after receiving a complete request for ordinance flexibility as provided in item B, the commissioner must:

(1) make the request publicly available;

(+) ~~(2)~~ evaluate the request based on:

~~(2)~~ (3) approve or deny the request, state in writing to the local government the reasons for the approval or denial, and suggest any alternative solutions or regulatory approaches that would be granted ordinance flexibility.

6106.0080 ADMINISTRATIVE PROVISIONS FOR ORDINANCES.

Subp. 4. **Conditional and interim use permits.**

A. In addition to meeting the requirements of Minnesota Statutes, sections 394.301, 394.303, 462.3595, and 462.3597, a local government’s review of conditional and interim uses must consider potential impacts of the conditional or interim use on primary conservation areas, public river corridor views, and other resources identified in a local government’s plan.

Subp. 7. **Accommodating disabilities.** Ramps or other facilities to provide persons with disabilities access to the persons’ property, as required by the federal Americans with Disabilities Act and the federal Fair Housing Act and as provided by chapter 1341, are allowed ~~by administrative permit~~, subject to the following standards:

A. parts 6106.0120 to 6106.0180 must be complied with to the maximum extent practicable, except as provided in item B; and

B. when parts 6106.0120 to 6106.0180 cannot be complied with, the local government may issue an interim use permit to allow ramps or other facilities that do not comply with those parts. Upon expiration of the interim use permit, the ramp or other facilities must be removed.

Adopted Rules

6106.0100 DISTRICTS.

Subp. 4. River neighborhood district (CA-RN).

B. The CA-RN district must be managed to maintain the character of the river corridor within the context of existing residential and related neighborhood development, and to protect and enhance habitat, parks and open space, public river corridor views, and scenic, natural, and historic areas. Minimizing erosion and the flow of untreated storm water into the river and enhancing habitat and shoreline habitat vegetation are priorities in the district.

Subp. 5. River towns and crossings district (CA-RTC).

A. The river towns and crossings district (CA-RTC) is characterized by historic downtown areas and limited nodes of intense development at specific river crossings, as well as institutional campuses that predate designation of the Mississippi River Critical Corridor Area and includes that include taller buildings.

Subp. 9. District boundaries.

A. The physical boundaries of each district are delineated in the Mississippi River Corridor Critical Area District Map, Minnesota Department of Natural Resources (~~2015~~ 2016 and as subsequently amended). The map is incorporated by reference, is not subject to frequent change, and is available on the department's Web site at www.dnr.state.mn.us/input/rules/mrcca/map-draft.html ~~http://www.dnr.state.mn.us/waters/watermgmt_section/critical_area/index.html~~. The commissioner must maintain the map and must amend the map as provided in item C.

C. The boundaries of a district established under this part must be amended according to subitems (1) to (3).

(1) A local government or a state or regional agency must submit a written request to the commissioner requesting a district boundary amendment. The request must:

(d) ~~be consistent with~~ identify those local comprehensive plans, regional system statements, state park and transportation master plans, and federal plans that apply to the area proposed for a district boundary amendment;

6106.0120 DIMENSIONAL STANDARDS.

Subpart 1. **Purpose.** The purpose of this part is to establish dimensional standards that protect primary conservation areas and public river corridor views from impacts of development and ensure that new development is sited in locations consistent with part 6106.0020.

Subp. 2. Structure height.

A. Structures, including accessory structures; as defined by local ordinance, must be no taller than the heights specified for each district:

(4) CA-SR: height is determined by the local government's underlying zoning requirements, provided the structure's structure height in the underlying zoning is generally consistent with the height of the mature treeline, where present, and existing surrounding development, as viewed from the ordinary high water level of the opposite shore;

6106.0130 GENERAL DEVELOPMENT STANDARDS FOR PUBLIC FACILITIES.

Subp. 8. Public recreational facilities.

B. Roads and driveways associated with public recreational facilities must not be placed in the bluff impact zone or shore impact zone unless no other placement alternative exists. If no alternative exists, then design and construction must minimize impacts to shoreline vegetation, erodible soils and slopes, and other sensitive resources.

E. Public signs and kiosks for interpretive or directional purposes are allowed in the bluff impact zone or shore impact zone, provided they are placed and constructed to minimize disturbance to these areas and avoid visual impacts on public river

corridor views.

F. Public stairways, lifts, and landings must be designed as provided in part 6106.0140, subpart 6, item C.

6106.0140 GENERAL DEVELOPMENT STANDARDS FOR PRIVATE FACILITIES.

Subp. 5. Private water access and viewing facilities.

C. Design and construction of private stairways, lifts, and landings are subject to the following standards:

(4) stairways, lifts, and landings must be located in the least visible portion of the lot whenever practical; and

6106.0150 VEGETATION MANAGEMENT STANDARDS.

Subp. 5. **Permit conditions.** In reviewing and approving permit applications, the local government must ensure through permit conditions that the following performance standards are met:

B. soil, slope stability, and hydrologic conditions are suitable for the proposed work as determined by an a professional engineer or resource agency;

6106.0160 LAND ALTERATION AND STORM WATER MANAGEMENT STANDARDS.

Subp. 4. Rock riprap, retaining walls, and other erosion control structures.

A. Construction, repair, or replacement of rock riprap, retaining walls, and other erosion control structures located at or below the ordinary high water level must comply with parts 6115.0215, subpart 4, item E, and 6115.0216, subpart 2. The work must not proceed unless approved by the commissioner as meeting all requirements for work in public waters.

C. Repair of existing rock riprap retaining walls and other erosion control structures above the ordinary high water level does not require a local government permit, provided it does not involve any land alteration.

~~E. D.~~ Nothing in this subpart shall be construed to waive any other permit requirements that are required by law.

6106.0170 SUBDIVISION AND LAND DEVELOPMENT STANDARDS.

Subp. 4. Design standards.

J. Protected open areas must connect ~~neighboring or abutting~~ open space, natural areas, and recreational areas, where present on adjacent parcels, as much as possible to form an interconnected network.

6106.0180 EXEMPTIONS FROM SETBACKS, HEIGHT LIMITS, AND OTHER REQUIREMENTS.

Uses and activities not specifically exempted under this part must comply with this chapter. All exemptions in the shore impact zone (SIZ) and bluff impact zone (BIZ) are also subject to the vegetation management standards in part 6106.0150 and the land alteration and storm water management standards in part 6106.0160. In the table, «E» means the use is exempt; «(E)» means that the use is allowed only if no alternatives exist, and «N» means that the use is not exempt and must meet the standards in this chapter.

