

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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 17 January 2017
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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- Withdrawn Rules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)
# 30	Monday 23 January	Noon Tuesday 17 January	Noon Thursday 12 January
# 31	Monday 30 January	Noon Tuesday 24 January	Noon Thursday 19 January
# 32	Monday 6 February	Noon Tuesday 31 January	Noon Thursday 26 January
# 33	Monday 13 February	Noon Tuesday 7 February	Noon Thursday 2 February

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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

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State Office Building, Room 175
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
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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

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Minnesota Rules: Amendments and Additions

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

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

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

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

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

Volume 41 - Minnesota Rules

(Rules Appearing in Vol. 41 Issues #1-26 are
in Vol 41, #26 - Tuesday 27 December 2016)

Volume 41, #29

Tuesday 3 January - Tuesday 17 January

Department of Health

4605.7000; .7030; .7040; .7060; .7075; .7090; .7400; .7700;
.7900 (adopted) 829

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9502.2240 884

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7869.0100; .0200; 7871.0010; 7879.0200; 7883.0100; .0140;
7884.0230; .0260; 7890.0110; 7897.0120; .0130; .0150 875

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

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

Rules to be Adopted Without a Hearing. Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.1414.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

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

Minnesota Racing Commission

Proposed Permanent Rules Relating to Horse Racing; Medical Violations; Stewards; Races; and Disciplinary Action; Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendments to Rules Governing Horse Racing, Minnesota Rules, Chapter 7869 Definitions; Chapter 7871 Televised Racing Days; Chapter 7879 Stewards; Chapter 7883 Horse Races; Chapter 7884 Harness Races; Chapter 7890 Horse Medication; Chapter 7897 Prohibited Acts; and repeal of Part 7869.0100, subpart 57.

Revisor's ID Number RD4394

Introduction. The Minnesota Racing Commission intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until 4:30 p.m. on February 17, 2017.

Agency Contact Person.

Patricia M. Sifferle
Minnesota Racing Commission
15201 Zurich Street, Suite 212
Columbus, MN 55025

Phone 651-925-3956
FAX 952-496-7954

E-mail patricia.m.sifferle@state.mn.us

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TTY users may call the Racing Commission at 800-627-3529.

You may also review the rules and the Statement of Need and Reasonableness, and submit written comments via the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com/>.

Subject of Rules. The proposed rule amendments seek to update, simplify and clarify existing rules, as well as to make rules more consistent with those in other states and national model rules. Several national model rules are being specifically incorporated by reference. A new rule is being added to address how racing stewards will penalize horses that go inside the pylons that mark the inside boundary of a harness race track. Criteria are being simplified for determining whether violations are serious, and language is being added to require that the same criteria must be considered in determining the amount of any fine. The maximum fines are being raised in order to make Minnesota penalties more consistent with those in other states and national model rules. The proposed rule contains edits or additions to the following specific parts or subparts:

Parts 7869.0100 subp. 32; 7869.0100, subp. 32b; 7869.0100, subp. 57; 7869.0200, subp. 1; 7869.0200, subp. 2-3; 7871.0010; 7879.0200, subp. 1; 7879.0200, subp. 2; 7879.0200, subp. 3; 7883.0100, subp. 1; 7883.0100, subp. 2; 7883.0100, subp. 6; 7883.0100, subp. 7; 7883.0100, subp. 11; 7883.0100, subp. 16; 7883.0140, subp. 15; 7883.0140, subp. 22; 7884.0230; 7884.0260, subp. 10; 7884.0260, subp. 11; 7890.0110, subp. 9-10; 7897.0120, subp. 1; 7897.0120, subp. 3; 7897.0130, subp. 3; 7897.0130, subp. 4; 7897.0130, subp. 5; 7897.0130, subp. 6 and 7897.0150, subp. 2.

Statutory Authority. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 240.03, 240.23 and 240.24. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. A free copy of the rules is available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m. on February 17, 2017 to submit written comments in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comments must be in writing and the agency contact person must receive them by the due date. You may also submit comments, and review all comments at the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com/>. Comments submitted on this site must be submitted by the due date. The Commission encourages comment. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. You must also make any comments about the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Commission hold a hearing on the rules. Your request must be in writing and the agency contact person must receive it by **4:30 p.m. on February 17, 2017**. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

Modifications. The Commission may modify the proposed rules as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules, unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Commission encourages you to participate in the rulemaking process.

Statement of Need and Reasonableness. The statement of need and reasonableness contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review it or obtain copies for the cost of re-

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production by contacting the agency contact person. The statement of need and reasonableness may be viewed on our web site at www.mrc.state.mn.us and on the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com/>.

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

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

Date: 1/10/2017

Tom DiPasquale
Executive Director
Minnesota Racing Commission

7869.0100 DEFINITIONS.

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

Subp. 32. **Horse.** “Horse” includes filly, mare, colt, horse, gelding, and ridgling. Horse does not mean a cloned horse or offspring of a cloned horse regardless of whether any breed association or registry has registered the horse. A cloned horse is one born as a result of the genetic material of an unfertilized egg or embryo being modified by any means.

[For text of subp 32a, see M.R.]

Subp. 32b. **Lapped on.** “Lapped on” means any part of a trailing horse is at least even with the offending horse’s hindquarters at the finish.

[For text of subps 33 to 56, see M.R.]

Subp. 57. [See repealer.]

[For text of subps 57a to 69, see M.R.]

7869.0200 INCORPORATION BY REFERENCE.

Subpart 1. **United States Trotting Association.** For the purposes of chapters 7869 to 7899, ~~Rule 10 and Rule Rules 11, 17, and 18.25, of the Charter, Bylaws, Rules and Regulations of the United States Trotting Association (USTA), (2006), 750 Michigan Avenue, Columbus, Ohio, 43215,~~ are incorporated by reference. The USTA Charter, Bylaws, Rules and Regulations are subject to frequent change and are available to the public free of charge at the State Law Library, on the Minnesota Racing Commission Web site, and at <http://www.ustrotting.com> on the United States Trotting Association Web site.

Subp. 2. **Association of Racing Commissioners International.**

A. For the purposes of chapters 7869 to 7899, the Association of Racing Commissioners International (ARCI) Endogenous, Dietary, or Environmental Substances Schedule is incorporated by reference. The ARCI Endogenous, Dietary, or Environmental Substances Schedule is subject to frequent change and is available to the public free of charge at the State Law Library, on the Minnesota Racing Commission Web site, and through ARCI.

B. For the purposes of chapters 7869 to 7899, the Association of Racing Commissioners International (ARCI) Controlled Therapeutic Medication Schedule for Horses is incorporated by reference. The ARCI Controlled Therapeutic Medication Schedule for Horses is subject to frequent change and is available to the public free of charge at the State Law Library, on the Minnesota Racing Commission Web site, and through ARCI.

