

Minnesota State Register

Published every Monday (Tuesday when Monday is a holiday)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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

**Monday 6 November 2017
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Pages 513 - 562**

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- Withdrawn Rules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. 42 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)
# 20	Monday 13 November	Noon Tuesday 7 November	Noon Thursday 2 November
# 21	Monday 20 November	Noon Tuesday 14 November	Noon Thursday 9 November
# 22	Monday 27 November	Noon Monday 20 November	Noon Thursday 16 November
# 23	Monday 4 December	Noon Tuesday 28 November	Noon Thursday 23 November

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<http://www.mncourts.gov>

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Minnesota Rules: Amendments and Additions

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

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

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

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

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

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

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

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

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

Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design Proposed Permanent Rules Relating to Licensure or Certification; DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received; Revisor’s ID Number R-04374

Proposed Amendment to Rules Governing Definitions, Noncompliant Conduct, Applications for Examination, Licensure and Temporary Permits, Qualifying Education and Experience, Qualifications for Licensure, Certification and Signature, and Housekeeping Updates; Minnesota Rules, parts 1800.0050, 1800.0120, 1800.0130, 1800.0400, 1800.0500, 1800.0850, 1800.0900, 1800.1000, 1800.1100, 1800.1200, 1800.1500, 1800.1750, 1800.2100, 1800.2200, 1800.2500, 1800.2805, 1800.2900, 1800.3505, 1800.3750, 1800.3910, 1800.3930, 1800.4100, 1800.4200; and

Proposed Repeal of Obsolete Rules, Minnesota Rules, part 1800.4200, subpart 2.

Introduction. The Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design (“Board”) intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, Minnesota Rules, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, Minnesota Statutes, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing

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on the rules by 4:30 p.m. on December 6, 2017, the Board will hold a public hearing in Suite 295, Golden Rule Building, 85 E. 7th Place, St. Paul, Minnesota 55101, starting at 9:30 AM on Wednesday, January 17, 2018. To find out whether the Board will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after December 6, 2017 and before January 17, 2018.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Andrea Barker at the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design, 85 E. 7th Place, Suite 160, St. Paul, MN 55101, 651-757-1511, Fax: 651-282-2644, and email: andrea.barker@state.mn.us. TTY users may call the Board at (800) 627-3529. You may also review the proposed rule and submit written comments via the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesota.aoah.granicusideas.com/discussions>.

Subject of Rules and Statutory Authority. The proposed rules are about:

- updating definitions;
- prohibiting noncompliant conduct during an examination;
- updating procedures for examination, licensure, certification, and temporary permits;
- updating the education and experience requirements for architecture, professional engineering, land surveying, landscape architecture, geology and soil science;
- clarifying the requirements for licensure or certification;
- clarifying the certification and signature requirements, including electronic signatures;
- making housekeeping modifications; and
- repealing the obsolete rule regarding a Board-designed stamp for certification and signature.

The statutory authority to adopt the rules is Minnesota Statutes, section 326.06. A copy of the proposed rules is published in the State Register, attached to this notice as mailed, and available on the Board's website at mn.gov/aelslagid/rulemaking.html.

Comments. You have until 4:30 p.m. on Wednesday, December 6, 2017, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Board hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on Wednesday, December 6, 2017. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

Modifications. The Board might modify the proposed rules, either as a result of public comment or as a result of

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

Cancellation of Hearing. The Board will cancel the hearing scheduled for January 17, 2018 if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at 651-757-1511 or go online at mn.gov/aelslagid/rulemaking.html after December 6, 2017, to find out whether the hearing will be held.

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

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

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

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

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

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

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

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

Dated: October 16, 2017

Signed By: Doreen Frost
Executive Director

1800.0050 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of this chapter and chapter 1805, the terms defined in this part have the meanings given them.

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

Subp. 3. **ASBOG.** "ASBOG" means the National Association of State Boards of Geology.

Subp. 4. **Certificate holder.** "Certificate holder" means a person who is or has been certified by the board as a certified interior designer.

Subp. 5. **CIDO.** "CIDO" means the Council for Interior Design Qualification.

Subp. 6. **CLARB.** "CLARB" means the Council of Landscape Architectural Registration Boards.

Subp. 7. **CSSE.** "CSSE" means the Council of Soil Science Examiners.

Subp. 8. **Examinee.** "Examinee" means an applicant who has been approved by the board to take the Architect Registration Examination, Fundamentals of Engineering Examination, Principles and Practice of Engineering Examination, Fundamentals of Surveying Examination, Principles and Practice of Surveying Examination, Minnesota Land Surveying Examination, Fundamentals of Geology Examination, Practice of Geology Examination, Fundamentals of Soil Science Examination, or Professional Practice of Soil Science Examination.

Subp. 9. **Graduate curriculum.** "Graduate curriculum" means a curriculum of education culminating in a master's degree or doctorate degree.

Subp. 10. **Graduate degree.** "Graduate degree" means a master's degree or doctorate degree.

Subp. 11. **Licensee.** "Licensee" means a person who is or has been licensed by the Minnesota board as an architect, professional engineer, land surveyor, landscape architect, professional geologist, or professional soil scientist.

Subp. 12. **NCARB.** "NCARB" means the National Council of Architectural Registration Boards.

Subp. 13. **NCEES.** "NCEES" means the National Council of Examiners for Engineering and Surveying.

Subp. 14. **NCIDO.** "NCIDO" means the National Council for Interior Design Qualification.

1800.0120 NOTIFICATION.

Subpart 1. **Required information.**

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

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D. Each applicant, licensee, or certificate holder must notify the board in writing within ~~ten~~ 60 days if the applicant, licensee, or certificate holder has had an architecture, engineering, land surveying, landscape architecture, geoscience license, or interior design certificate, right to exam, or other similar authority revoked, suspended, canceled, limited, or not renewed for cause in any state, commonwealth, or territory of the United States, in the District of Columbia, or in any foreign country.

1800.0130 EXAMINATION IRREGULARITIES; CHEATING AND NONCOMPLIANT CONDUCT.

Subpart 1. **Generally.** Cheating or noncompliant conduct by an applicant in applying for or taking the examination, or discovered subsequent to the examination, will result in the board initiating a complaint and investigation, which may lead to sanctions as identified in Minnesota Statutes, section 326.111, ~~and related rules.~~

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

Subp. 5. **Compliance with examination policies and procedures.** Examinees shall abide by the exam administrator's published examination policies and procedures. An examinee who does not fully comply with the exam administrator's requirements is subject to dismissal from the remainder of the examination in addition to any action taken by the board under Minnesota Statutes, section 326.111.

Subp. 6. **Consequences of noncompliant conduct with examination policies and procedures.** Evidence of failing to comply with the exam administrator's policies and procedures subsequent to an examination may also be cause for action by the board. An examinee who does not fully comply with the exam administrator's policies and procedures during and after an examination is subject to having the exam results invalidated and being prohibited from taking the examination for a period of time as determined by the board. A licensure examination taken and passed in another state while barred from taking an examination in Minnesota is not acceptable for licensure purposes in Minnesota.

1800.0400 APPLICATION FOR EXAMINATION, LICENSURE, AND CERTIFICATION.

Subpart 1. **Forms and filing.** Applications for examination, licensure, or certification ~~shall must be under oath and made on forms prescribed and furnished by the board and shall must be filed with the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design and accompanied by payment of the application fee as specified in Minnesota Statutes, section 326.105. Applications~~ An applicant shall file an application for certification as a certified interior designer shall be filed following passage of the applicant's National Council for Interior Design Qualification (NCIDQ) examination or meeting the requirements outlined in part 1800.0800 or 1800.2100, subpart 5. Applications An applicant shall file an application for licensure as a landscape architect shall be filed following the applicant's successful passage of the Council of Landscape Architectural Registration Board (CLARB) professional examination Landscape Architect Registration Examination (LARE) or meeting the requirements in part 1800.0800. Applications for examination, licensure, or certification must include a signed certification as described in subpart 5.

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

Subp. 1b. **Failure to complete application.** The board shall consider an application withdrawn if an application for examination, licensure, or certification has not been acted upon by the board within six months of the date of the board's receipt of the application, due to failure of the applicant to furnish the board with information pertaining to the application.

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

Subp. 3. In-training application.

A. Applications for examination as engineer-in-training or land surveyor-in-training ~~shall must be made under oath,~~ on forms prescribed and furnished by the board, and accompanied by the application fee as specified in ~~part 1800.0500, subpart 1~~ Minnesota Statutes, section 326.105.

B. Applications for examination as geologist-in-training or soil scientist-in-training ~~shall must be made under oath,~~ on forms prescribed and furnished by the board, and accompanied by the application fee as specified in ~~part~~

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~~1800.0500, subpart 1~~ Minnesota Statutes, section 326.105.

Subp. 4. Reinstatement application.

A. A licensee or certificate holder who applies for reinstatement of licensure as an architect, professional engineer, land surveyor, landscape architect, professional geologist, or professional soil scientist, or for reinstatement of certification as a certified interior designer, must apply on forms prescribed and furnished by the board, and submit the fees specified in Minnesota Statutes, section 326.10, subdivision 9.

B. The board shall evaluate completed applications and, if the licensee or certificate holder is found eligible for reinstatement of licensure or certification, the board shall reinstate the license or certificate and notify the licensee or certificate holder in writing. If the licensee or certificate holder is found ineligible for reinstatement of licensure or certification, the board shall notify the licensee or certificate holder in writing and give the reasons for ineligibility.

C. The applicant for reinstatement shall submit to the board, on a form prescribed by the board, the following information:

(1) a list of professional development hours completed within the four years immediately prior to reinstatement, including the dates of the activity, sponsoring organization, description of the activity, and number of professional development hours claimed for each activity, unless the board has granted an exemption under Minnesota Statutes, section 326.107, subdivision 4;

(2) a statement of explanation if the applicant has had a license or certificate disciplined, denied, surrendered, suspended, or revoked in any jurisdiction since the applicant's last license or certificate renewal in Minnesota; and

(3) a signed certification as described in subpart 5.

Subp. 5. Certification. An applicant for examination, licensure, certification, or reinstatement shall submit to the board, on a form provided by the board, a certification that the applicant:

A. has read and will comply with Minnesota Statutes, sections 326.02 to 326.15, and any rule adopted thereunder;

B. is not under any disciplinary proceeding or action in any other jurisdiction;

C. has never been convicted of a felony;

D. has not represented himself or herself as an architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, or certified interior designer, without proper licensure or certification, either verbally or on any printed matter, in the state;

E. will not represent himself or herself as an architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, or certified interior designer, without proper licensure or certification, either verbally or on any printed matter, in the state until the applicant's license or certificate has been issued or reinstated by the board;

F. has not performed or offered to perform architectural, professional engineering, land surveying, landscape architectural, professional geological, professional soil scientific, or certified interior design services, without proper licensure or certification in the state; and

G. will not perform or offer to perform architectural, professional engineering, land surveying, landscape architectural, professional geological, professional soil scientific, or certified interior design services, without proper licensure or certification in the state until the applicant's license or certificate has been issued or reinstated by the board.

Applicants who are unable to affirm any part of the certification under this subpart must indicate which statement or statements cannot be affirmed and include an explanation for board review with the application for examination, licen-

sure, certification, or reinstatement.

1800.0500 FEES.

Subpart 1. **Requirements.** An application for examination as an architect, professional engineer, land surveyor, professional geologist, or professional soil scientist shall must be accompanied by an application fee as provided by Minnesota Statutes, section 326.105. The board shall charge, or provide for a third party to charge, each applicant a fee for examination and an examination monitoring fee as provided by Minnesota Statutes, section 326.105.

Following an applicant's completion of the requirements for licensure, the board shall supply the applicant with an application for licensure as an architect, professional engineer, land surveyor, landscape architect, professional geologist, or professional soil scientist, which the applicant shall complete and return with the initial fee for licensure as provided by Minnesota Statutes, section 326.105. Following an applicant's completion of the requirements for certification, the board shall supply the applicant with an application for certification as a certified interior designer, which the applicant shall complete and return with the initial fee for certification as provided by Minnesota Statutes, section 326.105. ~~Applicants~~ An applicant applying for licensure by comity under part 1800.0800, item F, G, H, or I, shall pay an application fee under subpart 7, item A. Upon approval by the board, an applicant for licensure as a land surveyor by comity under part 1800.0800, item G, shall submit an examination fee in the amount established by the local testing agency and an examination monitoring fee as provided in Minnesota Statutes, section 326.105.

An application for renewal of licensure as an architect, professional engineer, land surveyor, landscape architect, professional geologist, professional soil scientist, or certification as a certified interior designer shall must be accompanied by a renewal fee as provided in Minnesota Statutes, section 326.105.