Adopted Rules

	Set-backs	Height limits	SIZ	BIZ	Standard (the use must comply with standard or referenced parts)
Industrial and utility structures requiring greater height for operational reasons (such as elevators, refineries, and railroad signaling towers)	N	E	N	N	Structure design and placement must minimize interference with public river corridor views
Barns, silos, and farm structures	N	E	N	N	
Bridges and bridge approach roadways	E	E	E	(E)	Part 6106.0130
Wireless communication facilities (towers)	E	E	N	N	Part 6106.0110, subpart 7
Chimneys, church spires, flag poles, public monuments, and mechanical service stacks and similar mechanical equipment	N	E	N	N	
Historic properties and contributing properties in historic districts	E	E	E	E	Exemptions do not apply to additions or site alterations to historic buildings or structures
Buildings and structures on the face of or abutting the bluff in the CA-UC district of St. Paul, between Chestnut Street and Highway 52	E	n/a	n/a	E	Height in the CA-UC district is governed by underlying zoning
Public utilities					
Electrical power facilities	E	E	E	(E)	Part 6106.0130
Essential services (other than storm water facilities)	E	E	E	(E)	Part 6106.0130
Storm water facilities	E	N	E	(E)	Part 6106.0160
Wastewater treatment	E	N	E	N	Part 6106.0130
Public transportation facilities	E	N	(E)	(E)	Part 6106.0130
Public recreational facilities					
Accessory structures, such as monuments, flagpoles, light standards, and similar park features	E	E	(E)	(E)	Part 6106.0130; within BIZ, only on slopes averaging less than 30 percent. Exemptions do not apply to principal buildings
Picnic shelters and other open-sided structures	E	N	(E)	N	Part 6106.0130
Parking areas	(E)	N	(E)	(E)	Part 6106.0130; within BIZ, only within 20 feet of toe of bluff; not on face of bluff; and must not affect stability of bluff
Roads and driveways	(E)	N	(E)	(E)	Part 6106.0130
Natural-surfaced trails, access paths, and viewing areas	E	N	E	E	Part 6106.0130
Hard-surfaced trails and viewing platforms	E	N	E	(E)	Part 6106.0130; within BIZ, only on slopes averaging less than 30 percent
Water access ramps	E	N	E	(E)	Part 6106.0130
Public signs and kiosks for interpretive or directional purposes	E	N	E	(E)	Part 6106.0130

Adopted Rules

	Set-backs	Height limits	SIZ	BIZ	Standard (the use must comply with standard or referenced parts)
River-dependent uses					
Shoreline facilities	E	N*	E	(E)	Part 6106.0110, subpart 6. Exemptions do not apply to buildings, structures, and parking areas that are not part of a shoreline facility
Private roads and conveyance structures serving river-dependent uses	E	N*	E	(E)	Part 6106.0110, subpart 6
Private residential and commercial water access and use facilities					
Private roads serving 3 or more lots	(E)	N	N	(E)	Part 6106.0140; in BIZ, only on slopes averaging less than 30 percent. Exemption does not apply to private roads serving fewer than 3 lots or to private driveways and parking areas
Access paths	E	N	E	E	Part 6106.0140
Water access ramps	E	N	E	N	Part 6106.0140
Stairways, lifts, and landings	E	N	E	E	Part 6106.0140
Water-oriented accessory structures	E	N	E	N	Part 6106.0140
Patios and decks	E	N	N	N	Part 6106.0140, subpart 6
Directional signs for watercraft (private)	E	N	E	N	Part 6106.0140; exemption does not apply to off-premise advertising signs
<u>Temporary storage of docks, boats, and other equipment during the winter months</u>	E	N	E	N	
Erosion control structures, such as rock riprap and retaining walls	E	N	E	(E)	Part 6106.0160, subpart 4
Flood control structures	E	N	E	(E)	Part 6106.0160

* River-dependent commercial, industrial, and utility structures are exempt from height limits only if greater height is required for operational reasons.

Expedited Emergency Rules

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

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

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

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules: Chronic Wasting Disease Management Zone

Notice is hereby given that, pursuant to the Commissioner's authority set forth in Minn. Stat. § 84.027, subdivision 13 (b) to set hunting seasons and Minn. Stat. § 97A.045, subd. 11 to take action necessary to prevent or control wildlife disease, the Commissioner is adopting the following rule to prevent the spread of chronic wasting disease among the deer population near Lanesboro, Minnesota. This rule is adopted as an emergency rule pursuant to the authority granted to the commissioner to adopt emergency rules in Minn. Stat. § 97A.045, subd. 2(b). The emergency rule is necessitated by the discovery of chronic wasting disease (CWD) in two wild deer harvested near Lanesboro, Minnesota during the 2016 hunting season.

The DNR will hold a special hunt in deer permit area 603. Hunting will be by special permit. All permits will contain a condition that all deer taken under the permit be presented to the DNR for testing.

CWD infectious agents are extremely resistant in the environment, transmission may be both direct and indirect. The concentration of deer by artificial feeding likely increases the risk of transmission between individuals. Therefore, to further reduce the transmission of chronic wasting disease deer feeding is prohibited in the following five counties: Fillmore, Houston, Mower, Olmsted, and Winona.

Dated: December 20, 2016

Tom Landwehr
Commissioner of Natural Resources

6232.0300 GENERAL RESTRICTIONS FOR TAKING DEER.

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

A. as prescribed in part 6232.1970, subpart 2;

B. a firearm license for any season option is valid in the Metropolitan Deer Management Zone under part 6232.4700, subpart 158, and the special chronic wasting disease area (deer permit area 603) under part 6232.4700, subpart 159; and

C. youth firearm license holders may hunt deer in both the statewide A and late southeast B seasons.

[For text of subps 2 to 9, see M.R.]

[For text of subp 10, see 41 SR 165 and 41 SR 464]

Expedited Emergency Rules

6232.0400 REGISTRATION OF DEER.

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

Subp. 6. Deer taken in special chronic wasting disease area.

A. Deer taken in the special chronic wasting disease area (deer permit area 603) must be presented for mandatory chronic wasting disease testing at a department-staffed registration station. Carcasses must remain in the special chronic wasting disease area unless tagged by an authorized department representative or until a negative chronic wasting disease test is reported, except as specified in item B.

B. Cut and wrapped meat, quarters or other portions of meat with no part of the spinal column or head attached, antlers, hides, teeth, finished taxidermy mounts, and antlers attached to skull caps that are cleaned of all brain tissue may be transported outside the special chronic wasting disease area (deer permit area 603).