C. For the purposes of chapters 7869 to 7899, except as limited by part 7897.0130, subpart 5, the Association of Racing

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Commissioners International (ARCI) Uniform Classification Guidelines for Foreign Substances and Recommended Penalties are incorporated by reference. These guidelines and recommended penalties are subject to frequent change and are available to the public free of charge at the State Law Library, on the Minnesota Racing Commission Web site, and through ARCI.

Subp. 3. **Alteration or amendment.** Any alteration or amendment to rules incorporated by reference becomes effective in Minnesota 30 days after adoption and approval by the Minnesota Racing Commission unless the Minnesota Racing Commission opts out of implementing the change.

7871.0010 APPLICATION FOR PARI-MUTUEL POOLS.

Subpart 1. **Submission of pari-mutuel requests.** A class B licensee may apply for approval of pari-mutuel pools including rules governing calculation of payoffs, disposition of unclaimed tickets, pools offered based on the number of entries, prevention and failure to start, and scratches in effect at the host racetrack by submitting an original and 15 copies of the following:

- A. a signed request for approval of pari-mutuel pools; and
- B. a copy of the administrative rules for pari-mutuel pools in the states in which the host racetracks are located;
- C. a detailed statement of how the request meets each of the criteria in part 7871.0020, subpart 2; and
- ~~D. B.~~ any other documentation the commission considers necessary to ensure a complete understanding of the request.

[For text of subs 2 to 4, see M.R.]

7879.0200 AUTHORITY AND DUTIES OF STEWARDS.

Subpart 1. **General authority of stewards.** The stewards shall exercise immediate supervision, control, and regulation of racing at each licensed race meeting on behalf of the commission and shall be responsible only to the commission. The powers of the stewards shall include:

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

L. for a period of 90 days after the conclusion of a race meeting at a licensed facility or a county fair meet, jurisdiction to hold hearings and take action with regard to any aspect of racing at the meet shall continue with the board of stewards or, if considered by the commission to be more practical or convenient for the parties concerned, may be exercised by a single knowledgeable person designated by the commission. Any person acting in lieu of the board of stewards under this part shall have all of the authority granted to the board of stewards under part 7879.0200 or any other applicable rule. A person may appeal from any action taken, in the same manner as an appeal may be taken from a steward's hearing.

Subp. 2. **Specific duties and responsibilities of stewards.** In addition to the duties and responsibilities necessary and pertinent to general supervision, control, and regulation of race meetings, and without limiting the authority of the stewards to perform those and all other duties listed in this part, the stewards shall have the following specific duties and responsibilities:

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

D. To review applications for Class C licenses and administer, or cause to be administered by technically qualified persons, standard examinations to all first-time applicants for a trainer, jockey, apprentice jockey, driver, or farrier license, and to make recommendations to the commission through the executive director as to the qualifications of all applicants for Class C licenses. The stewards shall not administer, or cause to be administered, examinations for first-time applicants for a trainer's license after the midpoint of any race meeting is reached.

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

Subp. 3. **Criteria and bases for stewards' decisions.**

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

B. When making a determination or recommendation regarding the qualifications of an applicant for a Class C license, the stewards shall consider the following factors:

(1) ~~whether the applicant's ability is sufficient so as to not endanger the life or safety of the applicant, other participants, racetrack patrons, horses, or property;~~

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- (2) whether the applicant is able to perform in a competitive manner so as to enhance the quality of horse racing;
- (3) whether the applicant's ability and/or qualifications are at least equal to those of current licensees; and
- (1) whether the applicant meets the licensing criteria set forth in chapter 7877 and Minnesota Statutes, chapter 240; and
- (4) (2) any other relevant factors which may affect the integrity of horse racing, or the public health, safety, or welfare of persons and animals so long as these same factors are applied uniformly to all applicants for Class C licenses, and safety within Minnesota.

7883.0100 ENTRIES AND SUBSCRIPTIONS.

Subpart 1. **Ownership.** When a person is excluded from a racetrack or ~~has his or her~~ the person's license is denied, revoked, or suspended, every horse owned in whole or in part or under the care and control of that person shall be ineligible to be entered or start in any race until the horse has been reinstated, either by the expiration of the owner's penalty or by the transfer through bona fide sale to an owner approved by the stewards. Such person whether acting as agent or otherwise, shall not be qualified to subscribe for, or to enter or run any horse in any race either in his or her own name or in that of any other person until expiration of such penalty.

Subp. 2. **Horse must be registered and eligible.** No horse shall be permitted to start unless:

A. it is duly registered with and approved by the registry office of The Jockey Club (~~New York~~), the American Quarter Horse Association, the Arabian Horse Registry of America, Inc., or ~~the another~~ another nationally recognized registration organization ~~relative to other breeds~~ breed registry;

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

[For text of subs 3 to 5, see M.R.]

Subp. 6. **Prohibited entries.** No person shall:

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

D. enter in a race a horse if it is wholly; or partly owned by, trained by, or under the management of an unlicensed person, a person whose license is under suspension, a person whose license has been revoked or denied and has not been reinstated at the time of entry, or a person who acts in concert with or under the control of such a person whose license is under suspension. If any an entry from an unlicensed person or a person whose license is under suspension or of an ineligible horse any such person is received, the entry shall be void and any money paid for the entry to make the horse eligible for the race shall be paid to the winner. An entry may be taken from a person whose license is under suspension in any racing jurisdiction if the term of the suspension has ended prior to the day of the race for which the entry was made and any other requirements associated with the suspension have been satisfied prior to the entry;

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

Subp. 7. **Coupled entries.** Except in stakes races and races which are conditioned for horses eligible for specified stakes, not more than two horses of the same licensed ownership or interest shall be entered and started in a race.

A. No trainer shall enter more than ~~four~~ three horses in an overnight event except in split races.

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

[For text of subs 8 to 10, see M.R.]

Subp. 11. **Drawing of entries.** The drawing of entries for post positions shall be governed by the following procedures.

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

B. Each day after the entries have been closed, the racing secretary shall designate from ~~an owner or trainer~~ among those licensees present in the entry office a person to draw the entry sheets and a person to shake the post position numbers out of the container. In every case, the entry shall be drawn from its approved receptacle before the number ball is released from the ~~number box~~ container.

Proposed Rules

[For text of item C, see M.R.]
[For text of subps 12 to 15a, see M.R.]

Subp. 16. **Workout requirements.** In order to be eligible:

A. ~~A thoroughbred horse which that~~ has not started for a period of ~~45 46~~ days or more ~~shall is not be~~ eligible to start until it has completed one timed workout within 45 days of and no less than 48 hours prior to the race in which it is entered. A thoroughbred horse that has not started for a period of 61 days or more is not eligible to start until it has completed two timed workouts within 60 days and no less than 48 hours before the race in which it is entered. Any day of entry workout following the entry of a horse shall appear on the official daily racing program or shall be posted for the public.

