

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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 19 March 2018
Volume 42, Number 38
Pages 1095 - 1142**

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- Withdrawn Rules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)
# 39	Monday 26 March	Noon Tuesday 20 March	Noon Thursday 15 March
# 40	Monday 2 April	Noon Tuesday 27 March	Noon Thursday 22 March
# 41	Monday 9 April	Noon Tuesday 3 April	Noon Thursday 29 March
# 42	Monday 16 April	Noon Tuesday 10 April	Noon Thursday 5 April

PUBLISHING NOTICES: We need to receive your submission **ELECTRONICALLY in Microsoft WORD format**. Submit ONE COPY of your notice via e-mail to: sean.plemmons@state.mn.us. State agency submissions must include a "State Register Printing Order" form, and, with contracts, a "Contract Certification" form. Non-State Agencies should submit **ELECTRONICALLY in Microsoft WORD**, with a letter on your letterhead stationery requesting publication and date to be published. Costs are \$16 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page = 4/10s of a page in the State Register, or \$64. About 1.5 pages typed, double-spaced, on 8-1/2"x11" paper = one typeset page in the *State Register*. Contact editor with questions (651) 201-3204, or **e-mail**: sean.plemmons@state.mn.us.

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State Capitol, Room 231, St. Paul, MN 55155
<http://www.senate.mn>

Minnesota State Court System

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<http://www.mncourts.gov>

House Public Information Services

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100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<https://www.house.leg.state.mn.us/hinfo/hinfo.asp>

Federal Register

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U.S. Government Printing Office – Fax: (202) 512-1262
http://www.access.gpo.gov/su_docs/aces/aces140.html

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Minnesota Rules: Amendments and Additions

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

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

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

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

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

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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 18-05: Providing for Relief from Regulations to Certain Motor Carriers and Drivers Operating in Minnesota

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, extreme winter weather conditions and lack of snow cover have caused freezing of septic systems over much of Minnesota;

Whereas, it is urgent that immediate action be taken to prevent danger to public health and to avoid further damage to septic systems;

Whereas, the seasonal load restrictions, as described in Minnesota Statutes, section 169.87, subdivisions 1 and 2 went into effect on March 5, 2018 in the southeast and metro zones; on March 6, 2018 in the south zone; and will go into effect in the other portions of the state in the near future; and

Whereas, these seasonal load restrictions will impair the removal of sewage from septic systems and increase the harm caused by leakage and rupture of septic systems.

Now, Therefore, I hereby declare that:

1. A state of emergency exists in Minnesota, and that vehicles used to pump and/or transport sewage from septic systems be exempted from the seasonal load restrictions on local and state highways and streets, imposed in Minnesota Statutes, section 169.87, subdivisions 1 and 2, while providing emergency septic system pumping services.

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 June 1, 2018.

In Testimony Whereof, I have set my hand on this 9th day of March, 2018.

Mark Dayton
Governor

Filed According to Law:

Steve Simon
Secretary of State

Official Notices

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

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

Minnesota Board of Cosmetologist Examiners

NOTICE OF HEARING for Proposed Permanent Rules Governing Advanced Practice Esthetics Licenses, Application for License; Grandfathering, Curriculum and Practices; and Proposed Amendments to Rules Governing the Practice of Cosmetologists, Estheticians, Nail Technicians, and Schools; Advertising; Infection Control; and Curriculum Requirements for Cosmetologists and Estheticians, *Minnesota Rules*, chapters 2105 and 2110; including the proposed repeal of part 2105.0420. Revisor's Number 4342; OAH Docket No. 8-9013-33230

Public Hearing. The Board of Cosmetologist Examiners intends to adopt rules after a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2200 to 1400.2240, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. The board will hold a second public hearing on the above-named rules **in the boardroom at the Board offices at 1000 University Avenue West, Suite 100, St. Paul, Minnesota 55104 starting at 9:30 a.m. on Monday, May 7, 2018**, and continuing until the hearing is completed. The agency will schedule additional days of hearing if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements may be submitted without appearing at the hearing.

Testimony and Submitted Comments from the January 8, 2018 hearing. Statements made at the January 8, 2018 hearing, items submitted into the hearing record, and comments submitted including rebuttal comments are part of the rulemaking record and remain part of the rulemaking record.

Administrative Law Judge. Administrative Law Judge Eric L. Lipman is assigned to conduct the hearing. Judge Lipman'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) 361-7911, and fax (651) 539-0310 or Katie.lin@state.mn.us. The rule hearing procedure is governed by

Minnesota Statutes, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. You should direct questions about the rule hearing procedure to the administrative law judge.

Subject of Rules. The proposed new rules, rules amendments, and repeals of rules are about the licensure, practice, grandfathering, curriculum, application requirements, and scope of practice of advanced practice estheticians; advanced practice esthetician salons; infection control requirements; curriculum requirements; scope of practice for all practitioners; advertising; designated licensed salon managers; housekeeping changes; and school requirements for esthetic and advanced practice esthetic programs. The proposed changes will affect all licensees, applicants for advanced practice esthetician licenses including salon managers and instructors, salons offering advanced practice esthetic services, schools, and individuals advertising regulated services.

Copies of rule drafts. The rules drafts are available on the board's website at <https://mn.gov/boards/cosmetology/laws-and-rules/rule-making/> and at the Board's offices. Links to the rules drafts are included in the email notification of licensees, parties who submitted comments on the proposed rules, parties listed on the additional notice plan, and parties on the Board's rulemaking email list. A free copy may be requested by emailing bce.board@state.mn.us; or by calling the board contact person listed above. A copy of the proposed rules (Revisor's

draft dated 12-15-17) is published in the *State Register* on March 19, 2018.

Statutory Authority. *Minnesota Laws 2015*, chapter 77, article 2, section 81 requires the board to adopt rules governing the advanced practice esthetician license, including the educational and training requirements, scope of practice, and the conditions and process of issuing and renewing the license. *Minnesota Statutes*, section 155A.26 provides that the Board may develop and adopt rules according to chapter 14 that the Board considers necessary to carry out sections 155A.21 to 155A.36. In addition, the Board's statutory authority to adopt rules is stated in Minnesota Statutes, section 155A as follows:

§155A.27 Subd. 2., which states: Qualifications for licensing in each classification shall be determined by the board and established by rule, and shall include educational and experiential prerequisites. The rules shall require a demonstrated knowledge of procedures necessary to protect the health of the practitioner and the consumer of cosmetology services, including but not limited to chemical applications

§155A.29 Subd. 3., which states: Minimum infection control standards for the operation of a salon shall be established by rule.

§155A.30 Subd. 2., which states: The board shall by rule establish minimum standards of course content and length specific to the educational preparation prerequisite to testing and licensing as cosmetologist, esthetician, and manicurist.