6232.0800 ARCHERY SPECIAL HUNT AREAS AND PROCEDURES.

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

Subp. 1a. **Archery disease management.** Deer permit area 603, as described in part 6232.4700, subpart 159, is open December 31, 2016, to January 15, 2017, for taking antlerless deer and bucks by archery according to items A to C. The restrictions in parts 6232.0200, subpart 6, and 6232.0350 do not apply:

A. hunters who possess a valid 2016 Minnesota license to take deer by archery may participate, and deer may be tagged using archery, bonus, or disease management permits;

B. hunters may take and tag an unlimited number of either-sex deer; and

C. deer taken during this special hunt must be presented for registration at a department-staffed registration station.

[For text of subp 2, see 41 SR 165]

6232.1600 SPECIAL HUNT PROCEDURES.

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

[For text of subp 7, see 41 SR 165]

Subp. 8. **Firearms disease management.** Deer permit area 603, as described in part 6232.4700, subpart 159, is open December 31, 2016, to January 15, 2017, for taking antlerless deer and bucks by firearms according to items A to C. The restrictions in parts 6232.0200, subpart 6, and 6232.0350 do not apply:

A. hunters who possess a valid 2016 Minnesota license to take deer by firearm or muzzleloader may participate, and deer may be tagged using firearm, muzzleloader, bonus, or disease management permits;

B. hunters may take and tag an unlimited number of either-sex deer; and

C. deer taken during this special hunt must be presented for registration at a department-staffed registration station.

Subp. 9. **Forestville State Park.** That portion of Forestville/Mystery Cave State Park in Fillmore County included in deer permit area 603 described in part 6232.4700, subpart 159, is open December 31, 2016, to January 15, 2017, for taking antlerless deer and bucks by firearms or archery as described in subpart 8 and part 6232.0800, subpart 1a. The restrictions in parts 6232.0200, subpart 6, and 6232.0350 do not apply.

6232.1980 TAKING DEER BY ANY WEAPON USING DISEASE MANAGEMENT PERMITS.

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

[For text of subp 2, see 41 SR 165]

Subp. 3. **Restrictions.** Disease management permits are valid in deer permit area 603 as described in part 6232.4700, subpart 159. For only the special hunts described in parts 6232.0800, subpart 1a, and 6232.1600, subpart 8, disease management permits may be purchased without first obtaining an archery, firearm, or muzzleloader deer license.

Expedited Emergency Rules

6232.4700 REGISTRATION BLOCKS.

- [For text of subps 1 to 15, see M.R.]*
- [For text of subp 16, see 41 SR 165]*
- [For text of subps 17 to 42, see M.R.]*
- [For text of subp 43, see 41 SR 165]*
- [For text of subps 44 to 75, see M.R.]*
- [For text of subp 75a, see 41 SR 165]*
- [For text of subps 76 to 77b, see M.R.]*
- [For text of subp 78, see 41 SR 165]*
- [For text of subp 79, see M.R.]*
- [For text of subp 80, see 41 SR 165]*
- [For text of subp 81, see M.R.]*
- [For text of subp 82, see 41 SR 165]*
- [For text of subps 83 to 90, see M.R.]*
- [For text of subp 91, see 41 SR 165]*
- [For text of subps 92 to 99, see M.R.]*
- [For text of subp 100, see 41 SR 165]*
- [For text of subps 101 to 110, see M.R.]*
- [For text of subp 111, see 41 SR 165]*
- [For text of subps 112 to 157, see M.R.]*
- [For text of subp 158, see 41 SR 165]*

Subp. 159. **Registration Block 603.** Registration Block 603 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 74/30 in Chatfield; thence along STH 74/30 to County State-Aid Highway (CSAH) 103; thence along CSAH 103 to STH 30; thence along STH 30 to CSAH 25; thence along CSAH 25 to CSAH 10; thence along CSAH 10 to CSAH 23; thence along CSAH 23 to STH 44; thence along STH 44 to CSAH 9; thence along CSAH 9 to CSAH 5; thence along CSAH 5 to the point of beginning.

6232.4800 FEEDING DEER PROHIBITED.

Subpart 1. **Definitions.** For purposes of this part:

- A. “feed” means grains, fruits, vegetables, nuts, hay, and other food that is capable of attracting or enticing deer; and
- B. “attractants” means liquid food scents, salt, minerals, and other natural or manufactured products that are capable of attracting or enticing deer, including any product that contains or purports to contain cervid urine, blood, gland oil, feces, or other bodily fluid.

Subp. 2. **Prohibition.**

- A. This part applies in Fillmore, Houston, Mower, Olmsted, and Winona Counties.
- B. Except as provided in subparts 3 and 4, a person may not place or distribute feed or attractants in the counties listed in item A or allow another person to place or distribute feed or attractants on property under the person’s ownership or lease that is located in the counties listed in item A.

Subp. 3. **Wildlife feeding.** Wildlife feeding is allowed if:

- A. the feed is placed to exclude access to deer; or
- B. the feed is placed at least six feet aboveground.

Subp. 4. **Exceptions.** The prohibition in subpart 2 does not include feed that is:

- A. present solely as a result of normal agricultural, forest management, or wildlife food-planting practices; or

Expedited Emergency Rules

B. for agricultural or livestock purposes if:

- (1) placed for domestic livestock that are present and actively consuming the feed daily;
- (2) covered to deter deer from accessing the feed; or
- (3) stored consistent with normal agricultural practices.

Subp. 5. Cleanup.

A. In addition to any other penalties imposed by law, a person violating subpart 2 must immediately remove any feed and attractants that have been placed.

B. Notwithstanding item A, the landowner or lessee must immediately remove any remaining feed and attractants.

C. Failing to comply with this subpart is a separate violation in addition to the violation under subpart 2.

EFFECTIVE PERIOD. The expedited emergency amendments to Minnesota Rules, parts 6232.0300, 6232.0400, 6232.0800, 6232.1600, 6232.1980, and 6232.4700, expire January 31, 2017. After the emergency amendments expire, the permanent rules as they read prior to these amendments again take effect, except as they may be amendment by permanent rule.

Expedited Rules

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

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

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

Adopted Rules - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

Minnesota Racing Commission

Adopted Expedited Permanent Rules Relating to Advance Deposit Wagering

The rules proposed and published at State Register, Volume 41, Number 9, pages 272-280, August 29, 2016 (41 SR 272), are adopted with the following modifications:

7869.0100 DEFINITIONS.

Subp. 6b. ~~Amount~~ Amounts ~~wagered by a Minnesota resident~~ residents. "Amount ~~wagered by a Minnesota resident,~~" as used in ~~Minnesota Statutes, section 240.01, subdivision 20a, "Amounts wagered by Minnesota residents,"~~ for purposes of determining source market fees required by Minnesota Statutes, section 240.131, subdivisions 3 and 6, and payments to the state required by Minnesota Statutes, section 240.131, subdivision 7, means all pari-mutuel wagers, pooled or community wagers, and contest entry fees.

Subp. 32b. **Key employee.** "Key employee" means ~~officers an officer, directors director, partners partner,~~ sales ~~representatives~~ representative, sole ~~proprietors proprietor,~~ and ~~signatories or signatory on agreements an agreement~~ with a licensed racetracks ~~racetrack~~.