An application for examination as an engineer-in-training, land surveyor-in-training, geologist-in-training, or soil scientist-in-training shall must be accompanied by an application fee as provided in Minnesota Statutes, section 326.105. Upon approval by the board, an applicant for an examination administered by the board shall pay to the board a fee in the amount established by the applicable national testing agency and an examination monitoring fee as provided by Minnesota Statutes, section 326.105. For examinations administered by a third-party vendor, the applicant shall pay the actual fee for examination shall be paid to the national testing agency in a manner it prescribes. Information concerning the current examination fee charged by the applicable national testing agency may be obtained by contacting the board offices.

For applicants who are found to be ineligible for admission to the examination or fail the examination, a new application for examination shall be submitted each time the applicant applies to take the examination.

Subp. 2. ~~Refunds, validity of application.~~ Application fees are not refundable. Examination, licensure, or certification fees shall must not be refunded except for those circumstances when an applicant does not meet required qualifications. An applicant who fails to appear for examination, cancels, or fails to cooperate with requests for submission of written correspondence or documentation to the board relevant to the application within three years shall submit a new application with the appropriate fee for application, examination, licensure, or certification.

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

Subp. 7. **Additional fees.** In addition to all other fees for examination, licensure, or certification, as provided in this part or Minnesota Statutes, section 326.10, subdivision 1, the following schedule of fees is applicable:

A. for each application for licensure by comity under Minnesota Statutes, section 326.10, subdivision 1, ~~paragraph (a);~~ clause (2), applicable to any person registered in another state or territory of the United States, or in any province of Canada, or in any foreign country, a fee of \$100;

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

1800.0850 COMITY APPLICATION PROCEDURES.

Subpart 1. **Definition.** For the purposes of this chapter, "comity" means an application submitted under Minnesota

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Statutes, section 326.10, subdivision 1, clause (2).

Subp. 2. Information required. An applicant shall submit an application accompanied by payment of the application fee in part 1800.0500, subpart 7, item A. The application must be made on a form provided by the board and must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct and a signed certification as described in part 1800.0400, subpart 5. The applicant shall supply the board with evidence of completion of the required education, examination, and experience requirements by submitting:

- A. a council record as specified under part 1800.0800, item C, D, or E; or
- B. official transcripts of grades showing the degrees awarded and dates of graduation;
- C. a detailed listing of experience gained with signed experience reference forms submitted by the supervisor;
- D. verification of current licensure or certification in another jurisdiction; and
- E. verification of passing the required examinations.

Subp. 3. Evaluation of information. The board shall evaluate the information required by subpart 2. If the board finds the applicant eligible for licensure or certification, the board shall notify the applicant in writing and shall provide the applicant with the procedure for paying the licensure or certification fee required by Minnesota Statutes, section 326.105. If the board finds the applicant ineligible for licensure or certification, the board shall notify the applicant in writing and give the reasons for ineligibility.

Subp. 4. Failure to complete application. The board shall consider withdrawn any application that has not been acted upon by the board within six months from the date of submission of the application, due to failure of the applicant to furnish the board with qualifying information pertaining to licensure or certification.

1800.0900 QUALIFICATION PROCEDURES.

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

Subp. 4. Reexamination. An applicant who does not receive a passing grade in an examination may submit a new application for examination. The application shall ~~must~~ be accompanied by an application fee as required under ~~part 1800.0500, subpart 1~~ Minnesota Statutes, section 326.105. The board ~~may~~ shall require an applicant failing an examination three or more times to submit evidence of improved qualifications before approving a new application for examination is approved.

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

Subp. 6. Registration in another state. An applicant duly registered in another state and whose registration is current, upon ~~application for a temporary permit and notification from the Minnesota board that the application has been received and is in order~~ temporary permit has been granted may practice the applicant's profession according to Minnesota Statutes, section 326.13, while ~~his or her~~ the application for licensure or certification is pending pursuant to Minnesota Statutes, section 326.13. An application which has not been acted upon by the board within six months from the date of submission of the application, because of failure of the applicant to furnish the board with qualifying information pertaining to the registration, shall be denied board review.

The plans and, specifications which are, and reports prepared by the applicant during the period in which the application is pending must bear the certification stamp of the state in which the applicant is registered along with a statement that ~~she or he~~ the applicant has applied for registration in Minnesota and that the application is pending. ~~This~~ The applicant shall place this stamp ~~must be placed~~ on each sheet of the set of drawings prepared for the project; and on the title sheet of the specifications and reports.

The Minnesota board does not require the use of a seal. If the state in which the applicant is registered has a seal or provisions for signing and dating plans, specifications, and reports, this will be acceptable. If the seal does not provide for signing and dating the plans, the applicant shall sign and date the plans under the seal imprint on each plan certified.

Subp. 7. Application for temporary permit.

A. Concurrent with the submission of an application for licensure as an architect, engineer, geoscientist, or certification as a certified interior designer by comity, the applicant may submit an application for temporary permit under Minnesota Statutes, section 326.13, clause (1). The application must be made on a form provided by the board and must include details about the specific job for which the temporary permit is sought.

B. Upon receipt of all parts of an application for licensure or certification by comity under part 1800.0850, the board shall notify, in writing, an applicant who has requested a temporary permit whether the requirements for licensure or certification have been met. If the requirements for licensure or certification have been met, the board shall supply the applicant with a temporary permit that must be signed by the applicant and returned to the board office within five business days. Temporary permits are valid for not more than 60 days and expire on the date listed on the permit or upon issuance of a license or certificate number, whichever occurs first.

1800.1000 EDUCATION AND EXPERIENCE.

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

Subp. 1a. **Admission to examination.** To qualify for admission to the examination, an applicant shall present evidence ~~that~~ of one of the following:

A. the applicant meets the education requirement described in subpart 5 and has enrolled in NCARB-IDP the Architectural Experience Program (AXP) described in subpart 6; or

B. the applicant is actively participating in an architectural curriculum accredited by the National Architectural Accrediting Board (NAAB) that has been accepted into the NCARB Integrated Path to Architectural Licensure (IPAL) program.

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

Subp. 5. **Education requirement.** An applicant for licensure must present evidence of graduation from an architectural curriculum accredited by the National Architectural Accrediting Board (NAAB), the Canadian Architectural Certification Board (CACB) or architectural education equivalent to that curriculum as determined by the board an NAAB-accredited degree.

An applicant holding a degree ~~or having completed coursework~~ from a foreign college or university ~~shall~~ must be granted credit toward the requirements of this subpart on the same basis as a graduate of a United States college or university if the board determines that the educational requirements for the degree are equivalent to the requirements of this subpart. The applicant shall ~~furnish a copy of the applicant's grade transcript, including course descriptions of courses successfully completed, in English, obtain an Education Evaluation Services for Architects (EESA) evaluation report to submit~~ with the initial application for evaluation by the board.

Subp. 6. **Experience ~~and training~~ requirement.** An applicant for licensure must present evidence of completion of the experience ~~and training~~ requirement. Qualifying credits for experience ~~and training shall~~ must be granted as described in items A and B.

A. The applicant's total experience must meet the requirements for qualifying experience in subpart 7.

B. ~~Fraining~~ Experience must comply with either:

(1) ~~the Intern Development Architectural Experience Program Guidelines (NCARB-IDP) (AXP) published by the National Council of Architectural Registration Boards (NCARB), July 2015 2016, which is incorporated by reference, is available at the State Law Library and the board office, and is not subject to frequent change; or~~

(2) the Intern Development Program Guidelines (NCARB-IDP) published by NCARB, if the candidate

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completed the program before June 29, 2016; or

~~(2)~~(3) the Minnesota Intern Development Program if the candidate began the program prior to March 1, 1997.

A candidate is responsible for ~~the establishment of the candidate's~~ establishing a National Council of Architectural Registration Boards - ~~Intern Development Program (NCARB-IDP)~~ Architectural Experience Program (AXP) record.

Subp. 7. **Qualifying experience defined.** As used in this part, “qualifying experience” consists of value units as required to satisfy the ~~Intern Development Program (IDP) training~~ Architectural Experience Program (AXP) requirements as defined in the National Council of Architectural Registration Boards - ~~Intern Development Program (NCARB-IDP)~~ Architectural Experience Program guidelines.

[For text of subp 8, see M.R.]

1800.1100 PROCEDURES.

Subpart 1. **Completion date.** ~~An applicant may request to be admitted to an examination upon completion of the educational requirement and enrollment in the intern development program by establishing a council record described in part 1800.1000. An applicant is eligible for licensure upon verified completion of the education, examination; and experience; and training requirements.~~

Subp. 2. **Admission for licensing examination.** ~~Applicants~~ An applicant shall submit to the board a completed application, including verification of ~~completed education requirements and enrollment in NCARB-IDP~~ meeting the education and experience requirements described in part 1800.1000, subpart 1a. The application ~~shall~~ must be submitted on a form provided by the board. If the applicant was not required to complete ~~NCARB-IDP~~ NCARB-AXP, the applicant shall include a detailed listing of all architecturally related experience gained according to part 1800.1000. The experience listing ~~shall~~ must include the name and mailing address of the applicant’s supervising licensed architect or other supervisor for each period of employment. ~~A final~~ The board shall provide the applicant an experience reference form that must be signed and submitted to the board by each supervisor for each period of employment during which qualifying architectural experience was gained. The applicant shall submit an official transcript of grades showing the degree awarded and date of award of any degree earned, except in circumstances referenced in subpart 1, shall be submitted by all applicants, graduation for all undergraduate and graduate degree programs. The application ~~shall~~ must include one signed copy of Board Rules of Professional Conduct and a signed certification as described in part 1800.0400, subpart 5. ~~Upon approval by the board, the applicant shall be notified in writing.~~

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

1800.1200 EXAMINATION.

Subpart 1. Architect Registration Examination.

A. The National Council of Architectural Registration Boards (NCARB) shall prepare and furnish the Architect Registration Examination (ARE).

B. The Architect Registration Examination (ARE) shall must be administered at least twice annually at a time and place determined by the board or examination delivery vendor to those applicants determined by the board to meet the requirements of part 1800.1000 for admission to the examination. Any person failing one or more parts of the ARE shall be allowed to retake the failed parts after waiting a period of six months.

C. The board, if necessary, shall forward notification of eligibility to the examination delivery vendor. Following board approval, eligible candidates shall independently contact the examination delivery vendor to schedule the time and place for the examination at an approved test site.

D. An applicant is required to pass all sections of the examination in order to qualify for licensure. The board or examination delivery vendor shall report to the applicant the results of each examination section. The applicant shall attain the uniform passing grade established by the board through a psychometrically acceptable

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standard-setting procedure.

E. An applicant may attempt each section of the examination one time per application. Upon notice of failure of an examination section, an applicant may submit a new application for examination. The National Council of Architectural Registration Boards shall determine the frequency by which an applicant may retake a failed examination section.

F. An applicant who has not attempted at least one section of the examination for three years shall submit a new application for examination to resume testing.

[For text of subs 2 to 5, see M.R.]

1800.1500 EDUCATION AND EXPERIENCE.

Subpart 1. **Examination requirement.** An applicant for licensure as a landscape architect shall pass the examination referred to in part 1800.1700 and satisfy the education and experience requirements in subparts 3 to 5. Successful passage of the examination referred to in part 1800.1700 is required of an applicant in order to be licensed under part 1800.0800, item F. An applicant for licensure under part 1800.0800, item F, must satisfy the Minnesota licensing requirements in effect at the time of the applicant's original licensure in the other state.

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

Subp. 4. **Experience requirement.** An applicant for licensure as a landscape architect shall present evidence of completion of the experience requirement in items A to C.

A. The number of years of professional experience required is based on the following table:

Degree Received	Years of Education	Years of Professional Experience
Graduation from a five-year baccalaureate curriculum in Landscape Architecture accredited by the LAAB.	5	3
Graduation from a four-year baccalaureate curriculum in Landscape Architecture accredited by the LAAB.	4	4
A related degree PLUS Graduation from a LAAB-accredited master's or doctorate curriculum in Landscape Architecture.	5 or more	3

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

D. Qualifying experience gained under a licensed landscape architect before graduation from an accredited landscape architectural curriculum, in increments of 90 days or more, will be permitted. Not more than one year of credit shall be allowed for qualifying landscape architectural experience gained before graduation from an accredited landscape architect curriculum. The experience gained prior to graduation from an accredited landscape architectural curriculum shall be credited at the rate of 50 percent up to the maximum allowable credit of one year. Qualifying experience gained before graduation from one of the landscape architectural curricula in item A must be credited to satisfy part of the requirements for qualifying landscape architect experience under this item according to the following conditions:

- (1) experience must be under the direct supervision of a licensed landscape architect;
- (2) experience must be gained in increments of 90 days or more; and
- (3) experience must be credited at a rate of 50 percent.

This credit must not exceed one year of qualifying landscape architect experience.