Statement of Need and Reasonableness. The statement of need and reasonableness (SONAR) contains a summary of the justification for the rules as proposed in June, 2017, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. Also available is the preliminary summary of proposed modifications, which explains the board's reasoning for proposed changes resulting from comments and discussions on the June 2017 rules draft. These proposed modifications are the board's explanations of proposed modifications as shown in the December 15, 2017, rules draft, which reflects these changes. Both the SONAR and the summary of proposed modifications are available on the board's website at <https://mn.gov/boards/cosmetology/laws-and-rules/rule-making/>. You may review or obtain copies for the cost of reproduction by contacting the agency contact person.

Agency Contact Person. The agency contact person is: Rebecca Gaspard at Rebecca.Gaspard@state.mn.us, phone 651-308-2774, or Board of Cosmetologist Examiners, 1000 University Avenue West, Suite 100, St. Paul, Minnesota, 55104, or faxed to 612-617-2601. TTY users may call 1-800-627-3529.

Public Comment. You and all interested or affected persons, including representatives of associations and other interested groups, will have an opportunity to participate. Judge Lipman will accept your views either orally at the hearing or in writing at any time before the close of the hearing record. Submit written comments to Judge Lipman at the address above or via the Office of Administrative Hearings Rulemaking ecomments website at <https://minnesotaoah.granicusideas.com/discussions>. All evidence that you present should relate to the proposed rules. You may also submit written material to Judge Lipman to be recorded in the hearing record for 20 calendar days after the public hearing ends. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the administrative law judge no later than 4:30 p.m. on the due date. All comments or responses received are public and will be available for review at the Office of Administrative Hearings.

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 as listed above.

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

Adoption Procedure after the Hearing. 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 when the judge's report will become available,

Official Notices

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 files them with the Secretary of State, or ask to register with the agency to receive notice of future rule proceedings. You may make these requests at the hearing or in writing to the agency contact person stated above.

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

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

Signed by Executive Director Gina Fast on March 13, 2018.

2105.0010 DEFINITIONS.

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

Subp. 1a. **Active license.** “Active license” means a current license that has not expired and is not retired.

Subp. 1b. **Advanced exfoliation.** “Advanced exfoliation” means a cosmetic procedure ~~removing skin cells throughout~~ to partially or completely remove the epidermis through manual, mechanical, or chemical means.

Subp. 1c. **Advanced extraction.** “Advanced extraction” means an extraction performed using lancets or needles.

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

Subp. 2a. **Autoclave.** “Autoclave” means a device registered and listed with the Food and Drug Administration used to sterilize tools, equipment, and supplies by subjecting them to high pressure saturated steam.

Subp. 2b. **Basic exfoliation.** “Basic exfoliation” means the removal of dead skin cells in the stratum corneum layer of the epidermis through manual or chemical means.

Subp. 2c. **Basic extraction.** “Basic extraction” means extractions performed using gloved fingers, cotton swabs, or comedone extractors.

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

Subp. 7. **Dispensary.** “Dispensary” means a physical location or area in a salon or school where products, chemicals, and disinfectants are prepared, measured, mixed, portioned, or disposed of, and where tools and implements are cleaned and disinfected or sterilized.

[For text of subps 4 to subp 8, see M.R.]

Subp. 8a. **Electrical energy treatments.** “Electrical energy treatments” means advanced practice esthetic services for the ~~personal cosmetic care of the skin epidermis~~ that use various forms of light or electrical energy including light, direct current, indirect current, and sound.

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

Subp. 9a. **Extraction.** “Extraction” means the cosmetic technique of removing impactions and comedones from follicles.

[For text of subps 9 10 to 11, see M.R.]

Subp. 11a. **Lymphatic drainage.** “Lymphatic drainage” means a cosmetic procedure using a light rhythmic pressure applied by manual or other means to the skin using specific lymphatic ~~maneuvers~~ manipulations to promote drainage of the lymphatic fluid through the tissue.

Subp. 11b. **Microdermabrasion.** “Microdermabrasion” means a cosmetic procedure using mechanical or manual

means of light abrasion on the epidermal layer of the skin.

Subp. 11c. **Mobile structure.** “Mobile structure” means a trailer or other enclosed space towed by a vehicle. A mobile structure does not include a manufactured home as defined in Minnesota Statutes, section 327.31, subdivision 6.

Subp. 11d. **Nursing home.** “Nursing home” means a facility that is licensed under Minnesota Statutes, chapter 144A, and does not include any attached or adjacent facilities that are not licensed as a nursing home under Minnesota Statutes, chapter 144A.

Subp. 11e. **Operator.** “Operator” means a standard license for a cosmetologist, esthetician, or nail technician and not an advanced practice license or manager license.

Subp. 11f. **Physical location.** “Physical location” means the contiguous space representing each salon that can be accessed by customers without exiting the salon.

Subp. 11g. **Porous material.** “Porous material” means a material that absorbs liquid or allows liquid to penetrate.

Subp. 11h. **Primary exfoliation.** “Primary exfoliation” means the removal of dead skin cells in the stratum corneum layer of the epidermis through manual or chemical means.

Subp. 11h. **Sharps.** “Sharps” means any object, sterile or contaminated, that may purposefully or accidentally cut or penetrate the skin or mucosa including presterilized single-use lancets, dermal blades, and razor blades.

Subp. 11i. **Sharps container.** “Sharps container” means a closed, puncture-resistant, leak-proof container, labeled with the international biohazard symbol, that is used for handling, storage, transportation, and disposal of sharps.

Subp. ~~Hi~~ 11j. **Simple braiding devices.** “Simple braiding devices” include clips, combs, curlers, curling irons, hairpins, rollers, scissors, needles, and thread.

Subp. ~~Hj~~ 11k. **Special event.** “Special event” means an event held for any purpose other than the provision of licensed services, where a participant in the event may receive the limited cosmetology services described in part 2105.0410, subpart 2, at a location not in a licensed salon.

Subp. ~~Hk~~ 11l. **Sterilization.** “Sterilization” means the destruction of all microbial life and spores through the use of heat, steam, or chemical sterilants.