Subp. 51b. ~~Racing or gaming-related vendor.~~ "Racing or gaming-related vendor" means a person that manufactures, sells, provides, or distributes equipment or supplies used at a Class A facility, or provides services to a Class A facility or Class B license holder, that are directly related to simulcasting, pari-mutuel wagering, or card club operations. ~~Racing or gaming-related~~

Expedited Rules

vendor includes an advance deposit wagering provider.

7877.0100 GENERAL REQUIREMENTS.

Subpart 1. **Scope.** Except as otherwise provided by rule, an individual who serves on the association board of directors, an association officer, ~~a racing or gaming-related vendor~~ an advance deposit wagering provider, and any person whose work, in whole or in part, is conducted at a licensed racetrack shall first obtain a Class C license from the commission.

7877.0110 PROCEDURE FOR OBTAINING CLASS C LICENSE.

Subp. 2. **Individual Application content.** An application from ~~an individual~~ for a Class C license must include the following information with respect to the applicant:

Subp. 2a. ~~Racing or gaming-related vendor application content.~~ An application for a Class C ~~racing or gaming-related vendor license~~ must be on a form prescribed by the commission and must include, at minimum, the following:

- A- ~~name and address of entity, including physical address and Web site or e-mail address;~~
- B- ~~name, title, and contact information of an individual authorized to communicate with the commission on matters relating to the application and license;~~
- C- ~~type of goods or services offered to a Class A or Class B license holder;~~
- D- ~~executive summary of current business plan;~~
- E- ~~a description of the applicant's anti-money-laundering policies and procedures;~~
- F- ~~details of the applicant's corporate structure and copies of current corporate filings and certificate of good standing in jurisdiction where the entity is registered or incorporated;~~
- G- ~~tax identification number or Social Security number;~~
- H- ~~identity of all key employees and beneficial owners;~~
- I- ~~list of all criminal, civil, and regulatory actions where the applicant, any key employee or beneficial owner, or any business that had a key employee or beneficial owner in common with the applicant, was the subject of the action;~~
- J- ~~details of racing or gaming-related licenses that have been denied, suspended, or revoked by any racing or gaming jurisdiction, including licenses where any key employee or beneficial owner of the applicant was a key employee or beneficial owner of the entity whose license was denied, suspended, or revoked;~~
- K- ~~copies of all contracts with Minnesota licensed racetracks and an assurance that the commission will be notified of any other agreements or understandings between the licensed racetrack and the vendor, whether oral or written;~~
- L- ~~surety bond or other form of financial security as required by Minnesota statutes or rules;~~
- M- ~~consent to submit to the jurisdiction of Minnesota courts and agencies in any action relating to the subject matter of the license, application, or business with a Class A or Class B license holder; and~~
- N- ~~any other information the commission determines is necessary to evaluate the fitness of the applicant under applicable laws or rules.~~

Subp. 3. **Application submission.** An application shall not be considered filed until the application form has been filled out completely, and all information requested by the commission has been supplied, and the license fee has been paid. Failure to file a complete application, or knowingly filing an application that contains false or misleading information, shall be grounds for denial of the application.

Expedited Rules

7877.0120 FEES.

Subpart 1. **License fees.** Each application for a Class C license, or its renewal, shall be accompanied by the payment of an annual fee according to the following schedule:

BB. owner/trainer/driver, \$100; ~~and~~

CC. with the exception of owner/trainer/driver, all applicants to participate at a Class B or D licensed facility where the meet to be conducted is seven or fewer days, \$10; ~~and~~

~~DD. advance deposit wagering provider, \$10,000 for the first year and \$2,500 for each year thereafter.~~

7877.0125 CRITERIA FOR DETERMINING ELIGIBILITY.

Subpart 1. **Age.** An ~~individual~~ applicant for a Class C license, except an individual owner's license, shall be at least 14 years of age unless an older age is required by statute or rule; however ~~individual~~ Class C licensees who work in proximity to horses shall be at least 16 years of age.

7880.0020 LICENSING OF ADVANCE DEPOSIT WAGERING PROVIDERS.

Subpart 1. **License required.** No person shall offer or accept advance deposit wagers from Minnesota residents after November 1, 2016, unless the person holds a license in good standing as an advance deposit wagering provider under chapter 7877 and complies with all requirements of this chapter and applicable laws ~~or~~ and rules.

Subp. 2. **Information required at time of application.** ~~In addition to~~ lieu of the information required in part 7877.0110, an applicant for a Class C license to provide advance deposit wagering shall provide the following information to the commission at the time of application:

A. ~~the names, addresses, and dates of birth of all key employees and beneficial owners~~ name and address of applicant, including physical address and Web site or e-mail address;

B. ~~if an owner is a corporation, the date and place of its incorporation and an organization chart showing all related business entities~~ name, title, and contact information of an individual authorized to communicate with the commission on matters relating to the application and license;

C. ~~evidence of approval to conduct advance deposit wagering from the appropriate regulatory authority in the state where the principal office of the advance deposit wagering provider is located~~ if an owner is a corporation, partnership, or other business organization, the date and place of its incorporation or organizational filing and an organization chart showing all related business entities;

D. ~~fingerprints of any key employee or beneficial owner if required by the commission~~ executive summary of current business plan;

E. ~~written agreements between the applicant and Class A or Class B license holders that meet the requirements of Minnesota Statutes, section 240.131, subdivision 3, including written documentation of approval by the applicable horsepersons' groups~~ details of the applicant's corporate structure and copies of current business organizational filings and certificate of good standing in jurisdiction where the entity is registered or incorporated;

F. ~~a description of the processes and procedures implemented to identify and report possible odds manipulation~~ evidence of approval to conduct advance deposit wagering from the appropriate regulatory authority in the state where the principal office of the advance deposit wagering provider is located;

G. ~~a description of the security measures used to protect account holder information and the integrity of the wagering process~~ the names, addresses, and dates of birth, and fingerprints if required by the commission, of all key employees and beneficial owners;

I. total wagers accepted from Minnesota residents during the two years preceding the application, broken down by zip

Expedited Rules

code if possible list of all criminal, civil, and regulatory actions where the applicant, any key employee or beneficial owner, or any business that had a key employee or beneficial owner in common with the applicant, was the subject of the action; and

J. any other information the commission determines is necessary to establish the applicant's suitability for licensure and to fulfill its duties under Minnesota Statutes, chapter 240: details of racing or gaming-related licenses that have been denied, suspended, or revoked by any racing or gaming jurisdiction, including licenses where any key employee or beneficial owner of the applicant was a key employee or beneficial owner of the entity whose license was denied, suspended, or revoked;

K. written agreements between the applicant and Minnesota licensed racetracks that meet the requirements of Minnesota Statutes, section 240.131, subdivision 3, including written documentation of approval by the applicable horsepersons' groups;

L. copies or summaries of all contracts with Minnesota licensed racetracks that are not related to advance deposit wagering, and an assurance that the commission will be notified of any other agreements or understandings between the licensed racetrack and the applicant, whether oral or written;

M. surety bond or other form of financial security as required by Minnesota statutes or rules;

N. a description of the security measures used to protect account holder information and the integrity of the wagering process;

O. total wagers accepted from Minnesota residents during the two years preceding the application, broken down by zip code if possible;

P. consent to submit to the jurisdiction of Minnesota courts and agencies in any action relating to the subject matter of the license, application, or business with a Class A or Class B license holder;

Q. tax identification number or Social Security number;

R. a description of the applicant's anti-money-laundering policies and procedures; and

S. any other information the commission determines is reasonably necessary to establish the applicant's suitability in compliance with applicable laws or rules for licensure and advance deposit wagering, and to fulfill the commission's duties under Minnesota Statutes, chapter 240.