B. A quarter horse that has not started for a period of 61 days or more is not eligible to start until it has completed one timed workout within 60 days of and no less than 48 hours before the race in which it is entered. Any workout following the entry of a horse must appear on the official or daily racing program or must be posted for the public.

~~B: A horse which has not started for a period of 60 days or more shall not be eligible to start until it has completed two timed workouts within 60 days of and no less than 48 hours prior to the race in which it is entered.~~

C. First-time starters must have gate approval and a minimum of two timed workouts, one of which must be out of the gate, within 60 days prior to the race in which it is entered.

D. A horse, other than a first-time starter, which has not started for a period of one year or more shall not be eligible to start until it has completed three timed workouts, at least one of which must be before a commission veterinarian. The timed workout before a commission veterinarian must occur within 30 days and no less than 48 hours prior to the race for which the horse is entered.

E. For all county fairs in which the average daily handle for the preceding year was less than \$150,000 all workout requirements shall be waived except that in the case of a horse that has not started for a period of one year, the owner or trainer must contact the commission veterinarian prior to entry for an examination and workout as determined by the commission veterinarian.

For the purposes of items D and E and removing a horse from the stewards' list, all workouts must be conducted under the same medication requirements as those for race days.

[For text of subps 17 and 18, see M.R.]

7883.0140 CLAIMING RACES.

[For text of subps 1 to 14, see M.R.]

Subp. 15. **Protest of claim.** ~~Not later than the next racing day after the race was run, a written protest of a claim may be submitted to the stewards who shall investigate the matter as quickly as possible. In the event that a stewards' ruling is issued concerning a medication violation discovered through postrace drug testing of a claimed horse, a written protest of a claim may be submitted to the stewards within 24 hours of the posting of a ruling; however, a claimant may submit a written protest of a claim within 24 hours of the receipt of notification from the stewards of such a ruling.~~

A. Except for protests involving medication violations in item B, a written protest of a claim that states the basis of the protest must be submitted to the stewards not later than the next racing day after the race was run. The stewards shall investigate the matter as soon as reasonably possible and determine the validity of the protest.

B. A postrace test shall be conducted on any claimed horse in compliance with chapter 7890. The claimant may request voidance of the claim if the initial forensic analysis of the test sample demonstrates a medication violation under chapter 7890. Upon receipt of notification from the commission veterinarian of a medication violation involving a claimed horse, the stewards shall immediately notify the successful claimant who shall then have 72 hours to decide whether to keep the horse or request that the claim be voided.

C. When a request is made to void any claim under item A or B, the successful claimant is responsible for all expenses incurred for the care of the claimed horse from the time the horse is transferred to the claimant until the time the horse is ordered returned to the prior owner following voidance of the claim by the stewards in accordance with this rule.

Proposed Rules

D. Voidance of a claim is not an option if, after coming under the care, custody, and control of the claimant, the horse has already run for the claimant or has died.

[For text of subps 16 to 21, see M.R.]

Subp. 22. **Claimed horse shall race at track claimed.** No claimed horse shall race at any other racetrack until after the close of the race meeting at which it was claimed, the last scheduled overnight race for that breed at the meet has been drawn or for 60 days, whichever is shorter, except to fulfill one or more stakes engagements or by request of the association's racing secretary and with written approval of the stewards.

[For text of subps 23 to 31, see M.R.]

7884.0230 RACING EQUIPMENT.

Subpart 1. **Sulkies.** Sulkies will be permitted only if they are of the conventional dual-shaft and dual-hitch type as follows: must meet the requirements described in United States Trotting Association, rule 18.25.

A. they have two shafts that are parallel to, and securely hitched on each side of the horse;

B. no point of a hitch and no part of a shaft of the sulky is above a horizontal level equal to the lowest point of the horse's back;

C. they are equipped with mud guards when so required by the stewards; and

D. they are equipped with plastic wheel discs on the inside and outside of each wheel with such discs being either clear or of a solid pastel color.

[For text of subps 2 to 7, see M.R.]

7884.0260 DRIVING RULES.

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

Subp. 10. **Stewards to determine extent of violation.** The stewards shall determine the extent of the alleged violation and may place the offending horse either behind the horses that in their judgment were interfered with, or last in the field. The stewards' discretion applies to all placings and their determination is final.

Subp. 11. Pylon rule for horses racing without interference.

A. Any horse gaining an unfair advantage by going inside, over, or between one or more pylons in order to pass another competitor may be disqualified at the discretion of the stewards, whose determination is final.

B. Any horse going inside two pylons shall be disqualified and placed behind any lapped on horse in the official order of finish.

C. Any horse going inside three or more consecutive pylons shall be disqualified and placed last.

7890.0110 MEDICATIONS AND PRACTICES PROHIBITED.

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

Subp. 9. **Endogenous, dietary, and environmental substances.** No endogenous, dietary, or environmental substances other than those listed below shall be allowed in the test sample of a horse. Levels shall not exceed the limits found in the Racing Commissioners International Endogenous, Dietary, or Environmental Substances Schedule, RCI Chapter 11 and Chapter 25, which is incorporated by reference. The Racing Commissioners International Schedule of feed contaminants are subject to change and are available to the public free of charge at the State Law Library, on the MRC Web site, and at http://www.us-rtip.org/industry_service/download_model_rules. The level for cobalt is 25 ppb until the Racing Commissioners International has established levels in the schedule of feed contaminants.

Subp. 10. **Medications with regulatory limits.** No medications other than those listed in this subpart or found in part 7890.0100, subpart 13, items A to D, shall be allowed in the test sample of a horse. Serum or urine thresholds on the following medications shall not exceed those found in the Association of Racing Commissioners International Schedule of Controlled

Proposed Rules

Therapeutic Substances, RCI Chapter 11 and Chapter 25 Medication Schedule for Horses, which is incorporated by reference. The Racing Commissioners International Schedule of Controlled Therapeutic Substances are subject to frequent change and are available to the public free of charge at the State Law Library, on the MRC Web site, and at http://www.ua-rtip.org/industry_service/download_model_rules.

[For text of subps 11 and 12, see M.R.]

7897.0120 DISCIPLINARY SANCTIONS.

Subpart 1. **Licenses Sanctions.** Any licensee person engaging in any prohibited act as provided in parts 7897.0100 to 7897.0115 is subject to license suspension or revocation, and/or the levying of a fine as provided in part 7897.0130 and such other sanctions or restrictions as the commission reasonably deems necessary to carry out its duties under Minnesota Statutes, section 240.03.

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

Subp. 3. **Reciprocity of rulings.** The commission, its designee, or the stewards may deny, suspend, or revoke a Class C license if it is found that the applicant or licensee, or any person who is an agent, employee, or associate of such applicant or licensee:

A. is presently under suspension or his or her license has been denied or revoked for any reason by a legally constituted racing commission or gaming authority of another jurisdiction; or

B. becomes suspended or has his or her license denied or revoked for any reason by a legally constituted racing commission or gaming authority of another jurisdiction while such licensee is participating in racing licensed in Minnesota.