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

Subp. 13. **Unregulated service.** “Unregulated service” means those services not defined as the practice of cosmetology under Minnesota Statutes, section 155A.23, subdivision 3, and that are exempt from regulation by the board. Unregulated services are ear piercing; body art; body painting; henna tattoos and permanent tattoos; eyebrow embroidery; eyebrow microblading; permanent hair removal; permanent makeup; tanning by UV radiation and spray tanning units; injectables; services for theatrical, television, film, fashion, photography, or media productions or media appearances; mortuary services; massage; body wraps and lymphatic drainage when performed by a massage therapist; the practice of medicine as defined in Minnesota Statutes, section 147.081, subdivision 3; and hair braiding, hair braiding services, and hair braiders, as defined in subparts 10a to 10c; and threading as defined in Minnesota Statutes, section 155A.23, subdivision 13. Ordinances by local units of government that prohibit hair braiding, hair braiding services, or hair braiders, as defined in subparts 10a to 10c, or regulate any matter relating to licensing, testing, or training of hair braiding, hair braiding services, or hair braiders are preempted by this part.

Subp. 14. **Work area.** “Work area” means a space where regulated services are provided. A separate work area is created when the service area is partitioned from other salon spaces or work areas by walls at least six feet high and doorways of less than five feet in width.

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2105.0105 SCOPE.

Subpart 1. **Cosmetology.** The practice of cosmetology includes the services defined under Minnesota Statutes, section 155A.23, subdivision 3, and includes all esthetic services in subpart 2 and all nail services in subpart 3. Cosmetologists must not use any tool or equipment designed to penetrate beyond the stratum corneum of the epidermis. Cosmetology does not include advanced practice esthetic services in subpart 4. Cosmetology practice includes:

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

E. other ~~personal~~ services for the cosmetic care of the hair, head, and scalp.

Subp. 2. **Esthetics.** The practice of esthiology is the cosmetic treatment of the stratum corneum of the epidermal layer of the skin surface. Estheticians must not use any tool or equipment designed to penetrate beyond the stratum corneum of the epidermis. Esthetic practice includes:

A. cleansing, stimulating, exfoliating, or massaging a person's scalp, face, neck, arms, legs, or trunk with or without the use of any cosmetic preparation, antiseptic, tonic, lotion, or cream;

B. cosmetic care of a person's face, eyelashes, eyebrows, lips, nose, neck, arms, legs, or trunk using a cosmetic preparation, antiseptic, tonic, lotion, powder, oil, gels, paraffin, clay, cream, or makeup;

C. basic exfoliation, manual or machine skin cleansing, and basic extractions;

~~E D.~~ removing hair from a person's body using depilatories, waxes, preparations, sugaring, or tweezing;

~~DE.~~ application of makeup or airbrush makeup, ~~extractions, microdermabrasion, primary exfoliation,~~ eyelash and eyebrow tinting, eyebrow shaping and trimming, eyelash and eyebrow enhancements, ~~waxing, sugaring,~~ facials, and body wraps; and

~~E F.~~ other cosmetic ~~personal~~ services on the stratum corneum layer of the epidermis.

Subp. 3. **Nail technician services.** The practice of nail technology is the cosmetic care of the hands, feet, and nails. Nail technician services do not include waxing, eyelash or eyebrow enhancements, or any other esthetician service. Nail technicians must not use any tool or equipment to penetrate the skin.

Nail technology includes:

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

F. other personal services for the cosmetic care of the hands, feet, and nails.

~~Nail technician services do not include waxing, eyelash or eyebrow enhancements, or any other esthetician service. Nail technicians must not use any tool or equipment to penetrate the skin.~~

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

Subp. 4. 5. **Advanced practice esthetic services.** The practice of advanced practice (AP) esthetics is the cosmetic treatment of the epidermal layer of the skin. AP estheticians must not use any tool or implement designed to penetrate beyond the epidermal dermal juncture. AP esthetics includes esthetic services in subpart 2 and:

A. advanced exfoliation including dermaplaning, microdermabrasion, chemical or enzyme exfoliation, and other exfoliation methods;

B. electrical energy advanced skin care treatments using electrical energy treatments including light therapy, galvanic current, microcurrent, high frequency, radio frequency, sound waves, lymphatic drainage, and other energy treatments advanced extractions;

- C. ~~lymphatic drainage skin needling~~; and
- D. other cosmetic personal services on the epidermal layer of the skin.

2105.0110 ADVERTISING.

The following provisions govern all advertising relating to the practice of cosmetology:

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

C. An individual practitioner advertising the practitioner's licensed services must list either the full name as shown on the individual's license or the name of the salon as shown on the salon license.

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

E. It is a violation of this chapter to advertise as a medical esthetician or ~~medical aesthetician~~ or as a clinical esthetician or aesthetician. It is a violation of this chapter to qualify the esthetician or advanced practice esthetician license title with another term. Only licensed estheticians may use the title "esthetician" and only licensed advanced practice estheticians may use the titles "esthetician", "advanced practice esthetician", or "AP esthetician".

2105.0115 INSPECTIONS.

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

Subp. 4. Inspection penalties and discipline.

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

B. Board staff must issue penalties prescribed in Minnesota Statutes, section 155A.25, for violations in subitems (1) to (4) cited during a board inspection of a salon or permit holder except as provided for in subpart 5. Licensees must pay penalties in full before any license is renewed or issued.

- (1) A salon is subject to penalty for violations cited during a salon inspection for:

[For text of units (a) and (b), see M.R.]

- (c) each active license of a practitioner or salon not conspicuously displayed;

[For text of units (d) to (h), see M.R.]

- (2) A DLSM is subject to penalty for violations cited during inspection for:

[For text of units (a) and (b), see M.R.]

- (c) each active license of a practitioner or salon not conspicuously displayed;

[For text of units (d) to (h), see M.R.]

- (3) An individual practitioner is subject to penalty for violations cited during a salon inspection for:

- (a) the practitioner's expired license;

- (b) the practitioner's active license not conspicuously displayed, if an active license is held;

[For text of units (c) to (g), see M.R.]

[For text of subitem (4), see M.R.]

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

2105.0145 APPLICANTS FOR INDIVIDUAL LICENSES.

Subpart 1. **Cosmetologists, nail technicians, and estheticians.** Applicants for a cosmetologist, nail technician, or esthetician license who have not been licensed in other states must provide the items required in items A to E:

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

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D. proof of completion of training as follows:

(1) graduates of a Minnesota-licensed cosmetology school must submit the original course completion certificate with the notarized signatures of the school manager or owner documenting the successful completion of the curriculum and the required number of hours of training: 1,550 hours for a cosmetologist; 600 hours for an esthetician; and 350 hours for a nail technician, including any hours transferred from another school within the past three years. If the completed training is more than five years old, a skills course certificate no more than one year old must also be submitted;

(2) a graduate of a training program licensed by another state that is:

(a) equal to the curriculum and minimum hour requirements required of Minnesota-licensed cosmetology schools for a cosmetologist, esthetician, or nail technician program must submit an original notarized ~~transcript or document~~ board form from a licensed cosmetology school that establishes the completion of the curriculum and required number of hours of training: 1,550 hours for a cosmetologist; 600 hours for an esthetician; and 350 hours for a nail technician, including any hours transferred from another school within the past five years. If the completed training is more than five years old, a skills course certificate from a Minnesota-licensed cosmetology school no more than one year old must also be submitted; and