Subp. 3. **Granting of license.** If an applicant for a Class C license to conduct advance deposit wagering submits a complete application that meets all criteria in applicable laws and rules, the commission ~~may grant a license shall undertake a review of the application and render a written determination on the application consistent with all applicable requirements. Licensure is a privilege and the commission shall not be required to grant any license to conduct advance deposit wagering.~~

Subp. 4. **Changes.** The commission may require changes or additions to the application, or changes to the proposed plan of operation, as a condition of granting a license if reasonably necessary to carry out its ensure compliance with applicable laws or rules and to assist the commission in fulfilling its duties under Minnesota Statutes, chapter 240, or to ensure compliance with applicable laws or rules.

Subp. 5. **Notification.** After a license is granted, the ~~commission must be notified~~ licensee must notify the commission in writing of any material changes to the information provided during the application process.

7880.0030 PLAN OF OPERATION.

Subpart 1. **Submission of plan.** An advance deposit wagering provider shall have a plan of operation approved by the commission which addresses the following issues in addition to those listed in Minnesota Statutes, section 240.131, subdivision 5:

D. processes and procedures implemented to identify and report possible odds manipulation;

DE. methods for detecting and deterring the use of accounts for illegal activity;

E. methods for accurately verifying an account holder's identity, age, and residence prior to establishing an account;

F.G. processes for account holders to make deposits to, and withdrawals from, their accounts;

G.H. a plan for reporting dormant accounts and unclaimed funds that complies with Minnesota Statutes, section 345.39 and 345.41; and

H.I. any other issues ~~as required~~ determined to be necessary by the commission to carry out its duties under Minnesota Statutes, chapter 240.

Subp. 2. Implementing and amending the plan of operation. After the plan of operation has been approved by the commission, the licensee ~~may amend~~ must implement and follow the plan of operation and may amend it only with the commission's approval. The commission may withdraw its approval of a plan of operation; if the license holder fails to follow the plan or makes material changes that do not meet the requirements of applicable laws or rules. ~~A violation of an approved plan of operation is deemed to be a violation of Minnesota Statutes, section 240.22.~~

7880.0040 ESTABLISHMENT OF ACCOUNTS.

Subp. 3. **Procedure.** To establish an account, an application must be electronically signed or otherwise expressly authorized in a manner acceptable to the commission by the applicant and must contain the following information:;

Subp. 4. **Applicant and account holder information.** An advance deposit wagering provider may not sell or share an applicant or account holder's information ~~unless required by law, or court order.~~ An advance deposit wagering provider may not use an applicant or account holder's information for any purpose not related to authorized advance deposit wagering, except as authorized by the applicant or account holder.

Subp. 8. **Denial of accounts.** Nothing in this chapter prohibits an advance deposit wagering provider ~~may refuse from refusing~~ to open an account for what it deems good and sufficient reason reasonable business reasons.

7880.0050 OPERATION OF ACCOUNTS.

Subpart 1. **Deposits.** An account holder may make deposits to the account in the following forms:

C. charges made to an account holder's credit or debit card upon authorization of the account holder; ~~and~~

D. electronic funds transfer from an account owned by the account holder, in which case the account holder shall be responsible for any fees imposed by the remitting entity; ~~and~~

E. any other method approved by the commission.

Subp. 2. **Credits.** The following credits shall be posted to an account by the advance deposit wagering provider as soon as practicable after the race is declared official:

B. credit for all refunded wagers for entries that were declared nonstarters as required by the laws and rules applicable to the host track.

Subp. 4. **Suspension or refusal.** Nothing in this chapter prohibits an advance deposit wagering provider ~~may suspend from suspending or refuse refusing~~ deposits to an account for ~~what it deems good and sufficient reason~~ reasonable business reasons.

7880.0060 CONDUCT OF WAGERING.

Subp. 3. **Refusal.** Nothing in this chapter prohibits an advance deposit wagering provider ~~may at any time refuse to accept a wager for what it deems to be good and sufficient reason~~ from suspending or refusing deposits to an account for reasonable business reasons.

Subp. 4. **Information of account holders.** No employee of an advance deposit wagering provider shall use or divulge any information related to the placing of any wager or the operation of any account; ~~except to the account holder or as authorized by law.~~ No employee may use any such information for personal benefit except as reasonably necessary in the course and scope of

Expedited Rules

the employee's employment with the advance deposit wagering provider or as authorized by the account holder.

7880.0070 CLOSING OF ACCOUNTS.

Subp. 2. **Providers.** ~~Nothing in this chapter prohibits an advance deposit wagering provider may close from at any time closing an account for what it deems good and sufficient reason~~ reasonable business reasons.

7880.0080 RECORD KEEPING AND REPORTING.

Subp. 2. **Providing of records.** Upon request of the account holder, an advance deposit wagering provider shall provide any records it maintains on the account holder's account under subpart 1. Records may be provided in paper or electronic format.

Subp. ~~2~~ **3. Other information to be available.** An advance deposit wagering provider shall make ~~available to each an~~ account holder the information listed in subpart 1 as well as holder's current account balances balance available to the account holder at all times.

Subp. 3. **Records.** ~~Upon request of the account holder, an advance deposit wagering provider shall provide any records it maintains on the account or the account holder. Records may be provided in paper or electronic format.~~

Subp. 4. **Audit.** An advance deposit wagering provider shall allow the commission and its designees to review and audit all records related in any way to its licensure, financial solvency, accounts, and the conduct of wagering by Minnesota residents. ~~This Information relevant to the review and audit shall be made available to the commission or its designees quarterly or upon request and in a format required by the commission.~~

Subp. 6. **Report.** A licensed advance deposit wagering provider shall report to the commission quarterly all source market fees and other payments made to licensed racetracks, the pari-mutuel activity on which the source market fees were paid, and the number of accounts held by Minnesota residents ~~that were opened and closed during at the end of the reporting period.~~

7880.0100 VARIANCES.

~~The commission, its executive director, or its director of pari-mutuels may grant a variance to any part of this chapter if it determines there are equivalent alternative measures in place to ensure the integrity of wagering and the protection of accounts held by Minnesota residents.~~

7880.0110 PENALTIES.

Subp. 2. **Contested case hearing.** ~~If the commission suspends or revokes a Class C racing and gaming-related license to provide advance deposit wagering, the license holder shall have the right to request a contested case hearing under Minnesota Statutes, chapter 14, to be held as set forth in parts 1400.8505 to 1400.8612. The request must be made in writing to the commission by certified mail or personal service. A request sent by certified mail must be postmarked within ten days after the license holder receives the suspension or revocation order from the commission. An appeal sent by personal service must be received by the commission within ten days after the license holder receives the order from the commission.~~

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.