Before considering a licensee for reinstatement in Minnesota or granting a license to an applicant, the commission or its designee, or stewards shall require such licensee to obtain reinstatement in the original racing jurisdiction where his or her license was denied, suspended, or revoked, and to establish his or her fitness to be reinstated in Minnesota.

7897.0130 SCHEDULE OF FINES.

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

Subp. 3. **Assignment of categories and determination of fine amount.** In assigning a particular violation to a category, and in determining the amount of the fine for any violation, the commission or stewards shall consider the following factors:

A. inherent severity of the conduct as indicated by the potential harm to person, property the potential or actual harm to persons, property, or the integrity of racing;

B. the culpability of the violator;

C. the frequency of the violator's failure to comply with law or rule; and

D. actual harm caused to person, property, or the integrity of racing; and

E. D. any other factors related to the seriousness of violations which the commission or stewards deem crucial to assignment as long as the same factors are considered with regard to all violators. The commission or stewards, in making a determination, shall consider both the number of factors applicable to a violation and the degree to which each applies the health, safety, and welfare of participants in racing or the integrity of pari-mutuel racing in Minnesota.

Subp. 4. **Serious violations.** Violations of Minnesota Statutes, section 240.25, misrepresentation of the identity of a horse, possession of a firearm in violation of state law, and setting or attempting to set a fire on the racetrack premises, and any violation involving a substance defined by the Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances as a Class 1 foreign substance shall be deemed per se serious violations.

Subp. 5. **Amount of fines.** The fine for a serious violation of law or rule shall be \$500 to \$5,000 at least \$1,000 and up to \$10,000 for a first serious violation; up to \$25,000 for a second serious violation; or up to \$50,000 for a third serious violation. The fine for other violations shall not exceed \$499 \$999. The commission may impose a fine in excess of \$5,000 but no more than

Proposed Rules

\$200,000 against a Class A, B, or D licensee as necessary to enforce parts 7870.0430, 7870.0450 to 7870.0470, or 7870.0500.

Subp. 6. **Timetable for paying fines.** All fines imposed by the stewards or commission must be paid within 72 hours of the date of the ruling imposing the fine. Failure to pay the fine within the required time is grounds for suspension, an additional fine, and such other sanctions and restrictions as the commission, its designee, or the stewards reasonably deem necessary. The commission shall designate one or more employees responsible for collecting fines and they shall notify the stewards and executive director of delinquent fines.

7897.0150 DISCIPLINARY AND APPEAL PROCEDURES.

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

Subp. 2. Penalties imposed by stewards.

A. The stewards may suspend the license of the holder a license up to 90 days or impose a fine of up to \$2,000 \$5,000 in accordance with the schedule of fines in part 7897.0130 or both; or in addition, they may order any other appropriate disciplinary or corrective action. The stewards may also make recommendations to the commission for penalties in excess of their authority.

B. Upon a finding of a violation of chapter 7890, the stewards shall consider the classification and penalty category of the substance at the time of the violation as referenced in the Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances and Recommended Penalties, as well as any existing mitigating or aggravating factors, and shall impose penalties and disciplinary measures consistent with the recommendations contained therein except as limited by part 7897.0130, subpart 5.

C. Mitigating or aggravating factors must be shown by a preponderance of evidence that the circumstances were actually present in the instant case. Mere speculation that the circumstances might have been present is not sufficient proof.

For purposes of this subpart, mitigating factors are conditions or circumstances that do not excuse or justify wrongful conduct, but are considered out of fairness in deciding to reduce a penalty.

For purposes of this subpart, aggravating factors are conditions or circumstances that permit a harsher penalty to be imposed but do not permit a penalty to be imposed greater than that allowed under the law or rule.

[For text of subps 3 to 9, see M.R.]

REPEALER. Minnesota Rules, part 7869.0100, subpart 57, is repealed.

Adopted Exempt Rules

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

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

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

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

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

Department of Human Services

Adopted Exempt Permanent Rules Repealing Obsolete Rules Related to Publishing Notices in a Local Newspaper

The rules proposed and published at State Register, Volume 41, Number 5, pages 115-117, August 01, 2016 (41 SR 115), are adopted as proposed.

Commissioner's Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

Minnesota Department of Natural Resources (DNR)

Commissioner's Order – SNA Order #249: Iron Springs Bog Scientific and Natural Area

Date: January 17, 2016

Statutory authority: Minnesota Statutes 84.033, 86A.05, Subd. 5, and 97A.093

Supersedes: SNA Order #29

BACKGROUND

WHEREAS, certain lands in Clearwater County, Minnesota, described as:

The East Half (E ½) of the Southeast Quarter (SE ¼), the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼), the East Half (E ½) of the Southwest Quarter (SW ¼), and the South Half (S ½) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 28, and the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) in Section 33; all in Township 144 North, Range 36 West.

Commissioner's Orders

AND

The East Half of the Northwest Quarter of the Northeast Quarter (E ½ NW ¼ NE ¼), less that part South of the Highway, in Section Thirty-Three (33), Township One Hundred Forty-four (144) North, Range Thirty-six (36) West, of the Fifth Principal Meridian.

containing 231.0 acres, more or less, is under the control and possession of the Department of Natural Resources;

and

WHEREAS, such lands contain native plant communities including high-quality northern extremely rich tamarack swamp, northern alder swamp, northern wet ash swamp, northern willow-dogwood shrub swamp, and northern sedge meadow; and habitat for rare plant and animal species, including the endangered bog adder's mouth (*Malaxis paludosa*), the threatened ram's head orchid (*Cypripedium arietinum*), and the special concern species northern oak fern (*Gymnocarpium robertainum*), white adder's mouth (*Malaxis monophyllos var brachypoda*), and a triaenode caddisfly (*Triaenodes flavescens*).

WHEREAS, the most effective means by which such lands can be protected and perpetuated in their natural state and used for educational and research purposes in such a manner as will leave them conserved for future generations is by designation as a Scientific and Natural Area;

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to authority vested in me by law, including but not limited to *Minnesota Statutes*, sections 84.033; 86A.05, subd. 5; and 97A.093; that the above-described lands are designated as the Iron Springs Bog Scientific and Natural Area.

FURTHERMORE, the Iron Springs Bog Scientific and Natural Area is designated as a Public Use unit, open to the public for nature observation and general educational and research activities.

IT IS FURTHER ORDERED that the provisions of Minn. Rules 6136.0100 through 6136.0600 shall apply to the above-designated area, except that the following uses will be allowed with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: deer hunting and trout fishing during the regular season.

This order takes effect upon signature publication in the State Register.