(b) not equal to the curriculum and minimum hour requirements required of Minnesota-licensed cosmetology schools for a cosmetologist, esthetician, or nail technician program must obtain a course completion certificate by applying to a Minnesota-licensed cosmetology school as a transfer student under part 2110.0705 and must meet and complete the school's requirements. The applicant must then submit the original course completion certificate with the notarized signatures of the school manager or owner, documenting successful completion of the required curriculum and number of hours of training: 1,550 hours for a cosmetologist; 600 hours for an esthetician; and 350 hours for a nail technician. If the completed training is more than five years old, a skills course certificate from a Minnesota-licensed cosmetology school no more than one year old must also be submitted;

(3) an applicant who partially completed a training program licensed by another state, or who completed an unlicensed training program in another state, must obtain a course completion certificate by applying to a Minnesota-licensed cosmetology school as a transfer student under part 2110.0705 and must meet and complete the school's requirements. The applicant must then submit the original course completion certificate with the notarized signatures of the school manager or owner, documenting successful completion of the required curriculum and number of hours of training: 1,550 hours for a cosmetologist; 600 hours for an esthetician; and 350 hours for a nail technician. If the completed training is more than five years old, a skills course certificate from a Minnesota-licensed cosmetology school no more than one year old must also be submitted; or

[For text of subitem (4), see M.R.]

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

Subp. 1a. **Advanced practice estheticians.** The board shall issue an AP esthetician salon manager license to an applicant with an active salon manager license who meets the requirements of this part. An AP esthetician license supersedes an esthetician license.

A. An applicant for an AP esthetician license who holds an active esthetician or cosmetologist license must provide the following:

(1) a completed application form;

(2) original passing test results no more than one year old of the following board-approved tests for the AP esthetician license:

(a) general theory test; and

(b) written practical test;

(3) an original AP esthetician course completion certificate documenting the successful completion of curriculum from a board-approved school with the notarized signature of the school manager or school owner. If the completed AP esthetician training is more than five years old, a skills course certificate no more than one year old must also be submitted; and

(4) payment of the fees required by Minnesota Statutes, section 155A.25.

B. An applicant for an AP esthetician license who completed training in Minnesota for both an esthetician or cosmetologist license and ~~training for an AP esthetician license~~ but does not hold an active esthetician or cosmetologist license must provide the following:

(1) a completed application form;

(2) a high school diploma, a high school transcript showing graduation, a general educational development certificate, or a recognized equivalent of a high school diploma (RED) as identified in Code of Federal Regulations, title 34, section 600.2;

(3) an original course completion certificate for a board-approved esthetician or cosmetology course documenting the successful completion of the curriculum with the notarized signature of the school manager or school owner. If the completed training is more than five years old, a skills course certificate no more than one year old must also be submitted;

(4) original passing test results no more than one year old of the board-approved general theory and written practical tests for the esthetician or cosmetology license:

(a) general theory test;

(b) written practical test; and

(c) Minnesota laws and rules test;

(5) original passing test results no more than one year old of the following board-approved tests for the AP esthetician license:

(a) general theory test; and

(b) written practical test;

(6) an original AP esthetician course completion certificate from a board-approved school with the notarized signature of the school manager or school owner. If the completed AP esthetician training is more than five years old, a skills course certificate no more than one year old must also be submitted; and

(7) payment of the fees required by Minnesota Statutes, section 155A.25.

~~C. An applicant for an AP esthetician license who is not licensed in any state and who completed esthetician or cosmetologist training in another state must provide the following:~~

~~(1) a completed application;~~

~~(2) a high school diploma, a high school transcript showing graduation, a general educational development certificate, or a recognized equivalent of a high school diploma (RED) as identified in Code of Federal Regulations, title 34, section 600.2;~~

~~(3) proof of training for an esthetician as identified in subpart 1, item D, the following:~~

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(4) original passing test results no more than one year old of the board-approved general theory and written practical tests for the esthetician or cosmetologist license:

- (a) general theory test;
- (b) written practical test; and
- (c) Minnesota laws and rules test;

(5) original passing test results no more than one year old of the following board-approved tests for the AP esthetician license:

- (a) general theory test; and
- (b) written practical test;

(6) an original AP esthetician course completion certificate from a board-approved school with the notarized signature of the school manager or school owner. If the completed AP esthetician training is more than five years old, a skills course certificate no more than one year old must also be submitted; and

(7) payment of the fees required by Minnesota Statutes, section 155A.25.

D. C. An applicant with an AP esthetician license or master esthetician license from another state must apply under part 2105.0183, subpart 4. An applicant for an AP esthetician license with an esthetician or cosmetologist license from another state and who is not licensed in Minnesota must provide the following:

(1) a completed application form;

(2) certification of licensure no more than 90 days old sent to the board directly from each state where the applicant has been licensed. A license certification must verify the current status and history of licensure, discipline history, hours of training, and whether or not the licensee has passed an esthetician general theory and practical test. If a state does not issue certification of licensure, the applicant must submit a copy of the most recent license and a completed supplemental verification form. If the out-of-state license is not active, an original board-approved esthetician skills course certificate that is no more than one year old;

(3) a high school diploma or transcript showing graduation, a general education development (GED) certificate, or a recognized equivalent of a high school diploma (RED) as identified in Code of Federal Regulations, title 34, section 600.2;

(4) original passing test results no more than one year old of a board-approved general theory esthetician test. If a certification of licensure from a state in which the applicant has been licensed attests that the applicant has passed a general theory test, this requirement is met and the general theory test does not have to be retaken;

(5) original passing test results no more than one year old of a board-approved written esthetician practical test. If a certification of licensure from a state in which the applicant has been licensed attests that the applicant has passed a written practical test, this requirement is met and the written practical test does not have to be retaken;

(6) original passing test results of the Minnesota state laws and rules test no more than one year old;

(7) original passing test results no more than one year old of the following board-approved tests for the AP esthetician license:

- (a) general theory test; and

~~(b) written practical test;~~

~~(8) an original AP esthetician course completion certificate from a board-approved school with the notarized signature of the school manager or school owner. If the completed AP esthetician training is more than five years old, a skills course certificate no more than one year old must also be submitted; and~~

~~(9) payment of the fees required by Minnesota Statutes, section 155A.25.~~

Subp. 2. **Salon managers.** An applicant for a salon manager license must:

A. An applicant who holds an active Minnesota operator license and wishes to advance to a salon manager license must:

(1) submit a completed application form;

(2) document at least 2,700 work hours of licensed experience in a licensed salon within the three years prior to application;

(3) submit original passing test results of the salon manager test no more than one year old; and

(4) pay the fees required in Minnesota Statutes, section 155A.25.