Office of the Governor

Waiver Pursuant to Minnesota Statutes, Section 14.127, Subdivision 4(e)

I, Mark Dayton, Governor of the State of Minnesota, by virtue of the power vested in me by the Constitution and applicable statutes, do hereby issue this Waiver:

Whereas, the State of Minnesota is committed to protecting the key resources and features of the Mississippi River, including the portion that runs through the Twin Cities metropolitan area;

Whereas, the Minnesota Legislature, under Minnesota Statutes, section 116G.15, directed the Minnesota Department of Natural Resources to establish permanent rules to replace the performance standards promulgated in 1979 by Executive Order 79-19 that currently guide land use and development for property within the Mississippi River Corridor Critical Area, a specially-designated 72-mile portion of the Mississippi River that extends from the cities of Dayton and Ramsey in the north to Ravenna Township in the south;

Whereas, the Minnesota Department of Natural Resources is adopting Minnesota Rules, Chapter 6106, to guide land use and development in the MRCCA in accordance with Minnesota Statutes, section 116G.15;

Whereas, Minnesota Rules, Chapter 6106, is expected to take effect on January 4, 2017;

Whereas, pursuant to Minnesota Statutes, section 14.127, the Minnesota Department of Natural Resources determined that the cost of complying with Minnesota Rules, Chapter 6106, in the first year after the rule takes effect would not exceed \$25,000 for a small business or a small city;

Whereas, the Administrative Law Judge assigned to review the rulemaking pursuant to Minnesota Statutes, Chapter 14, disapproved the agency's cost determination under Minnesota Statutes, section 14.127;

Whereas, the Administrative Law Judge's disapproval of the agency's cost determination triggers the application of Minnesota Statutes, section 14.127, subdivision 3, which enables a small business or a small city to claim a temporary exemption from Minnesota Rules, Chapter 6106, until the Minnesota Legislature enacts a law approving the rules;

Whereas, Minnesota Statutes, section 14.127, subdivision 4, grants the governor authority to issue a waiver of the application of Minnesota Statutes, section 14.127, subdivision 3;

Whereas, the State of Minnesota recognizes that claims of temporary exemptions from Minnesota Rules, Chapter 6106, would undermine the purpose of the rule, the intent of the Legislature in directing the Minnesota Department of Natural Resources to make rules, and the commitment of the State of Minnesota to protect the key features and resources of the Mississippi River Corridor Critical Area; and

Whereas, temporary exemptions would undermine local zoning authority and deregulate businesses and land already subject to critical area protections.

Now, Therefore, I hereby waive application of Minnesota Statutes, section 14.127, subdivision 3, to Minnesota Rules, Chapter 6106. This waiver is effective January 4, 2017.

In Testimony Whereof, I have set my hand on this 19th day of December, 2016.

Mark Dayton
Governor

Official Notices

Department of Human Services (DHS)

Health Care Administration

Public Notice Regarding Changes to Payment Rates and Methodologies, and Services under the Medical Assistance Program

This notice is published pursuant to *Code of Federal Regulations*, title 42, part 447, section 205 (42 CFR § 447.205), which requires publication of a notice when there is any significant proposed change in the methods and standards for setting payment rates for Medicaid services.

Effective January 1, 2017, the Department will implement the Medicare resource based relative value scale calculated values for 2017. The Department will also adjust the conversion factor for “all other physician services” to \$25.55.

Because many of the 2017 relative values published by Medicare have been reduced, the Department is increasing this conversion factor in order to offset a portion of the payment rate reduction that will otherwise occur. This change has no fiscal impact.

For more information, please contact Liz Backe at (651) 431-2481 or e-mail: liz.backe@state.mn.us.

Department of Labor and Industry

Labor Standards Unit

Notice of Correction to Highway Heavy Prevailing Wage Rates

Corrections have been made to the Highway Heavy Prevailing Wage Rates certified 11/07/2016 for;

Iron Workers (Labor Code 712) in Regions 1, 2, 4, 5, 6, 7, 8, 9 & 10

Sheet Metal Workers (Labor Code 721) in Region 8

Truck Drivers Group 1 (Labor Codes 601-603) in Regions 1, 2 & 9

Truck Drivers Group 2 (Labor Code 604) in Regions 1, 2 & 9

Truck Drivers Group 3 (Labor Codes 605 - 607) in Region 1

Truck Drivers Group 4 (Labor Codes 608 - 616) in Region 2

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.

KEN B. PETERSON
COMMISSIONER

Department of Labor and Industry

Labor Standards Unit

Notice of Prevailing Wage Determinations for Commercial Projects

On December 27, 2016, the commissioner determined and certified prevailing wage rates for Commercial construction projects in each of 87 Counties statewide.

Copies may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651)284-5091, or accessing our web site at www.dli.mn.gov. Charges for the cost of copying and mailing at \$.25 per page for the first 100 pages, \$.65 per page after that. Make check or money order payable to the State of Minnesota.

KEN B. PETERSON
COMMISSIONER

**Department of Natural Resources
Division of Lands and Minerals****Notice of Proposed Conveyance to Correct Boundary Line Issues**

NOTICE IS HEREBY GIVEN, that the Minnesota Department of Natural Resources, Division of Lands and Minerals, proposes to make a conveyance, under the authority of *Minnesota Statutes*, section 84.0273, to correct boundary line issues affecting the ownership interests of the state and adjacent landowners, Richard A. Mueller and Lane Mueller, husband and wife, as joint tenants. The conveyance involves land located in the SE1/4-SE1/4 of Section Twenty-eight (28), Township One hundred ten (110) North, Range Seventeen (17) West in Goodhue County, Minnesota. The reason for the conveyance is to eliminate an overlap in the legal descriptions of the State land and the Mueller land.

For more information about this conveyance or a copy of the proposed conveyance, contact Vicki Sellner, Department of Natural Resources, Division of Lands and Minerals, 1525 Third Avenue East, Hibbing, Minnesota 55746; telephone 218-231-8454, TTY: 1-800-657-3929, vicki.sellner@state.mn.us.