Tom Landwehr, Commissioner, Department of Natural Resources, January 5, 2017

Official Notices

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

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

Minnesota State Board of Assessors

REQUEST FOR COMMENTS for Possible Amendments to Rules Governing Licensure, Education, Trainee Registration, Record Retention, and Reinstatement, Minnesota Rules Chapter 1950

Subject of Rule. The Minnesota State Board of Assessors requests comments on its possible amendment to rules governing licensure, education, training registration, record retention, and reinstatement. The Board is considering the following rule amendments:

1. **Licensing Manual:** Delete references to the "Licensing Manual" in the Rules.

Official Notices

2. Reinstatement: Provides that a person who has not been licensed for five years may be reinstated by demonstrating completion of certain coursework and by paying the reinstatement fee. Additionally, the proposed changes clarify that the reinstatement fee applies to anyone who has not renewed their license by July 1.

3. Record Retention: Remove record retention language from the rules since it is provided for in the board's retention schedule. With the new online licensing system, the board plans to retain assessor records at least for the life of the assessor. The board will no longer use the record retention fee once the online licensing system is in production (estimated to occur in 2017).

4. Assessment Laws and Procedure (ALP) Course: Specify that the required ALP course must have been taken within the previous five years for: a) an initial license; or b) reinstating a license after five or more years of not holding a license.

5. Uniform Standards of Professional Appraisal Practice (USPAP) Course: Specify that the required 15-hour USPAP course must have been taken within five years of: a) first receiving an Accredited Minnesota Assessor (AMA); or b) first receiving a Senior Accredited Minnesota Assessor (SAMA) license; or c) reinstating an AMA or SAMA license. If the course was taken more than five years ago, the AMA/SAMA applicant must take the current year's USPAP 7-hour update class.

6. Continuing Education Hours (CEH) for Instructors: Allow instructors to claim CEHs only once per four year cycle for the same course taught. Current rule allows instructors to claim CEHs for teaching multiple offerings of the same course.

7. AMA/SAMA Narrative Appraisals and CMAS Form Appraisal: Specify that narratives submitted as a requirement for AMA or SAMA license and form appraisals submitted as a requirement for CMAS must be submitted within five years of the date of the appraisal.

8. International Association of Assessing Officers (IAAO) Assessment Administrative Specialist (AAS) Equivalency: Provide that the IAAO Assessment Administrative Specialist designation fulfills the narrative requirement for the AMA license instead of the narrative requirement for the SAMA license.

9. SAMA and AMA License Requirements: Move the board interview requirement to the SAMA level instead of the current AMA level.

10. Temporary License:

- a. Create a temporary license for a former member of the military, current member of the military, and the spouse of a current member of the military as required in Minnesota Statutes, section 197.4552.
- b. Create a temporary license for Minnesota appraisers who are licensed at the highest level (Certified General Appraiser) by the Department of Commerce to appraise all property types. Currently they are unable to work in the assessor's offices as income-producing property appraisers since they do not have an assessor's license.

11. Trainee Registration: Current law allows individuals who are regularly employed by the assessor to assist in making decisions regarding the valuation and classification of property for assessment purposes, but they must obtain an assessor license within three years of their date of employment. The proposed rule change would establish a one-time trainee registration for individuals who have started working for the assessor in the described work, but are not yet licensed. Trainees would be required to register with the Board within 30 days of hire.

12. CEH Increases: Increase the Continuing Education Hours (CEH) for Certified Minnesota Assessors (CMA) and Certified Minnesota Assessor Specialists (CMAS) from 40 to 50 hours per 4-year cycle and for Accredited Minnesota Assessors (AMA) and Senior Accredited Minnesota Assessors (SAMA) from 50 to 60 hours per 4-year cycle beginning with the current 4-year cycle (which started July 1, 2016 and ends June 30, 2020.)

13. Licensing at a lower level: Remove MN Rule 1950.1080, subp. 4 which was made obsolete by the 2013 law change requiring AMA and by all jurisdictions' license levels moving to at least AMA by 2019.

14. Additional Amendments. Time permitting, the Board may propose other substantive or technical amendments.

Persons Affected. The amendment to the rules would likely affect assessors currently licensed by the Board, including County Assessors, and persons wishing to become licensed.

Statutory Authority. Minnesota Statutes, section 270.47, requires the Board to adopt rules necessary to accomplish its purpose.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing for 60 (sixty) days following the publication of this notice in the *State Register* or until further notice is published in the *State Register* that the Board intends to adopt or to withdraw the rules, whichever comes later. The Board does not plan to appoint an advisory committee to comment on the possible rules.

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

Agency Contact Person. Written or oral comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to:

Kyle Gustafson
Appeals and Legal Services Division
Minnesota Department of Revenue
600 North Robert Street
St. Paul, Minnesota 55146-2220
(651) 556-4970
(651) 296-8229 (Fax)
kyle.gustafson@state.mn.us

TTY users may call the Department at Minnesota Relay 711

Alternative Format. Upon request, this information can be made available format. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Comments submitted in response to this notice may not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Dated: December 16, 2016

Andrea Fish, Executive Secretary
Minnesota State Board of Assessors

Minnesota Housing Finance Agency (MHFA) Notice of Hearing on Bond Issues for Qualified Mortgage Bonds

Notice is hereby given that the Minnesota Housing Finance Agency (the “Agency”) will hold a public hearing at 9:00 a.m. on Tuesday, January 31, 2017 at the Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101, for the purposes of taking public testimony regarding the issuance of qualified mortgage bonds, comprising one or more series, in an aggregate principal amount not exceeding \$500,000,000. The bonds will be issued as qualified mortgage bonds subject to the mortgage eligibility requirements of Section 143 of the Internal Revenue Code of 1986, as amended, and will provide funds for the purchase by the Agency of mortgage loans of certain low and moderate income, first-time homebuyers of single family owner-occupied residences located throughout the State of Minnesota, which homebuyers qualify under the Agency’s bond financed single family mortgage program (the “Program”) and applicable federal tax law. The Agency’s Program is further described in the MHFA Start Up Program Procedural Manual, as updated from time to time, a copy of which may be obtained from the Agency. Said bonds may be issued either as refunding bonds to refund certain outstanding bonds of the Agency or as “new money” bonds using a portion of the Agency’s state bond volume allocation, and may be issued either as short-term bonds, subject to refunding or remarketing at a subsequent date on a long-term, fixed or variable rate basis, or as long-term, fixed or variable rate bonds on original issuance. The bonds covered by this hearing notice, up to an aggregate principal amount not exceeding \$500,000,000, including a plan of finance therefor, are anticipated to be issued in more than one series, on more than one date, to fund the Program during calendar years 2017 and 2018, until fully utilized.

Official Notices

Parties wishing to comment on the financing for the Program may appear in person at the hearing or may submit written comments to the undersigned prior to the hearing, which comments will be considered at the hearing. Parties desiring additional information should contact Ms. Kong Yang of the Agency (651-296-6322).