B. hold an active Minnesota cosmetologist, esthetician, advanced practice esthetician, or nail technician license; An applicant who holds an active salon manager license and is applying for a practitioner license in another field may apply for a salon manager license in the new field without first obtaining or paying for an operator license in the new field. An applicant must:

(1) submit a completed application for the new field and meet the requirements for the operator license;

(2) pay the fees required in Minnesota Statutes, section 155A.25.

C. document at least 2,700 work hours of licensed experience in a licensed salon within the three years prior to application; An applicant who holds an active salon manager license in one field and an active operator license in another field may advance the operator license to a salon manager license without meeting the requirements of item A, subitems (1) and (2). An applicant must:

(1) submit a completed application; and

(2) pay the fees required in Minnesota Statutes, section 155A.25.

[For text of items C to D and E, see M.R.]

Subp. 3. **School managers.** An applicant for a school manager license must:

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

B. hold an active Minnesota cosmetology salon manager license;

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

Subp. 4. **Instructors.** An applicant for an instructor license must:

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

B. hold an active Minnesota cosmetologist, nail technician, esthetician, or advanced practice esthetician license as an operator or manager;

C. document at least 2,700 hours of licensed practice as a cosmetologist, nail technician, esthetician, or advanced

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practice esthetician within the three years prior to application;

D. submit the original course completion certificate of a board-approved instructor course on teaching methodology not more than one year old;

[For text of items E and F, see M.R.]

2105.0155 GRANDFATHERED ADVANCED PRACTICE ESTHETICIANS ESTHETIC LICENSES.

Subpart 1. **Grandfathering provisions for advanced practice esthetician operators.** A cosmetologist ~~and~~ or esthetician operator may apply for a grandfathered advanced practice (AP) esthetician license by meeting the requirements in this subpart. The completed application must be received by the board no later than ~~December 31, 2017~~ July 31, 2019. A cosmetologist who meets the requirements for a grandfathered AP esthetician license must be issued a separate AP esthetician license. An applicant for a grandfathered AP esthetician license must:

A. provide a completed application;

B. hold an active Minnesota cosmetologist or esthetician operator license;

C. have demonstrated work experience in a licensed salon consisting of a total of 900 hours in the past three years providing AP esthetician services, including experience in three or more AP services including at least one type of advanced exfoliation services and at least one type of electromagnetic advanced facial services using electrical energy services, ~~or~~ A licensed cosmetology or licensed esthetician instructor may substitute teaching hours in advanced practice esthetic services at a licensed school for part or all of the 900 hours of work experience. An applicant who does not meet the 900 hours of experience must submit original passing test results not more than one year old of the board-approved tests written theory and written practical test for AP estheticians; and

D. submit payment of the fees required by Minnesota Statutes, section 155A.25.

Subp. 2. **Grandfathering provisions for advanced practice esthetician salon managers.** A cosmetologist and esthetician salon manager may apply for an advanced practice (AP) esthetician salon manager license under the grandfathering provisions of this part by meeting the requirements in this subpart. The completed application must be received by the board no later than ~~December 31, 2017~~ July 31, 2019. A cosmetologist who wishes to retain the cosmetology license and who meets the requirements for a grandfathered AP esthetician license must be issued a separate AP esthetician license. An applicant for a grandfathered AP esthetician salon manager license must:

A. provide a completed application form;

B. hold an active Minnesota cosmetologist or esthetician salon manager license;

C. have demonstrated work experience in a licensed salon consisting of a total of 900 hours in the past three years providing AP esthetician services, including experience in three or more AP services including at least one type of advanced exfoliation services and at least one type of electromagnetic advanced facial services using electrical energy services, ~~or~~ A licensed cosmetology or licensed esthetician instructor may substitute teaching hours in advanced practice esthetic services at a licensed school for part or all of the 900 hours of work experience. An applicant who does not meet the 900 hours of experience must submit original passing test results no more than one year old of the board-approved tests written theory and written practical test for AP estheticians; and

D. submit payment of the fees required by Minnesota Statutes, section 155A.25.

Subp. 3. **Grandfathering provisions for advanced practice esthetician instructors.** A cosmetology ~~and esthetician~~ instructor or esthetic instructor with an active license may apply for an advanced practice (AP) esthetician instructor license under the grandfathering provisions of this part by meeting the requirements in this subpart. The completed application must be received by the board no later than ~~December 31, 2017~~ July 31, 2019. A cosmetologist instructor who meets the requirements for a grandfathered AP esthetician instructor license will be issued a separate AP esthetician

instructor license. An applicant for a grandfathered AP esthetician instructor license must:

- A. provide a completed application form;
- B. hold an active Minnesota cosmetology or esthetician instructor license;
- C. hold an active Minnesota AP esthetician license as an operator or salon manager; and
- D. submit payment of the fees required by Minnesota Statutes, section 155A.25.

Subp. 4. **Student grandfathering provisions for advanced practice esthetician licenses.** A student who completes an esthetic licensure program on or after January 1, 2018, but before June 1, 2019, may apply for an advanced practice (AP) esthetician license by meeting the requirements in this subpart. The completed application must be received by the board no later than December 31, 2019. A student applicant for a grandfathered AP esthetician license under this subpart must:

- A. provide a completed application;
- B. hold an active esthetician operator license;
- C. submit original passing test results no more than one year old of the board-approved theory test for AP estheticians;
- D. submit original passing test results no more than one year old of the board-approved written practical test for AP estheticians; and
- E. submit payment of the fees required of applicants for licensure by Minnesota Statutes, section 155A.25.

2105.0183 TRANSFER OF LICENSES FROM OTHER STATES OR COUNTRIES.

Subpart 1. **Applicants with required training who are licensed in another state.** Applicants for a cosmetologist, nail technician, or esthetician operator license who have completed the required number of hours of training: 1,550 hours for a cosmetologist; 600 hours for an esthetician; and 350 hours for a nail technician, and are licensed in another state must provide the following:

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

C. if the out-of-state license is not active, an original board-approved skills course certificate no more than one year old;

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

Subp. 2. **Applicants with less than the required training who are licensed in another state.** Applicants for a cosmetologist, nail technician, or esthetician operator license who have not completed the required number of hours of training: 1,550 hours for a cosmetologist; 600 hours for an esthetician; and 350 hours for a nail technician, and who are licensed in another state must provide the following:

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

B. evidence of an active license for at least three years in another state, or an original course completion certificate from a Minnesota-licensed cosmetology school no more than one year old with notarized signatures of the school manager or owner documenting the completion as a transfer student under part 2110.0705 of additional training hours and the practical skills test;

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

D. if the out-of-state license is not active, the applicant must provide an original board-approved skills course certificate no more than one year old;

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

F. original passing test results no more than one year old of a board-approved general theory test. If a certification of licensure from a state in which the applicant has been licensed attests that the applicant has passed such a test, this requirement is met and the general theory test does not have to be retaken;

[For text of items G to I, see M.R.]