Minnesota Department of Transportation**Notice of Petition of Non-Compliance and Request for Action under Minn. Stat. § 218.041**

In accordance with Minnesota Statute §218.041 Subd. 4(b), notice is hereby given that the United Transportation Union-Sheet Metal, Air, Rail and Transportation- Transportation Division (UTU-SMART-TD) has filed a petition with the State of Minnesota Commissioner of Transportation alleging that BNSF Railway placed non-compliant road ballast on portions of the “north receiver” and “north runner” railroad tracks, located in the BNSF Northtown Yard in Minnesota. The petition alleges that the ballast fails to satisfy the requirements contained in Minn. Stat. §219.501. Minn. Stat. §219.501 Subd. 2 contains a requirement that rail carriers provide walkways adjacent to tracks where rail carrier employees frequent and general requirements for such walkways. The petition alleges ballast on portions of walkways next to the “north receiver” and “north runner” railroad tracks present unsafe conditions in violation of the statute.

Interested parties are invited to participate in these proceedings by submitting objections, data or comments regarding the UTU-SMART-TD petition. If any objections are made to the UTU-SMART-TD petition within twenty (20) days of publication of this notice, Minn. Stat. §218.041 requires the Commissioner to hold a contested hearing prior to making a determination on the petition’s merits.

All communications concerning this proceeding should reference UTU-SMART-TD-2016-1 and must be submitted to Maureen Jensen, Assistant Office Director, Office of Freight and Commercial Vehicle Operations, Minnesota Department of Transportation, 395 John Ireland Boulevard, St. Paul, MN 55155. UTU-SMART-TD’S petition is available for examination during regular business hours (8 a.m. to 5 p.m.) at the Front Service Desk of the MnDOT Library, Minnesota Department of Transportation, 395 John Ireland Boulevard, St. Paul, MN 55155.

Minnesota Department of Transportation**Notice of Petition of Non-Compliance and Request for Action under Minn. Stat. § 218.041**

In accordance with Minnesota Statute §218.041 Subd. 4(b), notice is hereby given that the United Transportation Union-Sheet Metal, Air, Rail and Transportation- Transportation Division (UTU-SMART-TD) has filed a petition with the State of Minnesota Commissioner of Transportation alleging that BNSF Railway placed and retains certain non-compliant hump-track retarder housings within the regulated trackside clearance zone in the Northtown Rail Yard in Minnesota. The petition alleges that the hump-track retarder housings fail to satisfy the requirements contained in Minn. Stat. §§ 219.45-53. Minn. Stat. §§ 219.45-53 regulate walkways, structures and/or obstructions adjacent to and between railroad tracks, specifically defining clearance requirements, providing a prohibition against the obstruction of space by foreign obstacles and requiring that the space between and beside tracks is “kept in a condition as to permit the employees to pass over or between the tracks or to use the space day or night and under all weather conditions without unnecessary hazard.” Minn. Stat. § 219.50. The petition alleges that the hump-track retarder housings located in the trackside clearance zone present unnecessary hazards in violation of the statutes.

Interested parties are invited to participate in these proceedings by submitting objections, data or comments regarding the UTU-SMART-TD petition. If any objections are made to the UTU-SMART-TD petition within twenty (20) days of publication of this notice, Minn. Stat. §218.041 requires the Commissioner to hold a contested hearing prior to making a determination on the petition’s merits.

Official Notices

All communications concerning this proceeding should reference UTU-SMART-TD-2016-2 and be submitted to Maureen Jensen, Assistant Office Director, Office of Freight and Commercial Vehicle Operations, Minnesota Department of Transportation, 395 John Ireland Boulevard, St. Paul, MN 55155. UTU-SMART-TD'S petition is available for examination during regular business hours (8 a.m. to 5 p.m.) at the Front Service Desk of the MnDOT Library, Minnesota Department of Transportation, 395 John Ireland Boulevard, St. Paul, MN 55155.

State Contracts

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

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

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

Minnesota State Colleges and Universities (MnSCU)

System Office, Academic and Student Affairs

Request for Proposals for Identifying a Vendor Who Specializes in CRM Solutions for Higher Education

The System Office on behalf of Minnesota State is requesting proposals to provide constituent relationship management solution for system-wide implementation. The purpose of this Request for Proposal (RFP) is to identify a CRM solution for our system colleges and universities. The System Office on behalf of the Minnesota State Colleges and Universities intends to enter into a master contract with the successful vendor(s).

Minnesota State System Office is requesting proposals to assist in the implementation and integration of a constituent relationship management (CRM) system.

This RFP is soliciting proposals for a CRM solution to be used by all institutions within the Minnesota State system. Respondents should be prepared to submit a proposal which addresses the needs of Minnesota State as a consortium of higher education institutions.

Minnesota State must receive All responses to this RFP no later than **3:00 P.M. Central Time on January 20, 2017** and should be delivered to:

Minnesota State Colleges and Universities, System Office
Cathy Rajtar, Administrative Project Support
MnSCU System Office - Division of Academic and Student Affairs
Wells Fargo Place
30 7th Street East, Suite 350
St. Paul, MN 55101-7804

Inquiries about this RFP must be directed to:

Tim Anderson, Project Manager
Telephone: 651-201-1824
E-mail: timothy.anderson@so.mnscu.edu

For a complete copy of the RFP and required submission materials, please visit the RFP website at <http://www.mnscu.edu/system/csc/sourcing/RFP.html> (following constituent relationship management (CRM) link).

Minnesota State Colleges and Universities (MnSCU) Alexandria Technical & Community College Advertisement for Bids for 2016 Domestic Water Main Replacement

Sealed Bids for: 2016 Domestic Water Main Replacement
Main Building
Alexandria Technical & Community College
Alexandria, Minnesota

will be received by: Joel Seela, Director of Facilities and Security
Main Building, Room 108
Alexandria Technical & Community College
Alexandria, Minnesota

Until **2:00 pm, local time, January 19, 2017** at which time the bids will be opened and publicly read aloud at the Main Building, Conference Room 203.

Project Scope: Project will consist of replacement of the domestic water mains and branch lines required to feed all existing plumbing fixtures in the 100, 200, 300, 400 and 600 Wings of the main building. Existing domestic water mains located in the tunnels will be abandoned. All new domestic water piping will be run overhead and routed to existing plumbing fixtures. New chase walls, access panels, soffits, ceiling, etc will be provided as required for installation of new piping. Existing bathroom walls will be removed and replaced for installation of new piping in select areas.

A Pre-Bid Meeting will be held at 10:00 am, Wednesday, January 4, 2017, in Conference Room 203, Main Building, Alexandria Technical & Community College. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding Documents are as prepared by the Project Architect/Engineer of Record; **Obermiller Nelson Engineering**.