Mary Tingerthal, Commissioner
Minnesota Housing Finance Agency

Department of Human Services

Provider and Enrollment Division

Notice of availability of the Minnesota Health Care Programs provider participation list [Minnesota Rules, Parts 9505.5200 to 9505.5240, also known as DHS Rule 101-provider compliance list]

Notice is hereby given that the Minnesota Health Care Programs provider participation list for **January 2017** is now available. The provider participation list is a compilation of health care providers who are in compliance with DHS Rule 101 (Minnesota Rules, Parts 9505.5200 to 9505.5240). If a provider name is not on the list, the Department considers the provider non-compliant. The list of providers is separated by provider type, each section is in alphabetical order by provider name, and there is no additional information on the list other than the provider's name. This list is distributed on a quarterly basis to the Department of Employee Relations, the Department of Labor and Industry, and the Department of Commerce. To obtain the list, contact **Julie Hervas**, Rule 101 Specialist, at **651-431-2704** or toll-free at 1-800-366-5411. You may fax your request to 651-431-7462 or mail to the Department of Human Services, PO Box 64987, St. Paul, MN 55164-0987.

Lucinda Jesson, Commissioner
Department of Human Services

Department of Human Services

Health Care Purchasing and Delivery Systems Division - Health Care Administration

Public Notice of Maximum Allowable Costs of Medical Assistance Outpatient Prescribed Drugs

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of additions to the state Medical Assistance maximum allowable cost (state MAC) list for certain outpatient prescribed drugs.

At least once each calendar year, the United States Department of Health and Human Services, Centers for Medicare & Medicaid Services, publishes a federal upper limit (FUL) payment schedule for many commonly prescribed multiple-source drugs. The federal upper limit is set at a rate equal to 150 percent of the published price for the least costly therapeutic equivalent that can be purchased by pharmacists. This FUL payment schedule constitutes the federal MAC list. For many multiple-source drugs that are not on the federal MAC list, the Department establishes a state MAC list. Additionally, the Department imposes a state MAC for many multiple-source drugs that are on the federal MAC list, as long as the aggregate savings are at least as much as the savings would be using the federal MAC list.

The Department requires Medical Assistance pharmacy providers to submit their usual and customary costs. Pharmacy providers are reimbursed at the lower of: 1) the state MAC or the estimated acquisition cost determined using wholesale acquisition cost, plus a dispensing fee; or 2) the submitted usual and customary charge to the general public.

No earlier than Jan 17, 2017 the Department may add the following outpatient prescribed drugs to the state MAC list:

Drug Name

Levoleucovorin Calcium
Bimatoprost
Doripenem
Oseltamivir Phosphate
Ezetimibe
Epinephrine
Sodium Nitroprusside

These additions are made to bring Medical Assistance reimbursement to pharmacists more closely in line with the actual acquisition cost of the drugs listed above. The Department estimates that there will be a state savings of \$46,000 for State Fiscal Year 2016 (July 1, 2016 through June 30, 2017).

This notice is published pursuant to *Code of Federal Regulations*, Title 42, section 447.205, which requires publication of a notice when there is a rate change in the methods and standards for setting payment rates for Medical Assistance services.

Written comments and requests for information may be sent to Pharmacy Program Manager Sara Drake R.Ph., Health Services and Medical Management Division, Health Care Administration, Minnesota Department of Human Services, P.O. Box 64984, St. Paul, Minnesota 55164-0984.

Department of Labor And Industry

Labor Standards Unit

Notice of Correction to Commercial and Highway Heavy Prevailing Wage Rates

Corrections have been made to the Commercial Wage Rates certified 12/27/2016 for;

Heat & Frost Insulators, (Labor Code 701) in Traverse, Grant, Douglas, Big Stone, Stevens, Pope, Todd, Morrison, Stearns, Swift, Laq Qui Parle, Chippewa, Kandiyohi, Yellow Medicine, Lyon, Redwood, Renville, Brown, Watonwan, Martin, Faribault, Blue Earth, Nicollet, Sibley, Mcleod, Meeker, Wright, Benton, Sherburne, Mille Lacs, Kanabec, Isanti, Chisago, Anoka, Washington, Ramsey, Hennepin, Carver, Scott, Dakota, Rice, Lesueur, Goodhue, Wabasha, Waseca, Steele, Dodge, Olmstead, Winona, Freeborn, Mower, Fillmore, Houston and Cottonwood Counties

Electricians, (Labor Code 707) in Beltrami, Clearwater, Itasca, St. Louis, Lake, Cook, Todd, Crow Wing, Aitkin, Carlton, Lake of the Woods, Koochiching and Morrison Counties

Plumbers, (Labor Code 719) in Goodhue County

Sprinkler Fitters, (Labor Code 722) in Anoka, Hennepin, Ramsey, Washington, Scott and Dakota Counties

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

Electricians, (Labor Code 707) in Regions 1, 2 and 3

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

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.

Official Notices

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.

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 Grants & Loans

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

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

Minnesota Department of Human Services

Mental Health Division

Notice of Request for Proposals for a Qualified Grantee to Administer the Crisis Housing Assistance Program

Also Known as the Crisis Housing Fund, supporting persons with serious mental illness with the short term financial assistance an individual needs to retain their housing and prevent homelessness while they receive mental health or chemical dependency treatment.

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to provide Housing with Supports for Adults with Serious Mental Illness.

Work is proposed to start April 1, 2017. For more information, or to obtain a copy of the Request for Proposal, contact:

Gary M. Travis
Department of Human Services
Mental Health Division
P.O. Box 64981
444 Lafayette Road North, St. Paul, MN 55155-0981
Fax: (651) 431-7566
gary.m.travis@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, Friday February 17, 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 Human Services

Mental Health Division

Addendum to Request for Proposals for a Qualified Grantee to Provide 24/7 Consultation Services to Mobile Crisis Responders in the context of Providing Crisis Services to Individuals with Intellectual/ Developmental Disabilities (I/DD)/Traumatic Brain Injury (TBI) and/or a Co-occurring Mental Health Disorder

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services through its Mental Health Division has published an Addendum to its Request for Proposal **for a Qualified Grantee to Provide 24/7 Consultation Services to Mobile Crisis Responders in the context of Providing Crisis Services to Individuals with an Intellectual/ Developmental Disorder (I/DD)/Traumatic Brain Injury (TBI) and/or a Co-occurring Mental Illness** that was published in the January 3, 2017 State Register. In the Addendum, corrections to the title of the RFP have been made.