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

Subp. 4. **Applicants with an instructor license from another state.** Applicants who hold an active instructor license issued from another state may apply for an instructor license. Applicants must provide the following:

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

B. an active Minnesota cosmetologist, esthetician, advanced practice esthetician, nail technician, or salon manager license;

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

E. an original course completion certificate of a board-approved instructor course not more than one year old. If a certification of licensure from a state where the applicant holds an active instructor license attests that the applicant successfully completed comparable instructor training, this requirement is met and the instructor course does not have to be retaken;

F. original passing test results no more than one year old of a board-approved instructor general theory test. If a certification of licensure from a state where the applicant holds an active instructor license attests that the applicant passed a comparable instructor theory test, this requirement is met and the instructor theory test does not have to be retaken;

G. original passing test results no more than one year old of a board-approved instructor practical test. If a certification of licensure from a state where the applicant holds an active instructor license attests that the applicant has passed such a test, this requirement is met and the instructor practical test does not have to be retaken;

[For text of items H and I, see M.R.]

Subp. 4a. **Applicants with an advanced practice or master esthetician training or license from another state or country.** An applicant for an advanced practice esthetician operator license whose training or licensure is from another state or country must:

A. apply to a board-licensed school as a transfer student for an evaluation of applicable esthetician and advanced practice (AP) esthetician training, school records, and work experience under part 2110.0705; rectify any deficiencies noted in the evaluation results; and provide the original esthetician course completion certificate and the original AP esthetician course completion certificate; and

B. complete an application and submit the following items:

(1) a high school diploma or transcript showing graduation, general education development certificate, or a recognized equivalent of a high school diploma (RED) as identified in Code of Federal Regulations, title 34, section 600.2;

(2) if applicant has held a cosmetologist, esthetician, or AP esthetician license in another state, a certification of licensure no more than 90 days old sent to the board directly from each state where the applicant has been licensed. A license certification must verify the current status and history of licensure, discipline history, hours of training, and whether or not the licensee has passed the general theory and practical tests. If a state does not issue certification of licensure, the applicant must submit a copy of the most recent license and a completed supplemental verification form;

(3) original passing test results no more than one year old of a board-approved esthetician or cosmetology general theory test. If a certification of licensure from a state in which the applicant has been licensed attests that the

applicant has passed such a test, this requirement is met and the general theory test does not have to be retaken;

(4) original passing test results no more than one year old of a board-approved esthetician or cosmetology written practical test. If a certification of licensure from a state in which the applicant has been licensed attests that the applicant has passed such a test, this requirement is met and the written practical test does not have to be retaken;

(5) original passing test results of a board-approved theory AP esthetician test no more than one year old;

(6) original passing test results of a board-approved written practical AP esthetician test no more than one year old;

(7) original passing test results of the Minnesota state laws and rules test no more than one year old; and

(8) payment of the fees required by Minnesota Statutes, section 155A.25.

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

2105.0184 MILITARY TEMPORARY LICENSE.

Subpart 1. **Application and issuance.** In compliance with Minnesota Statutes, section 197.4552, the board shall issue military temporary (MT) licenses for cosmetologists, estheticians, advanced practice estheticians, nail technicians, salon managers, instructors, and school managers valid for a 12-month license cycle. An applicant for an MT license must submit:

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

C. a copy of an active valid license without a history of discipline for a cosmetologist, esthetician, advanced practice esthetician, nail technician, salon manager, school manager, or instructor from another state; and

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

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

2105.0187 SKILLS COURSES.

A. A cosmetologist skills course, esthetician skills course, advanced practice esthetician, or nail technician skills course must be offered in person, taught by an instructor licensed in the course subject, and:

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

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

C. Cosmetologists must attend a cosmetologist skills course taught by a cosmetology instructor. Estheticians must attend an esthetician skills course taught by an esthetician or cosmetologist instructor. Advanced practice estheticians must attend an advanced practice course taught by an advanced practice esthetician instructor. Nail technicians must attend a skills course taught by a cosmetologist or nail technician instructor.

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

2105.0190 MAINTAINING INDIVIDUAL LICENSES.

Subpart 1. **Compliance with applicable law.** The licensee is responsible for verifying that the salon or school in which the licensee is practicing has an active license, and the licensee must continuously comply with all applicable provisions of Minnesota statutes and rules.

Subp. 1a. **New services or devices.** Before providing any service using a product, technique, or device equipment new to the licensee, the licensee must:

A. ensure that the use of the product, device, or technique is within the licensee's scope of practice as defined in part 2105.0105;

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B. review and comply with any manufacturer's directions for use, safety requirements, and contraindications;

C. maintain a record of any training received by the licensee on the product, technique, or device, for as long as the licensee is using the product, technique, or device; and

D. determine that the licensee has the knowledge and training necessary to safely provide the service using the new product, technique, or device.

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

Subp. 4. **Display of license.** The practitioner must conspicuously post an active license at each salon where the practitioner practices. The conditions in items A to D must be met at all times.

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

C. Copies of licenses do not meet the requirements of license posting. Licensees must obtain duplicate licenses from the board in order to post licenses at multiple workstations or multiple salons. After a license is issued by the board, a printout of the online license status from the board Web site showing an active license may be used to meet the posting requirements for a maximum of 30 days beginning on the license issuance date.

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

Subp. 5. [Repealed, 41 SR 305]

2105.0200 LICENSE RENEWAL FOR INDIVIDUALS.

Subpart 1. **Application for renewal of license.** All licenses expire on the last day of the individual's birth month of the year due and each licensee is responsible for applying to renew the license without notice from the board. If more than ~~one year~~ has three years have passed since the expiration date of the license, the license is not eligible for renewal under this section, and the requirements of part 2105.0215 apply.

A. The board must return incomplete renewal applications to the applicant with notice of the items that are incomplete.

B. The applicant must pay late fees required by Minnesota Statutes, section 155A.25, if a license renewal application or a resubmitted application is received after the expiration date of the license.

C. A licensee whose renewed license has not been issued by the board by the end of the business day on the licensee's expiration date is not authorized to practice after the expiration date until a license is issued, and any unlicensed practice after the expiration date is subject to the inspection penalties in part 2105.0115 and disciplinary provisions as described in Minnesota Statutes, section 155A.33.