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

Subp. 6. **Qualifying experience defined.** As used in this part, "qualifying experience" consists of varied, progressive, nonrepetitive, practical experience at landscape architectural work, developing that develops the applicant's ability to ap-

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ply the ~~theoretical~~ knowledge gained during academic training ~~in making to make~~ sound judgments in solving landscape architectural problems and to assume responsible charge of the work involved in the practice of landscape architecture. The experience shall must include ~~landscape architectural elements of programming; elements of research, codes and standards, site and environmental analysis; schematics; coordination with other disciplines; site cost analysis; code research; landscape architectural programming, planning, economics, schematic design, design development documents; construction documents; specifications; document checking; bidding and contract negotiation; construction phase including office and construction phase, on-site observation, project management, and client contact; office management; and research other than code or project-related research~~ observation of construction. Experience shall must be written in detail, verified by the applicant's supervisor, and submitted with the application for licensure for evaluation.

1800.1750 PROCEDURES.

An applicant for initial licensure as a landscape architect shall submit to the board a completed application accompanied by payment of the application fee in Minnesota Statutes, section 326.105. The application must be made on a form provided by the board and must include a detailed listing of all landscape architectural experience gained as provided in part 1800.1500. The list of experience must include the name and mailing address of the applicant's supervisor for each period of employment. The board shall provide the applicant an experience verification form that must be signed and submitted to the board by each supervisor for each period of employment during which qualifying landscape architectural experience was gained. The applicant shall submit an official transcript of grades showing the degree awarded and date of graduation. The application must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct and a signed certification as described in part 1800.0400, subpart 5.

1800.2100 EDUCATION AND EXPERIENCE.

Subpart 1. **Written examination requirement.** An applicant for certification as a certified interior designer shall pass a written examination administered by the Council for Interior Design Qualification (CIDQ) except that a written examination is not required of an applicant certified under subpart 5 ~~or part 1800.0800, item H.~~ An applicant for certification under part 1800.0800, item H, must satisfy the Minnesota certification requirements in effect at the time of the applicant's original certification in the other state.

Subp. 2. **Education and experience requirement.** To qualify for certification as a certified interior designer, an applicant shall present evidence that the applicant has completed the education and experience requirements in items A and B.

A. For purposes of this subpart, "equivalent education" means education ~~which that~~ the board, after review of an applicant's transcript and other educational materials, finds to be substantially the same in terms of the curriculum composition and content of classes taken by the applicant ~~which that~~ culminates in a minimum of a bachelor's degree in interior design accredited by the Council for Interior Design Accreditation (CIDA) or its predecessor, the Foundation for Interior Design Education Research (FIDER). The education requirement must be fulfilled by one of the following options as described:

(1) graduation from a four- or five-year professional-level interior design program resulting in a bachelor's or master's degree, which includes completion of 60 semester ~~hours credits~~ or 90 quarter ~~hours credits~~ of interior design course content from a program accredited by CIDA or its predecessor, FIDER, or equivalent education;

(2) graduation prior to June 1, 2013, from a two-year preprofessional or paraprofessional program in interior design accredited by CIDA or its predecessor, FIDER, or equivalent education; or

(3) graduation prior to June 1, 2013, from a three-year professional level program in interior design accredited by CIDA or its predecessor, FIDER, or equivalent education.

B. Experience must be under the direct supervision of a certified interior designer, NCIDQ certificate holder, licensed architect, or, for experience gained prior to June 1, 2013, an interior designer.

(1) If the applicant meets the educational requirements of item A, subitem (1), the experience required is

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completion of the Interior Design Experience Program (IDEP), as provided by CIDQ or its successor, or a minimum of two years of qualifying interior design experience;

(2) If the applicant meets the educational requirements of item A, subitem (2), ~~prior to June 1, 2013~~, the experience required is completion of a minimum of four years of qualifying interior design experience; ~~or~~.

(3) If the applicant meets the educational requirements of item A, subitem (3), ~~prior to June 1, 2013~~, the experience required is completion of a minimum of three years of qualifying interior design experience.

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

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

1800.2200 PROCEDURES.

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

Subp. 3. **Application for certification.** ~~Applicants~~ An applicant shall submit to the board a completed application, including verification of completed education, examination, and experience requirements and the appropriate application fee. The application ~~shall~~ must be submitted on a form provided by the board. If the applicant was not required to complete IDEP, the applicant shall include a detailed listing of all interior design related experience gained as provided in part 1800.2100. The list of experience ~~shall~~ must include the name and mailing address of the applicant's supervising interior designer or other supervisors for each period of employment. ~~A final~~ The board shall provide the applicant with an experience reference form which must be signed and submitted to the board by each supervisor for each period of employment during which the qualifying interior design experience was gained. The applicant shall submit an official transcript of grades showing the degree awarded and date of award of any degree earned must be submitted by all applicants graduation for all undergraduate and graduate degree programs. The application must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct and a signed certification as described in part 1800.0400, subpart 5. ~~Upon approval or denial by the board, the applicant shall be notified in writing.~~

1800.2500 EDUCATION AND EXPERIENCE.

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

Subp. 2. **Admission to written Fundamentals of Engineering (FE) examination.** To qualify for admission to the written FE examination, the applicant shall present evidence of one of the following:

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

D. has a graduate degree from an engineering program where the bachelor's degree is ~~EAC-ABET-accredited~~ EAC-ABET accredited, even though the applicant's bachelor's degree was earned in a nonengineering program, or is currently enrolled in a graduate program in engineering where the bachelor's degree is ~~EAC-ABET-accredited~~ EAC-ABET accredited working toward a graduate degree and has completed a minimum of 36 quarter or 24 semester ~~credit hours credits~~.

Subp. 2a. **Admission to written Principles and Practice of Engineering (PE) examination.** To qualify for admission to the written PE examination, the applicant shall present evidence of meeting the educational and qualifying experience requirements in items A and B.

A. Education:

[For text of subitems (1) and (2), see M.R.]

(3) has a ~~non-EAC-ABET-accredited~~ non-EAC-ABET accredited or nonengineering bachelor's degree with the minimum number of engineering science and design credits as required in an ~~EAC-ABET-accredited~~ EAC-ABET accredited degree (48 semester or 72 quarter ~~credit hours credits~~);

[For text of subitems (4) and (5), see M.R.]

(6) graduation from an ~~EAC-ABET-accredited~~ EAC-ABET accredited graduate engineering curriculum even though the applicant's bachelor's degree was earned in a ~~non-EAC-ABET-accredited~~ non-EAC-ABET accredited or

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nonengineering program; or

(7) graduation from an ~~EAC-ABET-accredited~~ EAC-ABET accredited bachelor's engineering curriculum and graduation from an ~~EAC-ABET-accredited~~ EAC-ABET accredited graduate engineering curriculum;

(8) has a non-EAC-ABET accredited or nonengineering bachelor's degree with the minimum number of engineering science and design credits as required in an EAC-ABET accredited degree (48 semester or 72 quarter credits) and a graduate degree from an engineering program where the bachelor's degree in that discipline of engineering is EAC-ABET accredited; or

(9) has a non-EAC-ABET accredited or nonengineering bachelor's degree with the minimum number of engineering science and design credits as required in an EAC-ABET accredited degree (48 semester or 72 quarter credits) and a graduate degree from an EAC-ABET accredited graduate engineering curriculum.

B. Qualifying experience:

(1) completion of a minimum of four years of qualifying engineering experience, if the applicant meets the educational requirements of item A, subitem (1) ~~or~~, (4), (6), (8), or (9);

(2) completion of a minimum of six years of qualifying engineering experience, if the applicant meets the educational requirements of item A, subitem (3); or

(3) completion of a minimum of five years of qualifying engineering experience, if the applicant meets the educational requirements of item A, subitem (4) or (6); or

~~(4)~~ (3) completion of a minimum of three years of qualifying engineering experience if the applicant meets the educational requirements of item A, subitem (5) or (7).

One-half (50 percent) of the qualifying engineering experience gained prior to graduation but after completion of two full years of one of the engineering curricula specified in item A shall be credited to satisfy part of the requirements for the qualifying engineering experience required under this item. This credit shall not exceed the lesser of two years or 50 percent of the required number of years of qualifying engineering experience listed in this subpart.

C. Qualifying engineering experience gained before graduation from one of the engineering curricula in item A must meet the following conditions:

(1) experience must be credited at a rate of 50 percent;

(2) experience gained before completion of at least two full years of one of the engineering curricula in item A, subitem (1), (2), (3), (5), or (7), must receive no credit; and

(3) experience gained before completion of at least one full year of the graduate engineering curricula in item A, subitem (4), (6), (8), or (9), must receive no credit.

D. Credit awarded under item C must not exceed the lesser of two years or 50 percent of the required number of years of qualifying engineering experience in this subpart.

Subp. 3. [Repealed, 21 SR 1427]

1800.2805 QUALIFYING EXPERIENCE DEFINED.

Subpart 1. Qualifying experience; generally.

A. As used in this part and parts 1800.2500 and 1800.2800, qualifying experience consists of varied,

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progressive, nonrepetitive, practical experience at engineering work, ~~developing that develops~~ the applicant's ability to apply the theoretical knowledge gained during academic training in making to make sound judgments in solving engineering problems and to assume responsible charge of the work involved in the practice of engineering.

B. The applicant must demonstrate that qualifying experience meets the following requirements:

(1) the varied experience must include increments elements of design, planning, technical specification specifications, codes and standards, research and analysis, engineering economics, safety, and observation, and inspection of construction of projects or products;

(2) the experience must be progressive by a demonstration that it was of increasing quality and required greater responsibility; and

(3) experience must include demonstration of knowledge of engineering mathematics, physical and applied science, properties of materials, the fundamental principles of engineering design, and the application of engineering principles in the practical solution of engineering problems.

C. Experience shall must be written in detail, verified by the applicant's supervisor, and submitted with the application for evaluation and approval by the board.

D. Experience must not be obtained in violation of Minnesota Statutes, chapter 326.

E. Experience must have been completed at the time of application.

Subp. 2. Qualifying experience; specific.

A. Experience gained in the armed services must be equivalent to that which would have been gained in the civilian sector doing similar work.

B. For sales experience, the applicant must demonstrate that engineering principles were required and used in gaining the experience.

C. Teaching experience must be in engineering or engineering-related courses at an intermediate or advanced level in an EAC-ABET accredited degree program. Intermediate or advanced level coursework includes courses taken beyond the introductory level.

D. Experience gained in engineering research and design projects by members of an engineering faculty in an EAC-ABET accredited degree program is creditable.

E. Experience in construction must demonstrate the application of engineering principles.

1800.2900 PROCEDURES.

Subpart 1. **Request for admission to the Fundamentals of Engineering (FE) examination.** An applicant shall submit an application for admission to the FE examination under part 1800.2700, subpart 1a, accompanied by payment of the application fee specified in Minnesota Statutes, section 326.105. For applicants who have not yet graduated, an unofficial transcript of grades from all institutions attended showing the applicant's name, the name of the college or university, and the number of credits completed shall must accompany the application. ~~A final~~ An official transcript of grades showing the degree awarded and date of graduation shall for all undergraduate and graduate degree programs must be submitted before the applicant may be certified as an Engineer-in-Training. For applicants who have graduated, a final an official transcript of grades showing the degree awarded and date of graduation shall must accompany the application.

Subp. 2. **Request for admission to the Principles and Practice (PE) examination.** An applicant shall submit an application for admission to the PE examination under part 1800.2700, subpart 2, accompanied by payment of the

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application fee specified in Minnesota Statutes, section 326.105. The application shall must be made on a form provided by the board and shall must include a detailed listing of engineering experience gained. The experience listing shall must include the name and mailing address of the applicant's supervisor for each period of employment. The board shall provide the applicant an employment experience reference form which shall that must be signed and certified. ~~This form shall be submitted to the board by the employer. A final and submitted to the board by each supervisor for each period of employment during which qualifying engineering experience was gained.~~ An official transcript of grades showing the degree awarded and date of graduation shall for all undergraduate and graduate degree programs must accompany the completed form, unless previously submitted. ~~Upon approval of the application by the board, the applicant will be so notified in writing.~~ The applicant shall submit application must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct prior to receipt of the license and a signed certification as described in part 1800.0400, subpart 5.

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

Subp. 6. **Examination windows.** The examination windows and the frequency in which an applicant may take the examination are determined by the applicable national testing agency. An application for examination is for one examination attempt. An applicant who has been approved by the board for examination and does not take the examination within one year shall submit a new application for examination. Upon notification of failure of an examination, an applicant may submit a new application for examination. An applicant may not retake a failed examination within the same examination window and may not attempt the same examination more than three times in a rolling 12-month period.

Subp. 7. Validity of application.

A. An applicant may attempt an examination one time per application.

B. An applicant approved by the board for an examination administered on a specific date who does not register, cancels, or fails to appear for the examination shall submit a new application.

C. An applicant approved by the board for an examination administered continuously throughout the year, who does not take the examination within three years of the date of the application, shall submit a new application.