Interested parties may view the Bidding Documents at no cost on the website: <http://www.finance.mnscu.edu/facilities/design-construction/announcements/index.html> and then click on "Advertisement for Bids (E-Plan Room)". Project # **4772114**. Bidding Documents can be downloaded for a non-refundable charge of \$10.00. Plan holders are parties that have downloaded the Drawings and specifications. Plan holders will be notified via email as addenda are issued. Parties that download the Drawings and specifications and need to have them printed elsewhere are solely responsible for those printing costs. The sales of paper copies for projects listed on this site are not available. Contact **QuestCDN.com** at 952-233-1632 or info@questcdn.com for assistance in viewing or downloading with this digital project information.

Minnesota Department of Human Services Health Care Administration Division Notice of Request for Proposals to Develop Integrated, Collaborative Care Models for Women with Maternal Opiate Use

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals from qualified responders to achieve improved birth outcomes in areas of the state where adverse birth outcomes related to fetal opiate exposure are significantly elevated. For the purpose of this funding opportunity, a qualified, integrated perinatal care collaborative is a select grouping of service organizations focused on working together to optimize the effectiveness of service delivery for pregnancy women. A Collaborative as such is not a legal entity, but is distinguished by its members' stated commitment to systematically engaged with each other to address specific strategies to improve adverse birth outcomes related to fetal opiate exposure.

State Contracts

Work is proposed to start February 2017. For more information, or to obtain a copy of the Request for Proposal, contact:

Fritz Ohnsorg
Department of Human Services
Health Care Administration Division
P.O. Box 64983
444 Lafayette Road North, St. Paul, MN 55155
Phone: (651) 431-5807, Fax: (651) 431-7464
fritz.ohnsorg@state.mn.us

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

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, January 25, 2017. Late proposals will not be considered.** Faxed or e-mailed proposals will **not** be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:
<http://mn.gov/dhs/partners-and-providers/grants-rfps/>

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 Transportation (Mn/DOT)

Engineering Services Division

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

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

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

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

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

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

Send completed application material to:

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

Minnesota Department of Transportation (Mn/DOT)

Engineering Services Division

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

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

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

Board of Water and Soil Resources

Notice of Contract Opportunity for Core Competency Training Development Consultant

Project Name: Core Competency Training Development Consultant.

Details: The Minnesota Board of Water and Soil Resources is requesting proposals to lead the development of online training courses. This project involves creating and delivering three online training courses comprised of multiple modules for the following Core Competency areas: Conservation Planning, Soils, and Water Quality. These trainings will cover the basic principles and concepts of each topic as outlined in RFP Attachment A. Draft course curriculum outlines, training objectives and reference materials will be made available at a pre-proposal meeting and upon request to megan.lennon@state.mn.us. BWSR and partners will provide a project manager to act as a liaison between the vendor and subject matter experts. BWSR will provide subject matter experts who will review the curriculum for technical accuracy. The BWSR project manager is the final arbiter on scope and content for the modules. There will be 3 rounds of editing before a module is finalized.

Work is proposed to start April 1, 2017.

Copy Request for Proposal: please send written request, by email with the words RFP Request in subject line, to:

Megan Lennon
Technical Training and Certification Coordinator
megan.lennon@state.mn.us

Proposal Deadline: Proposals submitted in response to the Request for Proposals in this advertisement must be received by mail no later than **2:30 p.m. Central Time, February 3, 2017**. Email and faxed 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.

Non-State Public Bids, Contracts & Grants

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

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

City of Mankato

Solicitations for Transit Development Plan Proposals

Notice is hereby given that the City of Mankato is seeking the services of a qualified consultant. The purpose of this Request for Proposal (RFP) is to solicit responses from qualified consulting firms interested in the respective services, as described in the proposal for the purposes of conducting a Transit Development Plan (TDP). The firm selected must have experience and expertise in transit studies, planning, public involvement, level of service analysis, development impact review and a clear understanding of the City's planning process and federal and state requirements.

The request for proposal is available on the City of Mankato's web-site: <https://www.mankatomn.gov/city-services-a-z/city-services-a-m/city-bus/information-and-resources> or available in person at the Inter Governmental Center (IGC) located at 10 Civic Center Plaza, Mankato, MN 56001.

Any inquiries regarding this notice should be directed to Mark Anderson Transit Superintendent by email at manderson@mankatomn.gov. Proposals can be sent to the City of Mankato's office located at 10 Civic Center Plaza, Mankato, MN 56001 by **4:30 pm Tuesday, January 17, 2017**.

Mark Anderson
Transit Superintendent
City of Mankato

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2017 Air Handling Unit Replacement P6

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2017 Air Handling Unit Replacement P6
MAC Contract No: 106-2-822
Bids Close At: 2:00 p.m. on Tuesday, January 17, 2017

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project is to replace a make-up air unit and exhaust air unit in the Valet Parking area of Terminal 1 of the MSP Airport.

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

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

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

Non-State Public Bids, Contracts & Grants

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Alliance; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; PH: 763.503.3401; FX: 763.503.3409. Make checks payable to: Alliance. Deposit per set (refundable): \$150. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on December 19, 2016, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2017 Noise Mitigation Consent Decree Amendment

Airport Location: Proximate to Minneapolis-St. Paul International Airport
Project Name: 2017 Noise Mitigation Consent Decree Amendment
MAC Contract No.: 106-6-370 / 371 / 372
Bids Close At: 2:00 p.m. on January 17, 2017

Notice to Contractors: Sealed Bid Proposals for the project referenced above will be received by the Metropolitan Airports Commission (MAC), a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour. This project includes general, mechanical, electrical, asbestos, and insulation work.

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

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 6%.

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

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Miller Dunwiddie Architecture, Inc.; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: Franz Reprographics; 2781 Freeway Blvd.; Brooklyn Center, MN 55430; PH: 763-503-3401; FX: 763-503-3409; www.franzrepro.com. Make checks payable to: Miller Dunwiddie Architecture, Inc. Deposit per set (refundable): \$100.00. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on December 27, 2016, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2017 Terminal 1-Lindbergh Passenger Boarding Bridge Replacement

Project Location: Minneapolis-St. Paul International Airport
Project Name: 2017 Terminal 1-Lindbergh Passenger Boarding Bridge Replacement
MAC Contract No. 106-2-825
Bids Close At: 2:00 PM on January 24, 2017

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for the replacement of three (3) passenger boarding bridges, new boarding bridge fixed walkways, and all associated controls, equipment, accessories, and foundations.

Non-State Public Bids, Contracts & Grants

Note: You can sign up on our Web site www.metroairports.org to receive email notifications of new business opportunities or go directly to https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?qsp=CODE_RED and choose this and other topics about which you are interested.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 6%.

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

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of TKDA, the Minnesota Builders Exchange, Dodge Data and Analytics, and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: TKDA; 444 Cedar Street, Suite 1500; St. Paul, MN 55101; PH: (651) 292-4400; FX: (651) 292-0083. Make checks payable to: TKDA. Deposit per set (refundable): \$100.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on December 27, 2016, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).



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.