Subp. 2. **Continuing education (CE) requirements for practitioners.** The licensee must complete the following continuing education (CE) requirements before applying to renew a license:

A. A cosmetologist, nail technician, esthetician, advanced practice esthetician, or salon manager renewing a license on or after August 1, 2017, must complete a total of eight hours of CE credits from board-approved providers within the three years prior to the date of the license renewal. Licensees must maintain proof of completion of the CE credits as required in subpart 5. The eight hours must consist of:

(1) four hours of core CEs, consisting of one hour pertaining to state cosmetology laws and rules, and three hours related to health, safety, and infection control matters; and

(2) four hours of professional practice CEs, consisting of one or more of the following topics within the licensee's scope of practice:

(a) product chemistry and chemical interaction;

- (b) proper use of machines and instruments;
- (c) business management, professional ethics, and human relations; or
- (d) techniques relevant to the type of license held by the practitioner.

B. The CE credits are valid for only one license renewal period, but may be applied to multiple licenses held by the same practitioner if the CEs were completed within three years prior to the license renewal date.

Subp. 2a. CE and other renewal requirements for instructors.

A. An instructor must complete 45 hours of board-approved CEs within three years before the license renewal, including at least 30 hours in teaching methodology and 15 hours on clinical practice in the field of licensure. Licensees must retain proof of the CE credits as required in subpart 5.

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

Subp. 2b. CE and other renewal requirements for school managers.

A. A school manager renewing a license ~~on or after August 1, 2017,~~ must complete a CE class or seminar in business practices of at least four hours, no more than three years prior to the renewal application, and retain proof of completion as required in subpart 5.

B. To renew the school manager's license, a school manager must hold an active cosmetology salon manager's license.

C. School manager CEs are valid for only one license renewal.

D. A school manager may apply four CEs from an approved professional practice CE course on business management to the renewal of both the underlying salon manager license and the school manager license.

[For text of subps ~~2b~~ 3 to 5, see M.R.]

2105.0205 RETIRED LICENSE.

A licensee with an active or expired Minnesota practitioner license who has ceased all practice of cosmetology may apply for a retired license that does not allow any practice of cosmetology as defined in Minnesota Statutes, section 155A.23, subdivision 3. The board must void any active license when a retired license is issued for the remainder of the license cycle. If the practitioner's license is expired, the applicant must pay the renewal and late fees required by Minnesota Statutes, section 155A.25.

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

B. A person with a retired license who wishes to obtain an active practitioner license must apply to renew the original expired practitioner license under the terms of this chapter as if no retired license was issued. If the retired license has not expired, no new renewal fee is required.

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

2105.0215 PROCEDURE FOR RENEWING AN EXPIRED LICENSE.

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

Subp. 3. **Instructor licenses expired three years or more.** If an instructor's license has been expired three years or more, the board shall issue a license with a new license cycle when the expired licensee submits a renewal application and meets these requirements:

- A. holds an active operator's or salon manager's license;

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

Subp. 4. **School manager licenses expired three years or more.** If a school manager's license has been expired three years or more, a license with a new license cycle shall be issued by the board when the expired licensee submits a renewal application and:

A. holds an active cosmetology salon manager's license;

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

2105.0305 DESIGNATED LICENSED SALON MANAGER.

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

G. A DLSM must hold the same licensure level as the salon license, except that a cosmetologist salon manager may serve as a DLSM for a nail or an esthetician salon. An advanced practice (AP) esthetician salon manager may serve as a DLSM for an esthetician or an AP esthetician salon.

2105.0310 SALON LICENSURE APPLICATION.

Subpart 1. **All salon licenses.** The requirements of this part and parts 2105.0360 and 2105.0370 must be met by all applicants proposing to establish a salon. A salon license is required for each physical location. A licensed salon business may not share any physical space with another licensed salon business except for restrooms, and may not be located inside the perimeter of another licensed salon.

Subp. 1a. **Types of salon licenses.** The services a salon may offer are determined by the type of salon license held. Cosmetology salons may offer cosmetology services, esthetic services, and nail services. Nail salons must offer only nail services. Esthetician salons must offer only esthetician services. Advanced practice esthetician salons may offer esthetic and advanced esthetic services. A single salon may hold more than one type of salon license.

Subp. 2. **Application.** An applicant for a salon license must apply on forms supplied by the board, giving the following information:

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

H. current Certificate of Workers' Compensation Insurance, unless the salon is not required to provide insurance coverage under the Minnesota Workers' Compensation Act, Minnesota Statutes, chapter 176;

[For text of items I and J, see M.R.]

K. the name, license number, and notarized signature of the DLSM accepting the responsibilities of the DLSM. The DLSM must meet the requirements of part 2105.0305.

2105.0322 MAINTAINING SALON LICENSE.

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

Subp. 5. **Salon premises.** Regulated cosmetic services must not be provided in a place other than a licensed salon or licensed school, or as otherwise provided by this chapter.

[For text of subps 6 to 9, see M.R.]

Subp. 10. **Change of DLSM.** The salon owner must inform the board in writing within ten business days of the departure or resignation of the DLSM. The salon has 60 days from the date of the change to register with the board a new DLSM meeting the requirements of part 2105.0305.

2105.0360 SALON PHYSICAL REQUIREMENTS.

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

Subp. 5a. **Dispensary.** Each salon must have a dispensary area used to mix chemicals, mix disinfecting solutions,

disinfect or sterilize tools and implements, and store hazardous supplies. Each dispensary must have a clean waste receptacle emptied daily. A dispensary must not be located in a restroom.

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

[For text of subps 6 to 8, see M.R.]

2105.0370 SALON OPERATIONAL REQUIREMENTS.

A salon must continuously meet the following minimum operational requirements.

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

C. The active salon license showing the current DLSSM must be conspicuously posted facing the public side of the reception area providing the public a full, unobstructed view of the license.

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

2105.0375 INFECTION CONTROL REQUIREMENTS.

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

Subp. 4. Disinfecting.

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

D. Disinfectant solutions must be legibly labeled with the disinfectant name and any dilution requirements. Disinfectant solutions must be disposed of immediately if visible debris is present. If concentrated disinfectants must be diluted with water, measuring devices must be readily available and used to ensure an effective solution is made. Unless otherwise directed by the disinfectant label, disinfectant solutions must be made daily and disposed of at the end of the day.

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

Subp. 4a. Sterilizing.

A. Any tool or implement that is designed to puncture or invade the skin must be cleaned and then sterilized using an autoclave, or steam heat sterilizer, or a chemiclave before the tool or implement can be reused. A sterilized tool or implement must be stored in the sterilization pouch or container in which it was sterilized. Each sterilized package or container must have the batch number and date of sterilization, corresponding to the log of use referenced in item D.