D. Upon notification of failure of an examination, an applicant may submit a new application.

1800.3505 EDUCATION AND EXPERIENCE.

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

Subp. 2. **Admission to the Fundamentals of Surveying (FS) examination.** To qualify for admission to the FS examination, applicants shall present satisfactory evidence of one of the following:

A. graduation from a four-year land surveying curriculum that meets the statutory requirements in place at the time of graduation or being within 32 semester credits or 48 quarter credits of obtaining a land surveying degree from a four-year land surveying curriculum that is approved by the board as specified in subpart 4; or

B. graduation from a bachelor's curriculum that meets the statutory requirements in place at the time of graduation, or being within 32 semester credits or 48 quarter credits of obtaining a bachelor's degree under a curriculum that is approved by the board with a minimum of 22 semester credits or 32 quarter credits in land surveying as specified in subpart 4.

Subp. 3. **Admission to the Principles and Practice of Surveying (PS) examination.** To qualify for admission to the PS examination, the applicant shall present evidence of meeting the educational and qualifying experience requirements in item A or B.

A. Graduates of a four-year land surveying curriculum must present evidence of:

(1) graduation from a four-year land surveying curriculum;

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(2) successful completion passage of the requirements in part 1800.3600, subpart 3 Fundamentals of Surveying (FS) examination; and

[For text of subitem (3), see M.R.]

B. Graduates of a bachelor's curriculum must present evidence of:

(1) graduation from a bachelor's curriculum with a minimum of 22 semester credits or 32 quarter credits in land surveying as specified in subpart 4;

(2) successful completion passage of the requirements in part 1800.3600, subpart 3 Fundamentals of Surveying (FS) examination; and

[For text of subitem (3), see M.R.]

C. Qualifying land surveying experience gained before graduation must meet the following conditions:

(1) experience must be obtained under the direct supervision of a licensed land surveyor;

(2) experience must be credited at a rate of 50 percent; and

(3) experience gained before completion of at least two full years of one of the land surveying curricula specified in items A and B must receive no credit.

D. Credit awarded under item C must not exceed half the minimum experience required in each of the experience categories in items A and B.

Subp. 4. **Approved land surveying credits.** Curriculum approved by the board must include a minimum of 22 semester or 32 quarter credits in land surveying divided among at least six of the following land surveying categories:

A. cartography/Geographic Information Systems (GIS);

B. geodesy/geodetic surveys;

C. riparian boundaries or riparian rights;

D. boundary law;

E. route surveying;

F. drafting/CAD;

G. Public Land Survey System (PLSS) and section subdivision;

H. photogrammetry or remote sensing;

I. boundary surveying;

J. topographic surveying; and

K. subdivision plats.

1800.3750 PROCEDURES.

Subpart 1. **Request for admission to the Fundamentals of Surveying (FS) examination.** An applicant shall submit

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an application for admission to the FS examination ~~explained in under~~ part 1800.3600, subpart 2, accompanied by payment of the application fee ~~specified~~ in Minnesota Statutes, section 326.105. For applicants who have not yet graduated, an unofficial transcript of grades from all institutions attended showing the applicant's name, the name of the college or university, and the number of credits completed ~~shall~~ must accompany the application. ~~A final~~ An official transcript of grades showing the degree awarded and date of graduation ~~shall~~ for all undergraduate and graduate degree programs must be submitted before the applicant may be certified as a Land Surveyor-in-Training (LSIT). For applicants who have graduated, ~~a final~~ an official transcript of grades showing the degree awarded and date of graduation ~~shall~~ must accompany the application.

Subp. 2. **Request for admission to the Principles and Practice of Surveying (PS) examination.** An applicant shall submit an application for admission to the PS examination ~~explained in under~~ part 1800.3600, subpart 3, accompanied by payment of the application fee ~~specified~~ in Minnesota Statutes, section 326.105. The application ~~shall~~ must be made on a form provided by the board and ~~shall~~ must include a detailed listing of surveying experience gained. The experience listing ~~shall~~ must include the name and mailing address of the applicant's supervisor for each period of employment. The board shall provide the applicant with an employment experience reference form ~~which shall~~ that must be signed and certified. ~~This form shall be submitted to the board by the employer. A final~~ submitted to the board by each supervisor for each period of employment during which qualifying surveying experience was gained. An official transcript of grades showing the degree awarded and date of graduation ~~shall~~ for all undergraduate and graduate degree programs must accompany the completed form, unless previously submitted. ~~Upon approval of the application by the board, the applicant will be so notified in writing. The applicant shall submit~~ application must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct ~~prior to receipt of the license~~ and a signed certification as described in part 1800.0400, subpart 5.

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

Subp. 5. **Examination windows.** The examination windows and frequency in which an applicant may take the examination are determined by the applicable national testing agency. ~~An application for examination is for one examination attempt. An applicant who has been approved by the board for examination and does not take the examination within one year shall submit a new application for examination. Upon notification of failure of an examination, an applicant may submit a new application for examination. An applicant may not retake a failed examination within the same examination window and may not attempt the same examination more than three times in a rolling 12-month period.~~

Subp. 6. Validity of application.

A. An applicant may attempt the FS examination one time per application under subpart 1.

B. An applicant may attempt each of the PS and MNLS examinations one time per application under subpart 2.

C. An applicant may attempt the MNLS examination one time per application under subpart 3.

D. An applicant approved by the board for an examination administered on a specific date who cancels or fails to appear for the examination shall submit a new application.

E. An applicant approved by the board for an examination administered continuously throughout the year, who does not take the examination within three years of the date of the application, shall submit a new application.

F. Upon notification of failure of an examination, an applicant may submit a new application.

1800.3910 EDUCATION AND EXPERIENCE.

Subpart 1. **Written examination requirement.** An applicant for licensure within a geoscience discipline shall pass written examinations as provided in part 1800.3920.

An applicant for licensure under part 1800.0800, item I, whose original licensure in the other state was granted after August 4, 1997, shall satisfy the Minnesota licensing requirements that were in effect at the time of the applicant's original licensure in the other state, ~~if the original license of the applicant was received after August 4, 1997.~~ An

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applicant for licensure under part 1800.0800, item I, whose original licensure in the other state was granted before August 4, 1997, shall satisfy the Minnesota licensing requirements that were in effect on August 4, 1997, if the applicant's original licensure in the other state was received prior to August 4, 1997.

The written Fundamentals of Geology (FG) examination or Fundamentals of Soil Science (FSS) examination ~~shall~~ must be waived by the board if:

A. the applicant has a doctorate degree in the geoscience discipline in which the applicant is seeking licensure or equivalent doctorate degree as approved by the board; and

B. the applicant meets the educational requirements in subpart 5.

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

Subp. 3. **Admission to written professional examination.** To qualify for admission to the written professional examination for a geoscience discipline, the applicant shall present evidence of meeting the educational and qualifying experience requirements in items A and B.

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

B. Qualifying experience:

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

(4) completion of a minimum of five years of qualifying geoscience experience in the discipline in which the applicant is seeking licensure if the applicant meets the educational requirements of item A, subitem (3).

~~One-half (50 percent) of the qualifying geoscience experience gained prior to graduation but after completion of two full years of one of the geoscience curricula specified in item A shall be credited to satisfy part of the requirements for the qualifying geoscience experience required under this item. This credit shall not exceed two years of qualifying geoscience experience listed in this subpart.~~

C. Qualifying geoscience experience gained before graduation from one of the geoscience curricula in item A must meet the following conditions:

(1) experience must be credited at a rate of 50 percent; and

(2) experience gained before completion of at least two full years of one of the geoscience curricula specified in item A will receive no credit.

D. Credit awarded under item C must not exceed two years of the required number of years of qualifying geoscience experience in this subpart.

Subp. 4. [Repealed, 38 SR 59]

Subp. 5. **Approved geoscience education.** A curriculum approved by the board must meet the following criteria.

A. For an applicant seeking licensure as a professional geologist, the applicant shall present evidence of:

(1) a baccalaureate or higher degree with a major in geology approved by the board, from an accredited institution of higher learning ~~approved by the board~~; and

(2) a minimum of 30 semester or 45 quarter ~~hours~~ credits in geology with a minimum of 24 semester hours or 36 quarter ~~hours~~ credits divided among at least three of the following ~~core geology subjects areas~~:

[For text of units (a) to (j), see M.R.]

(k) glacial/quaternary geology;

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[For text of unit (l), see M.R.]

- (m) field geology or geologic field methods.

A description of the core geology subjects as well as a list of geology courses shall be maintained by the board.

B. For applicants seeking licensure as a professional soil scientist, the applicant shall present evidence of: meeting the criteria in subitems (1), (2), and (3).

(1) A baccalaureate or higher degree ~~in soil science approved by the board~~, from an accredited institution of higher learning ~~or an institution of higher learning approved by the board~~;

(2) A minimum of 16 semester or 24 quarter ~~hours credits~~ in soil science; ~~and~~ Soil science courses include a minimum of two semester or three quarter credits in each of the following four soil science areas:

(a) soil physical properties, soil biophysical environment, or soil water relations including:

- i. soil physics;
- ii. soil and water conservation;
- iii. soil conservation and land use management;
- iv. environmental biophysics;
- v. microclimatology;
- vi. applied climatology;
- vii. soil mechanics; or
- viii. soil irrigation or soil drainage;

(b) soil chemical properties, soil chemical processes, or soil fertility including:

- i. soil chemistry and mineralogy;
- ii. soil clay mineralogy;
- iii. soil fertility;
- iv. soil biology and soil fertility;
- v. soil chemistry laboratory;
- vi. soil fertility laboratory;
- vii. plant nutrients in the environment;
- viii. micronutrients in agriculture; or
- ix. sodic and saline soils;

(c) soil biological properties, soil biochemical process, environmental ecology, or soil microbial ecology.

including:

- i. soil microbiology;
 - ii. soil biology;
 - iii. soil biology and soil fertility;
 - iv. soil microbial ecology;
 - v. soil fertility; or
 - vi. environmental biophysics;
- (d) soil genesis, soil classification, pedology, or soil morphology including:
- i. introduction to soil science;
 - ii. soil geography;
 - iii. soil classification, genesis, or morphology;
 - iv. wetland soils;
 - v. forest soils;
 - vi. peatlands;
 - vii. field study of soils; or
 - viii. introduction of land resources;

(3) A minimum of 14 semester or 21 quarter hours credits in closely related geoscience courses ~~as recognized by the board~~. Soil science courses must include a minimum of two semester or three quarter hours in each of the following basic soil science areas including any of the following categories:

- (a) soil physical properties, soil biophysical environment, or soil water relations;
- (b) soil chemical properties, soil chemical processes, or soil fertility;
- (c) soil biological properties, soil biochemical process, environmental ecology, or soil microbial ecology;

and

- (d) soil genesis, soil classification, pedology, or soil morphology.

A list of courses included in each soil science study area and those which are recognized by the board as closely related geoscience courses shall be maintained by the board:

- (a) geology;
 - i. groundwater geology;
 - ii. introduction to geology or introduction to physical geology; or
 - iii. any geology course listed in item A, subitem (2);

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- (b) hydrology and water quality;
- (c) water and wastewater microbiology;
- (d) soil and hazardous waste processing I or II;
- (e) Geographic Information Systems (GIS) in natural resource systems;
- (f) aerial photo interpretation;
- (g) remote sensing;
- (h) natural resource inventory;
- (i) introduction to land use planning;
- (j) land use and state government;
- (k) agronomy;
- (l) agricultural engineering;
- (m) engineering or forestry courses related to soil management;
- (n) plant physiology; or
- (o) ecology courses.

C. A maximum of three semester or five quarter ~~hours~~ credits of masters or doctorate degree thesis credits can be applied to the total number of ~~credit hours~~ credits.

D. The same course must not be used to meet the requirement for more than one area.

Subp. 6. **Qualifying experience defined.** Qualifying ~~geology~~ experience for geology licensure must be obtained under the direct supervision of a licensed geologist. Qualifying ~~soil science~~ experience for soil science licensure must be obtained under the direct supervision of a licensed geologist, licensed soil scientist, or licensed professional engineer who has qualified education and experience in the soil science discipline.

A. As used in this part, «qualifying experience» consists of varied, progressive, nonrepetitive, practical experience in the discipline of geoscience in which the applicant is seeking licensure, ~~developing that develops~~ the applicant's ability to apply the theoretical knowledge gained during academic training in making to make sound judgments in completing geoscientific work and to assume responsible charge of the work involved in the practice of the geoscience discipline in which the applicant is seeking licensure.

B. The experience ~~shall~~ must include elements of research and analysis, planning, ~~technical~~ specifications, codes and standards, ~~research and analysis~~, economics, safety, observation of ongoing work, and ~~the~~ inspection of the ~~comple~~ted project.

C. Experience ~~shall~~ must be written in detail, verified by the applicant's supervisor, and submitted with the application for evaluation and approval by the board.

D. Qualifying experience must be acquired after graduation from a baccalaureate or higher degree curriculum ~~in a~~ discipline of geoscience approved by the board in the discipline which the applicant is seeking licensure that meets the

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requirements in subpart 5, except that continuous experience in periods of ten or more weeks gained before graduation shall be counted if gained as specified in subpart 3, item B C.