State Grants & Loans

To request a full text of the RFP Addendum please contact:

Niambi Shakir
Department of Human Services
Mental Health Division
P.O. Box 64981
444 Lafayette Road North, St. Paul, MN 55155-0981
Phone: (651) 431-4083, Fax: (651) 431-7418

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

The text of the RFP Addendum can also be viewed by visiting the Minnesota Department of Human Services RFP web site:
http://www.dhs.state.mn.us/main/id_000102

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 Supreme Court

Notice to Applicants: Safe and Secure Courthouse Initiative

The Chief Justice of the Minnesota Supreme Court has established a grant program to improve the safety and security of courthouses and other facilities where court proceedings are held. The 2016 Minnesota Legislature provided \$1 million for the grant program (see Laws of Minnesota 2016, chapter 189, article 4, section 2).

Any county board or other local government entity responsible for providing or maintaining a courthouse or other facility where court proceedings are held is eligible to apply. Grants can be used to help pay for security equipment, training, assessments, or other projects that improve the safety and security of a court facility. The requesting entity must demonstrate a 50 percent cash or in-kind match from non-state sources to the amount requested in the application.

Applications will be accepted through **March 31, 2017**, and may be submitted to Janet Marshall at the State Court Administrator's Office at janet.marshall@courts.state.mn.us. An advisory committee of judges, court staff, county officials, and statewide justice partners will review and score applications based on grant criteria. Final award decisions will be made in June 2017.

Complete grant application materials, including award guidelines, the application, and application scoring criteria, are available at: www.mncourts.gov/courthousesecurity.

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.

State Department of Administration

Notice of Availability of Request for Proposal (RFP) for Designer Selection for: Institute of Child Development – University of Minnesota, Twin Cities (State Designer Selection Board Project No. 17-01)

The State of Minnesota, Department of Administration is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota Department of Administration's website at <http://state.mn.us/admin/government/construction-projects/sdsb/projects/> (click 17-01).

A mandatory informational meeting will be held on Thursday, January 19, 2017 at 3:00 PM CT at the Rapson Hall Room 54, 89 Church Street, Minneapolis, MN, 55455. The meeting will include a presentation and a review of the scope of work.

Any questions should be directed to **Vera Westrum-Ostrom** at verawo@umn.edu. Project questions will be taken by this individual only. Questions regarding this RFP must be received by **Monday, January 23, 2017** no later than **12:00 PM** Central Time.

Proposals must be delivered to Charlye McMillan, Executive Secretary, State Designer Selection Board, Real Estate and Construction Services, Room 309, Administration Building, 50 Sherburne Ave., St. Paul, MN 55155 not later than **12:00 noon Central Time on Monday, January 30, 2017**. Late responses will not be considered.

The University of Minnesota is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota State Colleges and Universities (MnSCU)

Notice of Request for Qualifications (RFQ) for Architectural, Engineering, Owner's Representative, Real Estate and other Professional and Technical Services for a Master Contract

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities ("Minnesota State"), requests information of Minnesota registered consultants, as appropriate, to assist Minnesota State in providing Facilities related Professional and/or Technical services as needed for up to a five-year period. Campus projects will vary in scope and may involve professional or technical Specialty Services for Architectural Design, Predesign, Building Envelope, Commissioning, Engineering, Industrial Hygiene, Inspectors and Laboratories, Land Surveyor, Landscape Architectural Design, Owner's Representative, Real Estate, and Technology.

The Request for Qualifications documents (RFQ and attachments) are available at: <http://www.finance.mnscu.edu/facilities/design-construction/announcements/index.html> This RFQ is to allow a consultant to enter into master contract and be included in the Facilities Professional/Technical Consultants Master Contract database. The existing Facilities Professional/Technical Consultants Master Contracts will not be used after the effective date of the new contract. Consultants with existing master contracts are encouraged to respond to this RFQ.

State Contracts

Responses must be delivered to:

Minnesota State Colleges & Universities
ATTN: Karen Huiett - Facilities Design and Construction
Wells Fargo Place
30 Seventh Street East, Suite 350
St. Paul, Minnesota 55101-7804

Responses must be received NO later than **February 6, 2017 at 2:00 P.M. CST**; late responses will not be considered.

Minnesota State reserves the right to cancel this solicitation if it is considered to be in Minnesota State's best interest. The RFQ is not a guarantee of work and does not obligate Minnesota State to award any contracts. Minnesota State reserves the right to discontinue the use or cancel all or any part of the Facilities Professional/Technical Consultant Master Contract database if it is determined to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

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 State Colleges and Universities (MnSCU)

Rochester Community and Technical College

Notice of Availability of Request for Proposal (RFP) for Apparel & Uniform Supplier

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Rochester Community and Technical College is soliciting proposals from interested and qualified vendors to provide Student Life and Athletic Department – Apparel & Uniforms.

To obtain the Request for Proposal, please email June Meitzner at june.meitzner@rctc.edu.

Proposals must be delivered to: June Meitzner, Purchasing Manager, Rochester Community and Technical College, 851 30th Avenue S.E., Room SS153, Rochester, MN 55904 no later than **4:00 P.M. CST, Tuesday, February 21st, 2017. Late responses will not be considered.**

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

Minnesota State Colleges and Universities (MnSCU)

Rochester Community and Technical College

Notice of Availability of Request for Proposal (RFP) for RCTC Charter Bus and Transportation Services

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Rochester Community and Technical College is soliciting proposals from interested and qualified vendors to provide Charter Bus and Transportation services.

To obtain the Request for Proposal, please email June Meitzner at june.meitzner@rctc.edu.

Proposals must be delivered to: June Meitzner, Purchasing Manager, Rochester Community and Technical College, 851 30th Avenue S.E., Room SS153, Rochester, MN 55904 no later than **4:00 P.M. CST, Tuesday, February 21st, 2017. Late responses will not be considered.**

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

Minnesota Department of Human Services

Deaf and Hard of Hearing Services Division

Notice of Request for Proposals to Design a Practicum Consortium for Mental Health Interpreters

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to (1) establish a consortium of potential mental health practicum sites throughout Minnesota for American Sign Language interpreters pursuing the QMHI certification. The interpreters should have access to mental health interpreting situations to complete their 10-15 observation hours and 40 supervised practicum hours; (2) create agreements and/or memorandum of understandings (MOUs) with identified practicum sites to ensure their commitment for a minimum of two (2) years as a member of a consortium to provide opportunities for observation hours and on-site practicum experiences for interpreters who completed the MHIT course work; (3) create protocols and guidelines for the practicum consortium for both interpreters and practicum sites; and (4) make recommendations to DHHS to maintain the practicum consortium including financial, feasibility, and operations of this program.

It is anticipated that \$35,000 will be available for State Fiscal Year 2017 (ending June 30, 2017). However, provided that any contract resulting from proposals received under this RFP is encumbered and fully signed prior to June 30, 2017, funding for this program may be extended and used for contract duties which extend into the first quarter of State Fiscal Year 2018 (July 1, 2017-September 30, 2017).