Subp. 7. [Repealed, 38 SR 59]

1800.3930 PROCEDURES.

Subpart 1. **Request for admission to the fundamentals examination.** An applicant shall submit an application for admission to the fundamentals examination in the geoscience discipline in which the applicant is seeking licensure as described in part 1800.3920, subpart 2. The application must be postmarked not later than 60 days prior to the date set for the fundamentals examination and accompanied by payment of the fee in ~~part 1800.0500, subpart 1~~ Minnesota Statutes, section 326.105. For applicants who have not yet graduated, an unofficial transcript of grades from all institutions attended showing the applicant's name, the name of the college or university, and the number of credits completed must accompany the application. An official transcript of grades showing the degree awarded and date of graduation for all undergraduate and graduate degree programs must be submitted before the applicant may be certified as a geologist-in-training or soil scientist-in-training. For applicants who have graduated, an official transcript of grades showing the degree awarded and date of graduation must accompany the application.

Subp. 2. **Request for admission to the professional examination.** An applicant shall submit an application for admission to the professional geoscience examination in the geoscience discipline in which the applicant is seeking licensure as explained in part 1800.3920, subpart 3. The application must be postmarked not later than 60 days prior to the date set for the professional examination and accompanied by payment of the fee in ~~part 1800.0500, subpart 1~~ Minnesota Statutes, section 326.105. The application shall must be made on a form provided by the board and shall must include a detailed listing of geoscience experience gained. The experience listing shall must include the name and current mailing address of the applicant's direct supervisor for each period of employment. The board shall provide the applicant an employment verification experience reference form which shall that must be signed, certified, and submitted to the board by each employer supervisor for each period of employment during which qualifying geoscience experience was gained. The board shall provide the applicant a reference form which shall be signed, certified, and submitted to the board by three references who are supervisors, coworkers, clients, or contractors knowledgeable in the applicant's geoscience work. At least one reference shall be from a licensed professional geologist or licensed professional soil scientist. A final An official transcript of grades showing the degree awarded and date of graduation shall for all undergraduate and graduate degree programs must be submitted directly to the board by the educational institution, unless previously submitted. Upon approval of the application by the board, the applicant will be so notified in writing. The applicant shall submit application must include one signed copy of a statement that the applicant has read the Board Rules of Professional Conduct prior to obtaining the license and a signed certification as described in part 1800.0400, subpart 5.

Subp. 3. Validity of application.

A. An applicant may attempt an examination one time per application.

B. An applicant who fails the examination, cancels, or fails to appear for the examination shall submit a new application with the appropriate fee each time the applicant applies to take the examination.

1800.4100 CERTIFICATE OF LICENSURE OR CERTIFICATION.

Subpart 1. **Licensure as professional engineer.** The board shall issue to each applicant who has successfully completed the fundamentals of engineering examination, unless the fundamentals of engineering examination is waived as stated under part 1800.2800, and has successfully completed the professional practice examination, education, examination, and experience requirements in part 1800.2500 a certificate of licensure giving the licensee authority to practice engineering as defined by Minnesota Statutes, section 326.02, subdivision 3. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are licensed by comity from other states, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

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Subp. 2. **Licensure as land surveyor.** The board shall issue to each applicant who has successfully completed the fundamentals of land surveying examination and the professional practice examination ~~education, examination, and experience requirements in part 1800.3505~~ a certificate of licensure giving the licensee authority to practice land surveying as defined by Minnesota Statutes, section 326.02, subdivision 4. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are licensed by comity from other states, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

Subp. 3. **Licensure as architect.** The board shall issue to each applicant who has successfully completed the education, examination, and experience requirements in part 1800.1000 ~~and has successfully completed the professional practice examination~~ a certificate of licensure giving the licensee authority to practice architecture as defined by Minnesota Statutes, section 326.02, subdivision 2. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are licensed by comity from other states, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

Subp. 4. **Licensure as landscape architect.** The board shall issue to each applicant who has successfully completed the education, examination, and experience requirements in part 1800.1500 ~~and has successfully completed the professional practice examination~~ a certificate of licensure giving the licensee authority to practice landscape architecture as defined by Minnesota Statutes, section 326.02, subdivision 4a. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are licensed by comity from other states, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

Subp. 5. **Licensure as professional geologist.** The board shall issue to each applicant who has successfully completed the education, examination, and experience requirements in part 1800.3910 for geologists, ~~and has successfully completed the professional practice examination for geologists;~~ a certificate of licensure giving the licensee authority to practice geology as defined by Minnesota Statutes, section 326.02, subdivision 3a. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are licensed by comity from other states or by submission of records, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

Subp. 6. **Licensure as professional soil scientist.** The board shall issue to each applicant who has successfully completed the education, examination, and experience requirements in part 1800.3910 for soil scientists, ~~and has successfully completed the professional practice examination for soil scientists;~~ a certificate of licensure giving the licensee authority to practice soil science as defined by Minnesota Statutes, section 326.02, subdivision 3a. This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which date the certificate will expire unless renewed. Applicants who are licensed by comity from other states or by submission of records, having met the Minnesota licensure requirements, shall be issued certificates of licensure in the same manner as provided in this part.

Subp. 7. **Certification as interior designer.** The board shall issue to each applicant who has successfully completed the education, examination, and experience requirements of part 1800.2100 ~~and has successfully completed the National Council of Interior Design Qualifications examination~~ a certificate authorizing the certificate holder to use the title "Certified Interior Designer." This certificate shall be in effect for a period ending June 30 of the even-numbered year of the biennium in which the certificate is issued, after which the certificate shall expire unless renewed. A person whose certificate expires shall not use the title "Certified Interior Designer" until a certificate is reissued. Applicants who are certified by comity under part 1800.0800 shall be issued certificates as provided in this part.

1800.4200 CERTIFICATION AND SIGNATURE ~~ON PLANS.~~

Subpart 1. **Requirement; generally.** The certification and signature on plans, drawings, specifications, plats, reports,

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~~etc., and other documents that require a signature~~ is mandatory, as provided by Minnesota Statutes, section 326.12, subdivision 3. The certification and signature may be electronic. A person in direct supervision of work as referred to in the foregoing subdivision is construed to mean the person whose professional skill and judgment are embodied in the document signed, and who assumes responsibility for the accuracy and adequacy thereof.

Subp. 1a. Licensee or certificate holder duties.

A. A licensee or certificate holder shall sign and certify only those documents and surveys that safeguard the health, safety, and welfare of the public.

B. The licensee shall sign and certify only work within the licensee's or certificate holder's area of licensure or certification. Two or more licensees or certificate holders may affix their certification and signature if each licensee or certificate holder designates the specific subject matter for which that licensee or certificate holder is responsible.

C. A licensee or certificate holder shall not affix a signature or certification to any plans or documents dealing with subject matter in which the licensee or certificate holder lacks competence.

D. A licensee or certificate holder shall not affix a signature or certification to any plan or document not prepared under the licensee's or certificate holder's responsible charge.

E. A licensee or certificate holder may accept assignments for coordinating an entire project, provided that each design discipline signs and certifies as the licensee or certificate holder responsible for preparing their design.

Subp. 2. [See repealer.]

Subp. 3. ~~Title sheets or first sheets~~ **Certification.** The certification by each of the professions responsible for the preparation of bound specifications, plats, reports, or other documents shall must be shown on the title sheet or first sheets, or certification page. The certification by each of the professions responsible for the preparation of plans or plats shall drawings must be shown on each sheet of the set of plans, or each plat or drawings.

A. The board licenses applicants as an architect, a professional engineer, a land surveyor, a landscape architect, a professional geologist, or a professional soil scientist.

B. The official roster designates the branch of engineering in which the ~~registered licensed~~ engineer was examined. An applicant for ~~registration licensure~~ as a professional engineer is examined in the branch of engineering which that the applicant selects and in which the applicant is deemed qualified as an applicant by the board.

C. A professional engineer may engage in practice in any branch of engineering; ~~provided, however, that in which the professional engineer is competent and qualified by education, examination, or experience.~~ A professional engineer who certifies and signs plans, specifications, reports, or other documents may be required to establish, to the satisfaction of the board, that the work was performed according to recognized and acceptable engineering standards and practice.

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

Subp. 4a. **Documents requiring signature and certification.** Documents required to be signed and certified include the following:

A. any documents submitted to a public agency or private client for approval, including preliminary plats, site plans, and developmental plans;

B. each drawing sheet of a set of construction documents;

C. the cover sheet, index page, or certification page of a set of specifications;

D. the certification page of each technical report;

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E. legal descriptions;

F. addenda; and

G. change orders.

Subp. 4b. **Electronic signature.** A licensee or certificate holder may use an electronic signature if the signature meets all of the following requirements:

A. unique to the licensee or certificate holder using it;

B. able to be verified; and

C. under the sole control of the licensee or certificate holder using it.

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

Subp. 6. **Certified document revisions.** Each revision to a certified document must be identified and certified by the licensee or certificate holder responsible for the revision and must include the revision date.

Subp. 7. **Succession.** A successor licensee or certificate holder must assume direct supervision by performing all professional services, including developing a complete design file with work or design criteria, calculations, code research, and any necessary and appropriate changes to the work, under either of the following conditions:

A. a licensee or certificate holder providing direct supervision of the work is unable to complete the work; or

B. the work is a site-specific adaptation of a standard design plan.

REPEALER. Minnesota Rules, part 1800.4200, subpart 2, is repealed.

Expedited Rules

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

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

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

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

Department of Administration

Adopted Expedited Permanent Rules Governing the Certification Process for Socially and Economically Disadvantaged, Economically Disadvantaged Area, and Veteran-owned Small Businesses

The rules proposed and published at State Register, Volume 41, Number 24, pages 619-643, December 12, 2016 (41 SR 619), are adopted with the following modifications:

1230.0150 DEFINITIONS.

Subp. 10. **Franchise.** "Franchise" means an operating agreement obtained from a franchiser to conduct a business entity, ~~as an affiliate~~; that does not provide the operator with the exclusive right to profit from the operator's effort, commensurate with ownership and to bear the risk of loss or failure and does not meet the test of ownership outlined in subpart 26 and parts 1230.1601 to 1230.1607.

Subp. 26a. **Socially and economically disadvantaged individual.** "Socially and economically disadvantaged individual" means any individual who is a citizen, or lawfully admitted permanent resident of the United States, and who has been subjected to racial or ethnic prejudice or cultural bias because of the individual's identity as a member of a group or groups and without regard to the individual's own qualities. The disadvantage must stem from circumstances beyond the individual's control.

A. Any individual the commissioner finds to be a socially and economically disadvantaged individual is on a case-by-case basis. An individual must demonstrate that the individual has identified as a member of a designated group under subpart 24.

1230.1600 ELIGIBILITY FOR SOCIALLY AND ECONOMICALLY DISADVANTAGED, ECONOMICALLY DISADVANTAGED AREA, OR VETERAN-OWNED SMALL BUSINESS PROGRAM.

Subp. 4. **Definitions.** For purposes of parts 1230.1600 to 1230.1910, the following definitions apply.

F. "Personal net worth" means the net value of the assets of an individual remaining after total liabilities are deducted. An individual's personal net worth does not include the individual's ownership interest in an applicant or participating socially and economically disadvantaged, ~~or economically disadvantaged area, or veteran-owned~~ small business or the individual's equity in the individual's primary place of residence. An individual's personal net worth includes only the individual's share of assets held jointly or as community property with the individual's spouse.

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1230.1603 SOCIAL AND ECONOMIC DISADVANTAGE.

Subpart 1. **Presumption of disadvantage.**

B. (1) Each individual owner of a business applying to participate as a socially and economically disadvantaged, ~~or economically disadvantaged area, or veteran-owned~~ small business whose ownership and control are relied upon for certification must certify that the individual has a personal net worth that does not exceed the limit in Code of Federal Regulations, title 49, subtitle A, part 26.

Subp. 3. **Transfers within two years.**

A. Except as set forth in item B, any assets that an individual has transferred to an immediate family member, to a trust that has a beneficiary who is an immediate family member, or to the applicant business for less than fair market value, within two years prior to a business's application for participation in the socially and economically disadvantaged, ~~or economically disadvantaged area, or veteran-owned~~ small business program or within two years of the business's certification, will be attributed to the individual claiming disadvantaged status, unless the individual claiming disadvantaged status can demonstrate that the transfer is to or on behalf of an immediate family member for that individual's education, medical expenses, or some other form of essential support.

1230.1604 OWNERSHIP.

Subp. 3. **Proof of contribution.**

A. The business's ownership by qualifying individuals, ~~individuals, or veterans,~~ including their contribution of capital or expertise to acquire their ownership interests, must be real, substantial, and continuing, going beyond pro forma ownership of the business as reflected in ownership documents. Proof of contribution of capital should be submitted at the time of the application. When the contribution of capital is through a loan, there must be documentation of the value of assets used as collateral for the loan.

D. Debt instruments from financial institutions or other organizations that lend funds in the normal course of business do not render a business ineligible, even if the debtor's ownership interest is security for the loan. For example:

(2) if a 51 percent qualifying owner and a nonqualifying 49 percent owner contribute \$100 ~~of~~ and \$10,000, respectively, to acquire a business grossing \$1,000,000, this may be indicative of a pro forma arrangement that does not meet the requirements of item A; and

Subp. 5. **Contributions.** The contributions of capital or expertise by the ~~socially and economically disadvantaged or veteran owners~~ qualifying individuals to acquire ownership interests must be real and substantial. Examples of insufficient contributions include a promise to contribute capital, an unsecured note payable to the business or an owner who is not a qualifying individual, or mere participation in a business's activities as an employee. Debt instruments from financial institutions or other organizations that lend funds in the normal course of business do not render a business ineligible, even if the debtor's ownership interest is security for the loan.

1230.1605 OPERATING CONTROL.

F. The qualifying owners of the business may delegate various areas of management and policy making or daily operations of the business to other participants in the business, regardless of whether these participants are qualifying individuals. These delegations of authority must be revocable, and the qualifying owners must retain the power to hire and fire any person to whom such authority is delegated. The managerial role of the qualifying owners in the business's overall affairs must evidene be such that involvement it can be reasonably concluded that the qualifying owners actually exercise control over the business's operations, management, and policy.

L. When a nonqualifying individual who may or may not be an immediate family member ~~or not~~, transfers ownership and control of a business to a qualifying individual, and the nonqualifying individual remains involved with

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the business in any capacity, there is a rebuttable presumption of control by the nonqualifying individual unless the ~~socially and economically disadvantaged individual or veteran~~ qualifying individual now owning the business demonstrates, by clear and convincing evidence, that:

1230.1606 OTHER RULES AFFECTING CERTIFICATION.

A. (1) The eligibility of a business must be evaluated on the basis of present circumstances. A business ~~may~~ must not be denied certification based solely on historical information indicating a lack of ownership or control of the business by qualifying individuals in the past if the business currently meets the ownership and control standards of parts 1230.1601 to 1230.1607.

(2) A business ~~may~~ must not be denied certification solely on the basis that it is a newly formed business that has not completed projects or contracts at the time of its application, has not yet realized profits from activities, or has not demonstrated a potential for success. If the business meets the requirements in parts 1230.1601 to 1230.1607, the business is eligible for certification.

D. An eligible socially and economically disadvantaged or veteran-owned small business must be owned by individuals who are socially and economically disadvantaged or by veterans, respectively. Except as provided in this item, a business that is not owned by such individuals, but instead is owned by another business, including a socially and economically disadvantaged or veteran-owned small business, is not an eligible socially and economically disadvantaged or veteran-owned small business.

1230.1608 PROCEDURES.

A. Eligibility of businesses as socially and economically disadvantaged, economically disadvantaged area, or veteran-owned small ~~business~~ businesses must be determined consistent with the standards of parts 1230.1601 to 1230.1607.

B. The following documentation and information must be provided in determining whether a socially and economically disadvantaged, economically disadvantaged area, or veteran-owned small business meets the standards of parts 1230.1601 to 1230.1607:

(6) ~~complete financial statements, federal income tax returns or requests for extensions filed by the business, and its affiliates, and the socially and economically disadvantaged or veteran owners for the last three years.~~ A complete return includes all forms, schedules, and statements filed with the IRS;

D. The applicant must attest to the accuracy and truthfulness of the information on the application form. This must be done either in the form of ~~an affidavit sworn to by the applicant before a person who is authorized by state law to administer oaths~~ a signed notarized affidavit or in the form of an unsworn declaration executed under penalty of law.

F. A certified business must inform the commissioner in writing of any change in circumstances affecting its ability to meet the requirements of parts 1230.1601 to 1230.1607 or any material change in the information provided in its application form.

(3) ~~The notice must take the form of an affidavit sworn to by the applicant before a person who is authorized by state law to administer oaths or of an unsworn declaration executed under penalty of law.~~ The written A signed notarized notification must be provided within 30 days of the occurrence of the change. If the applicant fails to make timely notification of such a change, the applicant will be deemed to have failed to cooperate.

1230.1700 CERTIFICATION OF ELIGIBILITY.

Subp. 5a. Criteria for determinations.

A. In addition to the standards in parts 1230.1604 and ~~1230.1608~~ 1230.1605, the following circumstances will be

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given special consideration in determining eligibility:

(2) any relationship between a socially and economically disadvantaged, economically disadvantaged area, or veteran-owned small business and a nonqualifying business that has an interest, financial or otherwise, in the socially and economically disadvantaged, economically disadvantaged area, or veteran-owned small business will be carefully reviewed to determine if the interest conflicts with the ownership and day-to-day operating control requirements.

Subp. 6. **Appeal of denial of application.** After an applicant has received written notice of denial of the application for certification as a socially and economically disadvantaged, economically disadvantaged area, or veteran-owned small business, the applicant may appeal the decision in writing to the commissioner of administration within 15 calendar days of receipt of the determination. ~~If there are facts in dispute, the commissioner may refer the matter to the Office of Administrative Hearings for a contested case hearing under Minnesota Statutes, sections 14.57 to 14.62.~~ The applicant has the burden of proof in establishing qualifications for certification. The commissioner shall, if time permits, refer the appeal to a panel designated by the commissioner, for a recommendation before reaching a final decision. If there are facts in dispute, the commissioner may refer the matter to the Office of Administrative Hearings for a contested case hearing under Minnesota Statutes, sections 14.57 to 14.62, or, if feasible, may affirm or reject the decision. The commissioner shall make a final decision in writing within 60 calendar days of receipt of the appeal. Any person receiving an adverse decision from the commissioner may appeal in any appropriate court of the state.

1230.1810 PROPORTIONAL UTILIZATION OF SOCIALLY AND ECONOMICALLY DISADVANTAGED TARGETED GROUP, ECONOMICALLY DISADVANTAGED AREA, AND VETERAN-OWNED SMALL BUSINESSES.

The division shall attempt to achieve utilization of ~~socially and economically disadvantaged~~ targeted group, economically disadvantaged area, and veteran-owned small businesses in proportion to their representation in the state's market area. In so doing, the division may use either of the following purchasing methods for making awards to businesses designated by the commissioner as targeted group, economically disadvantaged area, or veteran-owned small businesses.

B. A certified targeted group, economically disadvantaged area, or veteran-owned small business may be awarded up to a six percent preference in the amount offered over the lowest responsible offer from another vendor.

(1) The division shall include a statement on the solicitation document informing all vendors that certified targeted group, economically disadvantaged area, or ~~veteran vendors~~ veteran-owned small businesses will receive a preference in the amount offered and the amount of the preference to be awarded.

1230.1820 REQUIRED SUBCONTRACTING FOR CONSTRUCTION OR PROFESSIONAL OR TECHNICAL SERVICES.

Subp. 3. **Waivers.** Prime contractors may obtain waivers from the normal subcontracting goals according to the following procedure:

A. The prime contractor may request a waiver for some or all specialties based on a documented unsuccessful effort to obtain certified targeted group, economically disadvantaged area, or ~~veteran~~ veteran-owned subcontractors. The request for waiver must be accompanied by documentation showing the effort and steps taken to secure certified targeted group, economically disadvantaged area, or ~~veteran~~ veteran-owned subcontractors.

B. A prime contractor may request a waiver for a specific specialty if a certified targeted group, economically disadvantaged area, or ~~veteran~~ veteran-owned subcontractor cannot or will not fulfill a subcontract and no suitable alternative subcontractor is available so as to prevent significant project delay.

Subp. 4. **Incentives and penalties.** Solicitation documents must state whether or not the incentive rule applies for the project being solicited. If so,

A. Prime contractors who exceed the established goal on a given project for use of certified targeted group, eco-

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nomically disadvantaged area, or ~~veteran~~ veteran-owned subcontractors by more than three percent may be awarded a financial incentive over and above the awarded project price, the incentive to be determined in the following manner:

(2) A monetary incentive over and above the awarded contract price shall be paid to the prime contractor upon documented proof of actual use of certified targeted group, economically disadvantaged area, or ~~veteran~~ veteran-owned subcontractors on the project in excess of three percent of the goal set for that project. The monetary incentive in any case shall not exceed six percent of the awarded project price, or \$60,000 at the maximum. The form of documented proof shall be specified in the award agreement.

(4) The provisions of subitems (1), (2), and (3) shall be applicable to all prime contractors and shall also apply to certified targeted group, economically disadvantaged area, or ~~veteran~~ veteran-owned contractors acting as prime contractors if the awarded contract was not gained through preference or set-aside bidding procedures.

B. Prime contractors who have been awarded a contract and fail to meet the project goal for certified targeted group, economically disadvantaged area, or ~~veteran~~ veteran-owned subcontractor use without approved waiver shall be penalized up to six percent of the total project value, not to exceed \$60,000. The penalty to be assessed will be proportionate to the actual underuse of certified targeted group, economically disadvantaged area, or ~~veteran~~ veteran-owned subcontractors as compared to the project goal. The contractor involved shall be notified in writing of the proposed penalty and the reasons for the penalty. Within 15 calendar days of receipt of the notice the contractor may request a hearing before the director or the director's designee. The director may uphold, modify, or reject the penalty. The decision of the director may be appealed within 30 calendar days to the commissioner. If there are facts in dispute, the commissioner may refer the matter to the Office of Administrative Hearings for a contested case hearing under Minnesota Statutes, sections 14.57 to 14.62, or, if feasible, may affirm or reject the director's decision. Any person receiving an adverse decision from the commissioner may appeal in any appropriate court in this state.

C. If required in a solicitation, prime contractors who fail to meet the project goal without waiver for a project to be awarded and are the apparent low responder shall have a penalty of up to six percent, not to exceed \$60,000, added to their total price when other prime contractors have submitted responses that meet the specified targeted subcontracting goal. The penalty to be added must be proportionate to the underuse determined in the response as compared to the announced project goal.

1230.1850 REMOVAL FROM MINNESOTA SMALL BUSINESS PROCUREMENT PROGRAM.

Subp. 3. **Removal from the Minnesota small business procurement program when a business no longer qualifies.** A business must be removed from the Minnesota small business procurement program when the business no longer qualifies for the programs under Minnesota Statutes, ~~section~~ sections 16C.16 to 16C.19, and parts 1230.1400 to 1230.1910. Notice of removal and the reasons for removal must be given in writing to the business by the division. Removal is effective upon receipt of the notice by the business. When removal is for loss of status as an economically disadvantaged area, the business remains eligible for 120 calendar days after certified small businesses in the area are notified of the termination of the status by the division.

1230.1900 GENERAL TERMS AND CONDITIONS.

Subp. 7. **Reporting requirements.** The following reporting requirements apply to the Minnesota small business procurement program:

A. Businesses eligible to participate in ~~these programs~~ the program shall, within 30 calendar days of a request by the division, verify information on file with the division for that business, make any necessary changes, and submit a complete financial statement and personal net worth statement to the division. The information on file with the division will include:

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1230.1910 PROFESSIONAL AND TECHNICAL PROCUREMENTS.

Subp. 2. **Awards.** Division certification is not required for individuals who provide consultant, professional, or technical services and who are not organized as a business, corporation, partnership, proprietorship, or other recognized business structure. An individual person may be awarded contracts under Minnesota Statutes, section 16C.16, ~~subdi-
vision 3~~, provided that the contracting agency maintains records stating that the individual meets the terms governing socially and economically disadvantaged persons, economically disadvantaged area persons, or veterans established in part 1230.0150, subparts 24 ~~and~~ 26, ~~and~~ 28, and reports the awards in the format required by the division.

Board of Barber Examiners

Adopted Expedited Permanent Rules Relating to Barber Regulations

The rules proposed and published at State Register, Volume 41, Number 44, pages 1251-1254, May 01, 2017 (41 SR 1251), are adopted as proposed.

Executive Orders

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

Office of the Governor

Emergency Executive Order 17-10: Providing for Assistance to the United States Territory of Puerto Rico

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

Whereas, Hurricane Irma hit Puerto Rico on Wednesday, September 6, 2017, causing significant damage and knocking out electric service to more than 1,000,000 people;

Whereas, just two weeks later, Hurricane Maria made direct landfall at Puerto Rico on Wednesday, September 20, 2017 as a powerful Category 4 hurricane, causing widespread destruction across the entire island, endangering life and property;

Whereas, the territory of Puerto Rico and all 78 municipalities (county equivalents) have been catastrophically impacted by damaging winds, heavy rains, severe flooding, and landslides creating dangerous conditions that will persist for an indeterminate period of time;

Whereas, all major public infrastructure systems, including roads, bridges, electric power, communications, and water on the island have been severely damaged and operation of those systems will be significantly degraded for many months, if not years;

Whereas, the damage to transportation systems throughout Puerto Rico has significantly undermined the abilities of public safety agencies to respond to calls for emergency services;

Whereas, local, municipal, and territorial government does not have adequate resources to meet their requirements

Executive Orders

for emergency response and recovery operations, including personnel and equipment;

Whereas, the governor of Puerto Rico has declared a State of Emergency to save lives, protect property, and promote health, and security; and

Whereas, the impacted States have requested the assistance of the Minnesota National Guard under the Emergency Management Assistance Compact (EMAC).