State Contracts

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

Attention: John Gournaris
Deaf and Hard of Hearing Services Division
444 Lafayette Rd. North
St. Paul, MN 55155-3814
Videophone: 651-964-1512
Fax: 651-431-7583
John.Gournaris@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, Friday, February 24, 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/open-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.

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/>.

Bassett Creek Watershed Management Commission

Request for Letters of Interest Proposals—Professional Services for Legal, Engineering and Technical Consulting Services

NOTICE IS HEREBY GIVEN that pursuant to Minnesota Statutes Annotated 103B.227, Subd. 5, the Bassett Creek Watershed Management Commission (BCWMC) hereby solicits Letters of Interest Proposals for primary/day-to-day legal, engineering and technical consulting services for fiscal years 2017 and 2018. The BCWMC's 2017 operating budget is \$645,600 and its annual capital projects budget is approximately \$1,300,000. More information on the BCWMC can be found at www.bassettcreekwmo.org.

Letters should include a brief description of the company and the experience of the individual(s) proposing to perform services for the Commission. Letters of interest proposals shall be in a sealed envelope clearly marked, "BCWMC – Letter of Interest Proposal." The Commission will review the letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest Proposals shall be submitted on or before **February 7, 2017** electronically or in paper to:

Administrator Laura Jester
BCWMC – Letter of Interest Proposal
16145 Hillcrest Lane
Eden Prairie, MN 55346
Laura.jester@keystonewaters.com

Non-State Public Bids, Contracts & Grants

Elm Creek Watershed Management Commission

Request for Interest Proposals - Professional Services for Administrative, Legal, Technical and Wetland Consulting

Pursuant to Minnesota Statutes Annotated 103B.227.subd. 5., the Elm Creek Watershed Management Commission hereby solicits Letters of Interest for administrative, legal, technical and wetland consulting services for the fiscal years of 2017 and 2018. The annual budget for all services for the Commission for the year 2017 is \$421,614.

All wetland consulting services will be performed under the direction of the Commission's Technical Advisor and will include conducting annual monitoring, preparing annual monitoring reports, preparing as-built plans, and performing duties as a member of Technical Evaluation Panels on behalf of the Commission. The Consultant must identify the dollar amount of fixed and/or hourly fees and costs to be charged for providing the services to the Commission and separately identify the rate for any overhead cost items to be billed.

Letters should include a brief description of the company and the experience of the individual(s) proposing to perform services for the Commission. The Commission will review said letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest should be submitted on or before **February 1, 2017**, to:

Doug Baines, chair
Elm Creek Watershed Management Commission
3235 Fernbrook Lane
Plymouth, MN 55447
(NO CALLS)

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2017 Pavement Recon – Taxiway A1 & 2017 Runways 09-27 & 18-36 Joint & Crack Repairs

Airport Location: Anoka County-Blaine Airport
Project Name: 2017 Pavement Recon – Taxiway A1 & 2017 Runways 09-27 & 18-36 Joint & Crack Repairs
MAC Contract No.: 110-1-040 & 110-1-041
Bids Close At: 2:00 p.m. on Tuesday, February 14, 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. Major work items include pavement removal, excavation, P-208 aggregate base, P-401 bituminous pavement, pavement marking, pavement jointing, turf restoration, airfield lights and circuitry, and joint and crack repairs.

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.

Disadvantaged Business Enterprises (DBE): The goal of the MAC for the utilization of DBE on this project is 11%.

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 Short Elliott Hendrickson 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: Northstar Imaging Services, Inc.; 1325 Eagandale Court - Suite 130; Eagan, MN 55121; 651.686.0477. Make checks payable to: Northstar Imaging Services, Inc. Deposit per set (nonrefundable): \$65 (includes shipping)

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on January 17, 2017, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Non-State Public Bids, Contracts & Grants

Pioneer-Sarah Creek Watershed Management Commission

Request for Interest Proposals - Professional Services for Administrative, Legal, Technical and Wetland Consulting

Pursuant to Minnesota Statutes Annotated 103B.227.subd. 5., the Pioneer-Sarah Creek Watershed Management Commission hereby solicits Letters of Interest for administrative, legal, technical and wetland consulting services for the fiscal years of 2017 and 2018. The annual budget for all services for the Commission for the year 2017 is \$133,700.

All wetland consulting services will be performed under the direction of the Commission's Technical Advisor and will include conducting annual monitoring, preparing annual monitoring reports, preparing as-built plans, and performing duties as a member of Technical Evaluation Panels on behalf of the Commission. The Consultant must identify the dollar amount of fixed and/or hourly fees and costs to be charged for providing the services to the Commission and separately identify the rate for any overhead cost items to be billed.

Letters should include a brief description of the company and the experience of the individual(s) proposing to perform services for the Commission. The Commission will review said letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest should be submitted on or before **February 8, 2017**, to:

Mike DeLuca, chair
Pioneer-Sarah Creek Watershed Management Commission
3235 Fernbrook Lane
Plymouth, MN 55447
(NO CALLS)

Shingle Creek Watershed Management Commission

Request for Interest Proposals - Professional Services for Legal, Engineering and Technical, and Administrative Consulting

Pursuant to Minnesota Statutes Annotated 103B.227.subd. 5., the Shingle Creek Watershed Management Commission hereby solicits Letters of Interest for legal, engineering and technical, and administrative consulting services for the fiscal years of 2017 and 2018. The annual operating budget for all services for the organization for the year 2017 is \$403,710.

The Shingle Creek Commission works in concert with the West Mississippi Watershed Management Commission. While working under separate operating budgets, the two Commissions share similar activities under a joint Watershed Management Plan.

Letters should include a brief description of the company and the experience of the individual(s) proposing to perform services for the Commission. The Commission will review said letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest should be submitted on or before **February 1, 2017** to:

R. A. Polzin, chair
Shingle Creek Watershed Management Commission
3235 Fernbrook Lane
Plymouth, MN 55447
(NO CALLS)

Non-State Public Bids, Contracts & Grants ---

West Mississippi Watershed Management Commission

Request for Interest Proposals - Professional Services for Legal, Engineering and Technical, and Administrative Consulting

Pursuant to Minnesota Statutes Annotated 103B.227.subd. 5., the West Mississippi Watershed Management Commission hereby solicits Letters of Interest for legal, engineering and technical, and administrative consulting services for the fiscal years of 2017 and 2018. The annual operating budget for all services for the organization for the year 2017 is \$174,600.

The West Mississippi Commission works in concert with the Shingle Creek Watershed Management Commission. While working under separate operating budgets, the two Commissions share similar activities under a joint Watershed Management Plan.

Letters should include a brief description of the company and the experience of the individual(s) proposing to perform services for the Commission. The Commission will review said letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest should be submitted on or before **February 1, 2017**, to:

Gerry Butcher, chair
West Mississippi Watershed Management Commission
3235 Fernbrook Lane
Plymouth, MN 55447
(NO CALLS)



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