Now, Therefore, I hereby order that:

1. The Adjutant General of Minnesota order to state active duty on or about October 25, 2017 in the service of the State, such personnel and equipment of the military forces of the State as required and for such period of time as necessary to support aerial movement of personnel and equipment and other response operations in the impacted states.
2. The Adjutant General is authorized to purchase, lease or contract for goods and services necessary to accomplish the mission.
3. The cost of subsistence, transportation, fuel, pay and allowances of said individuals shall be defrayed from the general fund of the State, as provided for in Minnesota Statutes, sections 192.49, subdivisions 1 and 2; 192.52; and 192.54, and as otherwise permitted by law.

Pursuant to Minnesota Statutes, section 4.035, subdivision 2, this Emergency Executive Order is effective immediately and must be filed with the Secretary of State and published in the State Register as soon as possible after its issuance. It remains in effect until the termination of the emergency conditions caused by Hurricanes Irma and Maria in Puerto Rico.

In Testimony Whereof, I have set my hand on this 25th day of October, 2017.

Mark Dayton
Governor

Filed According to Law:
Steve Simon
Secretary of State

Revenue Notices

The Department of Revenue began issuing Revenue Notices in July of 1991. Revenue Notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue Revenue Notices is found in *Minnesota Statutes*, Section 270C.07.

KEY: Underlining indicates additions to existing language. ~~Strikeouts~~ indicate deletions from existing language.

Minnesota Department of Revenue

Revenue Notice # 17-09: Corporate Franchise Tax – Net Operating Loss Carryforwards – *Sinclair Broad. Grp., Inc. v. Comm’r of Revenue*, No. 8919-R, 2017 (Minn. Tax Ct. Aug. 11, 2017)

Introduction

This Revenue Notice advises taxpayers that the Department acquiesces to the Minnesota Tax Court’s decision in *Sinclair Broad. Grp., Inc. v. Comm’r of Revenue*, No. 8919-R, 2017 WL 3482767 (Minn. Tax Ct. Aug. 11, 2017).

Department Position

The Minnesota section 382 limitation provided for under *Minnesota Statutes* section 290.095, subdivision 3(d), is calculated in the same manner as the federal section 382 limitation, and is not apportioned for franchise tax purposes.

Revenue Notice # 99-07 is revoked.

This Notice is effective upon publication in the *Minnesota State Register*.

Publication Date: November 6, 2017

Ryan Church, Deputy Commissioner

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 Environmental Quality Board

Environmental Review Program

REQUEST FOR COMMENTS on Possible Amendments to Rules Governing Draft Environmental Impact Statements developed for the Environmental Review Program, *Minnesota Rules* Chapter, 4410; Revisor’s ID Number R-04494

Subject of Rules. The Minnesota Environmental Quality Board (EQB or Board) is revising the existing rules governing the Environmental Review Program and more specifically the development of draft environmental impact statements (EISs). These rule amendments will incorporate the statutory amendments made in the 2017 legislative session. This possible rulemaking may include the following rule parts:

- 1) Definitions and abbreviations located under part 4410.0200.
- 2) Procedures for the preparation, review and modification of draft EISs located under part 4410.2550.
- 3) Procedures for the preparation, review and modification of draft EISs located under part 4410.2600.

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This rulemaking may also include revisions that may come up as a result of public comments and further review of Chapter 4410. This rulemaking can be referred to as the “Draft EIS Rulemaking.”

Plain English Summary. This Request for Comments is the Board’s legal notice of its intent to begin rulemaking. This is the first of several opportunities for public comment and input on this rulemaking. At this stage, we do not have a draft rule; we want your feedback to inform us about the ideas described under the **Subject of Rules** section above. If you have other ideas related to this rulemaking that we need to consider, please submit them in writing. Submitting your ideas and information to us at this early stage in rulemaking allows us more time to address issues that may come up, and helps to ensure informed decision-making on our part.

Where to Get More Information. If you are interested in being notified when a draft of the rule revisions is available and of other activities related to this rulemaking, please register under “Sign up for email notices” via GovDelivery at: <http://www.eqb.state.mn.us/>. If you are unable to receive electronic notices, please contact EQB Environmental Review Program at 651-757-2873.

Persons Affected. The proposed amendments may affect project developers, local units of government and state agencies, private citizens and citizens groups, and environmental groups. However, changes to the rules governing the Environmental Review Program may directly or indirectly affect all citizens of the state.

Statutory Authority. *Minnesota Statutes*, section 116D.045, subd. 1 (2) which authorizes the EQB to adopt rules governing the preparation of a draft environmental impact statement.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing or orally until **December 7, 2017 at 4:30pm** central time. The EQB will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. Interested and affected parties are invited to submit information relative to the cumulative effect of the rule with other federal and state regulations.

Rules Drafts. The Board has not yet drafted the possible rules amendments.

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:

Erik Cedarleaf Dahl
Environmental Quality Board
520 Lafayette Road North
St. Paul, MN 55155
Phone: (651) 757-2364
Fax: (651) 297-8683
erik.dahl@state.mn.us

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

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

Date: October 30, 2017

David Frederickson, Chair
Environmental Quality Board

Official Notices

Minnesota Department of Health

Request for Comments for Biennial Review of Rulemaking Procedures and Rules Related to the Minnesota Health Care Administrative Simplification Act, Minnesota Statutes, Sections 62J.50 to 62J.61

Oral and written comments invited; deadline. The Minnesota Department of Health is accepting oral and written comments as described below regarding: the effectiveness and continuing need for the rulemaking procedures set out in Minnesota Statutes, section 62J.61, subdivision 2; and the quality and effectiveness of rules adopted using these procedures. Comments will accepted until 4:00 p.m., Thursday, December 14, 2017.

Meeting for receiving oral and written comments. The Department will hold a meeting to receive oral and written comments about the rulemaking procedures in section 62J.61. The meeting will be held in Room 226, Golden Rule Building, 85 East Seventh Place, St. Paul, Minnesota 55101, 2:00 p.m. - 4:00 p.m. on Thursday, December 14, 2017. Anyone attending the meeting must first sign in at the Department's reception area in Suite 220 of the Golden Rule building to receive access to the meeting. More information regarding the location of the building, driving directions, and parking suggestions is available at <http://www.health.state.mn.us/about/golden.html> or by contacting Susie Blake as described below.

Agency contact person for receiving written comments. Written comments on the rulemaking procedures addressed by this biennial review may be submitted to Susie Blake at the Minnesota Department of Health, 85 East Seventh Place, PO Box 64882, St. Paul, MN 551640882, e-mail susie.blake@health.state.mn.us, or phone (651) 201-5508, or fax (651) 201-3830.

Background:

Rulemaking authority and procedure. Minnesota Statutes, section 62J.61, establishes a rulemaking procedure for adopting rules to implement the Minnesota Health Care Administrative Simplification Act, Minnesota Statutes, sections 62J.50 to 62J.61. The procedure provides that:

- the Commissioner of Health must publish proposed rules in the State Register;
- the Commissioner may publish a notice describing the rules and offering a free copy instead of publishing the text of the rules, if the rules would be so lengthy as to be unduly cumbersome to publish;
- interested parties have 30 days to comment; and
- after considering all comments, the Commissioner may adopt the rules by publishing a notice of adoption in the State Register.

Reason for rulemaking authority. Health care industry billing procedures and other business (administrative) transactions must be updated frequently because of rapid changes in business practices, as well as changes in national transactions standards and federal regulations. It is important that related state rules governing health care business transactions remain up-to-date and reflect the ongoing changes in the industry. The Legislature recognized that the normal rulemaking procedures in Minnesota Statutes, chapter 14, which take an average of 18 months, would not be timely enough to keep up with an often much more rapid pace of change. In comparison, the rulemaking permitted under Section 62J.61 can be completed within three to six months, significantly reducing any possible lags between any needed changes in the rules and their development and implementation. Further, some rules are lengthy, and it would not be practical to publish them in their entirety in the State Register, especially when they are of interest to a relatively small group of end-users. It is much more timely, efficient, and cost effective to publish a notice of the availability of proposed or adopted rules, along with information regarding changes from previous versions, and to provide a free copy of the complete rules to anyone who requests one.

Recent use of the rulemaking process. The Department used the rulemaking process pursuant to Minnesota Statutes, section 62J.61 described above during 2016-2017 for adoption of Minnesota Uniform Companion Guide (MUCG) rules pursuant to Minnesota Statutes, section 62J.536 for the implementation of the following electronic health care business (administrative) transactions:

- ASC X12/005010X214E2 Health Care Claim Acknowledgment (277)
- ASC X12/005010X221A1 Health Care Claim Payment Advice (835)
- ASC X12/005010X224A2 Health Care Claim: Dental (837)
- ASC X12/005010X222A1 Health Care Claim: Professional (837)
- ASC X12/005010X223A2 Health Care Claim: Institutional (837)
- ASC X12C/005010X231 Implementation Acknowledgment for Health Care Insurance (999)
- TA1, Interchange Acknowledgment Segment [Appendix C.1 of the ASC X12C/005010X231 Implementation Acknowledgment for Health Care Insurance (999)]

Copies of the MUCG rules above are available for free viewing or downloading on the AUC Minnesota Uniform Companion Guides webpage at <http://www.health.state.mn.us/auc/guides/index.htm>. The Department will be using the rulemaking procedure described above in 2018 for similar rulemaking to develop, update, and modify versions of MUCGs as needed to ensure that they remain as accurate, up-to-date, and useful as possible.

Biennial review of rulemaking procedures and rules. Minnesota Statutes, section 62J.61, subdivision 5 requires that the Commissioner of Health conduct a biennial review of the rulemaking procedures noted above and resulting rules by seeking “comments from affected parties about the effectiveness of and continued need for the rulemaking procedures . . . and about the quality and effectiveness of rules adopted using these procedures.” The Commissioner is also required to prepare a report summarizing the comments and to submit it to the Minnesota Health Data Institute and the Minnesota Administrative Uniformity Committee by January 15 of every even-numbered year.

Dated: November 6, 2017

Edward P. Ehlinger, MD, MSP
Commissioner
P.O. Box 64975
St. Paul, MN 55164-0975

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.

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 175 percent of the weighted average of the most recently reported monthly AMPs for such multiple source drugs using 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 November 7, 2017 the Department may add the following outpatient prescribed drugs to the state MAC list:

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Drug Name

LANTHANUM CARBONATE
CLOFARABINE
OLOPATADINE HYDROCHLORIDE

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 \$22,000 for State Fiscal Year 2017 (July 1, 2017 through June 30, 2018).

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 Purchasing and Service Delivery Division, Deputy Director Chad Hope, Pharm. D; Minnesota Department of Human Services, P.O. Box 64984, St. Paul, Minnesota 55164-0984.

Department of Transportation (MnDOT) Modal Planning and Program Management Division Notice of Public Comment Period on Minnesota State Freight Investment Plan and Minnesota Highway Freight Program

AMENDED NOTICE IS HEREBY GIVEN that the public is invited to review and provide comments on the draft Minnesota State Freight Investment Plan and Minnesota Highway Freight Program. Draft plan documents will be available starting November 16, 2017 and public comment will be accepted through December 18, 2017. The plan is a guide that sets the statewide freight investment direction over the next ten years and identifies projects within the Minnesota Highway Freight Program for the use of new federal funding provided by the Fixing America's Surface Transportation Act of 2015 (FAST Act). The plan is a result of extensive collaboration during the past year between the Minnesota Department of Transportation and freight stakeholders, local governments, citizens and partners. The plan will be amended as an appendix to the adopted 2015 Statewide Freight System Plan. This work is an important step forward in addressing the current and future needs of the National Highway Freight System within Minnesota.

The Minnesota State Freight Investment Plan will be made accessible electronically at <http://www.dot.state.mn.us/planning/freightplan/index.html>. It will also be available for review in hard copy at the MnDOT Library, 395 John Ireland Blvd., in St. Paul or at MnDOT offices statewide:

- Baxter – 7694 Industrial Park Road · Bemidji – 3920 Highway 2 W
- Crookston – 1320 Sunflower St.
- Detroit Lakes – 1000 Highway 10 W
- Duluth – 1123 Mesaba Ave.
- Mankato – 2151 Bassett Drive
- Marshall – 1800 East College Drive
- Morris – 610 Highway 9 S
- Owatonna – 1010 21st Ave. NW
- Rochester – 2900 48th St. NW
- St. Cloud – 3725 12th St. N
- St. Paul – 395 John Ireland Blvd., Room G15
- Virginia – 101 N. Hoover Road
- Willmar – 2505 Transportation Road
- Windom – 180 S. County Road 26

Written comments and input will be accepted through December 18, 2017 and should be addressed to: Andrew Andrusko, MnDOT Office of Freight and Commercial Vehicle Operations, 395 John Ireland Blvd, MS 420 Saint Paul, MN 55155 E-mail: FreightPlans.DOT@state.mn.us.

To request an ASL or foreign language interpreter, or other reasonable accommodation, call Janet Miller at (651) 366-4720 or 1-800-657-3774 (Greater Minnesota); 711 or 1-800-627-3529 (Minnesota Relay), or send an e-mail to janet.rae.miller@state.mn.us. Please request at least one week in advance.

State Grants & Loans

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

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

Department of Human Services

Child Safety and Permanency Division

Notice of Request for Proposals for Qualified Grantee to Provide Family Group Decision Making Throughout the Child Welfare Continuum

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals from qualified responders to award grants to Minnesota counties and tribes for the purpose of implementing the Family Group Decision making strategy throughout the child welfare system. Family group Decision Making strategy allows families to develop a care and protection plan to ensure child safety and/or plan for permanency and reunification. This process is designed to address the needs of children who are at risk of harm and/or placement into foster care, and children currently in foster care and to improve family engagement.

Agencies are encouraged to develop innovative approaches for Family Group Decision Making that adhere to the values of Family Group Decision making. Applicants are strongly encouraged to collaborate with other counties and tribes in their region in order to serve a broader population and spread the use of Family Group Decision Making strategy as a family engagement modality that has proven to be an effective child welfare practice that honors and preserves family culture for children and serves to reduce disparities.

Applicants are also strongly encouraged to be creative in the use of Family Group Decision Making to provide for improved safety and stability, increased sense of belonging and connections and greater social and emotional well-being of children.

Work is proposed to start on January 1, 2018. For more information, or to obtain a copy of the Request for Proposal, contact:

Jacalyn Pederson
Department of Human Services
Child Safety and Permanency Division
P.O. Box 64943
444 Lafayette Road North, St. Paul, MN 55155 0943
Phone: (651)431-4698 Fax: (651)431-7522
jacalyn.s.pederson@state.mn.us

State Grants & Loans

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, November 30, 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:
<https://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.

Department of Human Services Housing and Support Services – Community Living Supports Availability of Long Term Homeless Supportive Services Fund Funds

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services (DHS) Community Living Supports Unit announces the availability of Long Term Homeless Supportive Services Fund (LTHSSF) funding. Funding under this program may be used to pay the costs of providing supportive services to persons experiencing Long Term Homelessness. Eligible applicants include Minnesota counties and tribal Governments.

The amount of available funding is \$750,000. All funds will be awarded through a competitive grant process. Funds will be awarded for a two-year period beginning January 1, 2018 and ending December 31, 2019. To be considered for funding under this program, one electronic application or one hard copy application must be received by 4:00 pm Central Time, on Wednesday, December 20, 2017. Late proposals will not be considered.

Email one electronic copy of the application to pat.leary@state.mn.us or mail one hard copy of the application, to:

Patrick Leary
Minnesota Department of Human Services
Community Living Supports Unit
PO Box 64842
St. Paul, MN 55164-0842

Request for Proposal, contact:

Patrick Leary
Department of Human Services
Housing and Support Services Division
P.O. Box 64842
444 Lafayette Road North, St. Paul, MN 55164 0842
Phone: (651) 431-3843,
Pat.leary@state.mn.us

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

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

State Grants & Loans

For more information or to request an application packet, contact:

Patrick Leary
Minnesota Department of Human Services
Community Living Supports Unit
PO Box 64842
St. Paul, MN 55164-0842
(651) 431-3843 or pat.leary@state.mn.us

Minnesota Housing Workforce Housing Program Applications Now Open

Minnesota Housing announces the availability of \$2 million in funding to expand the workforce housing in Greater Minnesota.

Applications are due to Minnesota Housing by **January 25, 2018**.

The Workforce Housing Development Program is a competitive funding program that targets small to mid-size cities in Greater Minnesota with rental workforce housing needs. Grant funds are available to build market rate residential rental properties in communities with proven job growth and demand for workforce rental housing. Eligible applicants must: be an Eligible Project Area, be working with a developer and must have a viable proposal for the development of a Market Rate Residential Rental Property.

More program information and application materials are available on the Minnesota Housing website at: www.mnhousing.gov (Home -> Multifamily Rental Partners -> Funding -> Available Financing)

Questions about the program should be directed to Katie Moore at 651.296.6357 or katie.moore@state.mn.us.

Department of Transportation (MnDOT) Safe Routes to School Program Grants Now Available

Minnesota communities and schools wanting to develop safer routes for students to walk and bicycle to school can apply for planning assistance grants through the Minnesota Department of Transportation's Safe Routes to School program. Application deadline is **Jan. 5, 2018**.

"Planning assistance grants are the first step for communities to assess their current conditions for walking and bicycling to school and decide what they need to effectively implement a Safe Routes to School program," said Dave Cowan, SRTS coordinator.

He said after a plan is developed, schools and communities use this assessment to apply for funds to advance infrastructure such as sidewalks, crosswalks and signage and non-infrastructure solutions such as educational programming, events and enforcement.

The planning process works to engage stakeholders, analyze existing data and set a prioritized list of strategies to make it safer and easier for youth to walk and bicycle to school.

Plans are completed by regional development organizations or a statewide SRTS consultant.

Cowan said nationally, walking and bicycling to school is on the decline, decreasing from 48 percent of students in 1969 to 17 percent in 2014.

"Safe Routes to School planning can help communities design strategies to get students to walk and bicycle to school again," he said. "This helps students build physical activity into their day, arriving at school refreshed and ready to learn."

State Grants & Loans

Since 2006, MnDOT has worked with communities around the state to fund nearly 300 schools' plans to develop and advance safe routes to school.

For more information, go to mndot.gov/saferoutes/planning-grants.html.

Contacts:

Sue Roe

651-366-4268

Dave Cowan

651-366-4180

State Contracts

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

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

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

Minnesota State Colleges and Universities (Minnesota State) Request for Proposal (RFP) for Annual IT Conference

Background

Minnesota State Colleges and Universities (Minnesota State) is the fifth-largest system of higher education in the United States. It is comprised of 37 two-year and four-year state colleges and universities with 54 campuses located in 47 Minnesota communities. Minnesota State serves approximately 430,000 students and over 16,000 employees each year. Minnesota State is a state entity that is governed by a 15 member Board of Trustees. The law creating the system was passed by the Minnesota Legislature in 1991 and went into effect July 1, 1995. The law merged the state's community colleges, technical colleges and state universities into one system, excluding the University of Minnesota campuses. For more information about Minnesota State Colleges and Universities, please view its website at www.minnstate.edu.

Nature of RFP

The purpose of this RFP is for Minnesota State to solicit proposals for a resort or hotel and/or conference center to hold the annual Information Technology (IT) conference. This three day – three night conference event to be held in late April 2019. The proposal shall identify facilities for the specified number of breakout rooms, meals, vendor display area, staff housing, and conference planning staff as specified in this document.

Selection of vendor shall be based on Minnesota State's evaluation of responses, with a site visit of the finalist(s). Minnesota State intends to enter into a contract through June 30, 2019, with the selected vendor. Minnesota State reserves the right to extend the contract for up to five (5) years through a formal amendment to the contract.

Vendors must include required information called for in this RFP. Minnesota State reserves the right to reject a proposal if required information is not provided. This request for proposal does not obligate Minnesota State award a contract or complete the project, and Minnesota State reserves the right to cancel the solicitation if it is considered to be in Minnesota State's best interest.

Scope of Services

- Three nights food and lodging
- Guest Rooms for up to 400 attendees
- All locations must be within a 10-15 minute walking distance
- Reception Desk Space
- Vendor Show with room up to 55 Vendor Tables (100 Vendors)
- Large breakfast, lunch and dinner space for up to 400 individuals
- Eight Breakout Rooms for up to 50 guests
- No cost Wi-Fi for individuals in guest rooms – up to 10 MB
- Up to 100 MB Wi-Fi in large room and break out rooms

General Selection Criteria

Minnesota State is looking for a complete conference with conference room space, meal space and guest room availability. This RFP is not limited to a single hotel/resort solution, but a solution from a collaborative offering such convention center and hotel(s)/resorts is acceptable, if the requirements of the RFP can be met.

Selection and Implementation Timeline

Monday, November 6

Monday, November 20, 3:00 p.m. CST

Monday, November 27

Thursday, December 7, 3:00 p.m. CST

January/February/March 2018

Monday, April 2, 2018

Publish RFP notice

Submit questions on RFP

Publish answers to RFP questions

Deadline for RFP proposal submissions

Review RFP proposals, Site visits of finalist(s)

Estimated deadline for executing contract

Any questions please contact: Jennell Flodquist (email: jennell.flodquist@minnstate.edu phone: 651-201-1524)

The RFP can be downloaded at the following URL: <http://www.minnstate.edu/vendors/index.html>

Minnesota Historical Society (MNHS)

Request for Proposals for Commissioning Services for Split Rock Lighthouse Historic Site HVAC and Domestic Water Project

The Minnesota Historical Society (hereinafter called the Society or MNHS interchangeably), is seeking commissioning services by a qualified Commissioning Authority/Agent (hereinafter called the CxA) to verify that all of the Split Rock Lighthouse Visitor Center HVAC and Domestic Water Storage mechanical, electrical, and plumbing systems are complete and functioning properly upon occupancy; that new systems integrate appropriately with existing building systems and infrastructure; and that facility staff have adequate system documentation and training.

The Request for Proposal is available by contacting Mary Green Toussaint, Contract/Purchasing Manager, Minnesota Historical Society, by e-mail only: mary.green-toussaint@mnhs.org

Proposals must be received by Mary Green Toussaint, MNHS Contract/Purchasing Manager, or her agent by **2:00 CST, Tuesday, November 28, 2017**. Late proposals will not be accepted. Authorized agents for receipt of proposals are staff located at the Information Desk on the 1st floor of the Minnesota History Center, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102.

State Contracts

Minnesota State Lottery Request for Proposals for Sponsorship Agreements

Description of Opportunity

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

Proposal Content

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

1. **Maximize Lottery Visibility** – the event, sports or tie-in proposal should draw a large number of desired participants (typically 50,000 or more) whose demographics match the Lottery player profile. The Lottery is interested in effectively delivering its message of fun and entertainment to Minnesota adults whose demographics skew primarily towards those aged 25-64, with a household income of \$35,000-\$75,000, and having an educational background of some college or higher. The Lottery does not market to those under the age of 18, and family events with high levels of children present are generally not accepted. Attendance, on-site signage visibility and paid media exposure will be critical components that will be evaluated.
2. **Enhance Lottery Image** – the event, sports or tie-in proposal should inherently project the attitude that the Lottery is a fun and socially acceptable part of the community. The Lottery's presence should fit well within the lineup of other sponsors. The Lottery is interested in creating opportunities whereby the sponsorship can translate into sales revenue, either via on-site sales from a Lottery booth, from sales-generating promotions with Lottery retailers or from joint programs with the sponsor's media partners.
3. **Provide Promotional Extensions** – the event, sports or tie-in proposal should offer exciting, value-added ways to interact with our players and have opportunities to motivate attendees, listeners and viewers to participate in and purchase Lottery games. The proposal must include proper staffing availability or other considerations to help the Lottery implement any appropriate promotional extension ideas.

Proposals should address all pertinent elements of the sponsorship and how the Lottery criteria as stated above and on the Evaluation Form are to be met. To view or print copies of the Request for Proposal go to <https://www.mnlottery.com/vendors/> This Solicitation does not obligate the state to award a contract or pursue a proposed sponsorship opportunity, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

Questions

Questions concerning this Solicitation should be directed to:

Jason LaFrenz, Marketing Director
Minnesota State Lottery
2645 Long Lake Road
Roseville, MN 55113
Tel. (651) 635-8230
(888) 568-8379 ext. 230 (toll-free)
Fax: (651) 297-7496
TTY: (651) 635-8268
Jason.LaFrenz@mnlottery.com

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

Response Delivery

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

Metropolitan Council

Request for Bids for Green Line LRT Extension (“Southwest LRT”) Civil Construction

Invitation for Bid #15P307A (Rebid)

The Metropolitan Council intends to re-solicit sealed bids for Civil Construction of the Southwest Light Rail Transit Line, an approximately 15-mile line that will serve the Twin Cities metropolitan region of Minnesota, operating from downtown Minneapolis through the southwestern suburban cities of St. Louis Park, Hopkins, Minnetonka, and Eden Prairie.

The anticipated issue date for the Invitation for Bids is October 30, 2017. Visit www.metrocouncil.org (see Doing Business) for additional information.

Questions may be directed to Auburn Dees, IFB Administrator, auburn.dees@metc.state.mn.us or 651-602-1346.

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

State Contracts

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.



Several convenient ways to order:

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

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

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

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

Please allow 2-3 weeks for delivery.

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

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