B. ~~Autoclaves and other sterilizing devices~~ or steam heat sterilizers and chemical vapor sterilizers must be registered and listed with the United States Food and Drug Administration and used only as instructed by the manufacturer.

C. Autoclaves and other sterilizers must be spore tested through an independent lab every 30 days to ensure functionality. Spore-testing results and maintenance records must be kept on site at the salon for 36 months. Autoclaves and autoclave packaging of tools are prohibited unless regular spore tests are performed by a contracted laboratory at least once per month but not more than 30 days between tests. If a positive spore test is received, the autoclave must not be used until a negative spore result is received. The salon must maintain a log of each use, all testing samples and results, and a maintenance log of all maintenance performed according to the manufacturer's directions. The salon must retain the most recent 36 months of the log at the salon for review by the board.

D. Sterilized items must be stored in the package in which they were sterilized. Each package must show the batch number and sterilization date corresponding to the log kept of each sterilization process required in item C.

Subp. 5. **Blood and body fluid exposure.** Licensees must stop a service whenever an unexpected cut, abrasion, or other injury occurs during a service resulting in exposure to blood or other body fluids, or when blood or other body fluids appear as a result of a service, and follow the steps in items A to G.

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

G. Contaminated tools, implements, and equipment must be cleaned and then disinfected or sterilized according

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to subparts 3, 4, and 4a.

Subp. 6. Storage of items.

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

B. Plastic or paper bags or sealed wrapping must not be used to store disinfected items unless the item has been sterilized ~~by an autoclave used~~ under the requirements of ~~part 2105.0377, item F~~ subpart 4a.

C. Items pulled out for service must not come into contact with contaminated surfaces ~~that have not been disinfected~~.

D. Tools, implements, linens, and other nonelectrical items that have been removed from clean storage must be placed in covered and closed containers labeled “used” immediately after the service is completed, or immediately cleaned and disinfected or sterilized. Storage containers for used items must have solid sides and lids and must be cleaned and disinfected weekly or whenever visibly soiled. Disinfectant wipes or sprays may be used when the container is too large to be submerged in disinfectant.

Subp. 7. Safety and infection-control practices.

A. Only cleaned, disinfected or sterilized, and properly stored tools and implements must be used on a client.

B. A supply of disinfected or sterilized tools and implements, single-use supplies, and disinfectant must be present and available for use by practitioners. The supply must be sufficient, based on the practitioner and salon service volume, to ensure each client is serviced with tools and implements that are either properly cleaned and disinfected or sterilized each day.

C. All fluids, semifluids, creams, waxes, and powders must be kept in clean, covered containers with a solid cover and must be dispensed in a manner that prevents contamination of the unused supply.

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

[For text of items D and E, see M.R.]

F. Licensees must comply with all manufacturer’s directions for product and equipment use.

(1) When the manufacturer’s use directions require a patch test, the licensee must:

(a) offer a patch test; and

(b) provide information to the client regarding the risk of potential adverse reactions to the product.

(2) Licensees must comply with the manufacturer’s directions for machine and equipment use and maintenance.

(3) Licensees must maintain all equipment and product instructions and manuals on the salon premises.

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

L. Tools and implements must not be placed in or on clothes, aprons, pockets, bags, or holsters, or worn by the licensee, and must not come into contact with ~~nondisinfected~~ contaminated surfaces.

M. Tools or implements dropped on the floor or otherwise contaminated during a service must be removed from the work station, cleaned and disinfected or sterilized, or placed in a covered container labeled “used” until cleaned and disinfected or sterilized.

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

O. Licensees must wear gloves: as required in this part. Before donning gloves, licensees must wash hands and

wrist area with soap and water. Gloves must be changed during a service if a glove becomes damaged or comes in contact with any nonclean surface or objects or with a third person. Gloves must be discarded at the end of every service.

Licensees must wear gloves when:

- ~~(1) while providing skin care and performing extractions, waxing, or hair removal services;~~
- ~~(2) when exposure to bloodborne pathogens is possible; and~~
- ~~(3) (2) when using a device or implement that penetrates the skin;~~
- (3) when providing any service on the skin where the skin barrier is not intact or is compromised;
- (4) when the licensee's skin on the hand is not intact or is compromised; and
- (5) when mixing or touching disinfectant solutions.

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

Subp. 11. **Electrical and electronic tools.** Electric clippers, nail drills, flat irons, blow dryers, glass or metal electrodes, high frequency wands, esthetic machines, steamers, diffusers, or other electric or electronic tools must be cleaned and disinfected or sterilized after each use, including the body, handle, and attached cord.

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

B. Metal guards, clipper blades, drill bits, and other parts designed to be removed must be removed. All product residue, hair, skin debris, nail dust, and other visible debris must be removed using a disinfected brush or clean towel, and the removable part must be disinfected with an EPA-registered, hospital-level disinfectant spray or wipe after each use. The surfaces must remain wet with the spray or wipe disinfectant for the contact time listed on the disinfectant label and the manufacturer's directions must be followed.

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

F. Skin care machines and equipment must be cleaned and then disinfected or sterilized according to the manufacturer's directions.

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

2105.0377 SALON PROHIBITIONS.

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

~~C. Cosmetologists and estheticians must not use any tool or equipment designed to penetrate beyond the stratum corneum of the epidermis. Nail technicians must not use any tool or equipment to penetrate the skin.~~

~~C.~~ D. Roll-on wax is prohibited. Single-use roll-on wax cartridges are acceptable but must be disposed of immediately after service. Roll-on wax cartridges warming in a wax heater must have an intact seal. The heating unit is subject to the requirements of part 2105.0375 and must be cleaned and disinfected after each use.

~~D.~~ E. UV sterilizers or light boxes are not an acceptable infection control device and must not be present in a salon. This does not apply to UV dryers or ultraviolet lamps used to dry or cure nail products.

~~E.~~ F. Autoclave packaging of tools is prohibited unless an autoclave is used and the salon is in compliance with part 2105.0375, subpart 4a.

~~F.~~ G. Electric or battery-operated files or drills not specifically manufactured for use on humans are prohibited.

~~G.~~ H. Practitioners must not use tools or implements provided by customers unless the practitioner first cleans and then disinfects or sterilizes the tool or implement. Customer-supplied prohibited tools must not be used and must be

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immediately removed from the salon premises. Customer-supplied single-use items must be new.

¶H. Salons must not store a customer's tools or implements.

¶I. Only single-use sterile lancets may be used.

2105.0390 SALON SUPERVISION.

A. The owner and the designated licensed salon manager (DLSM) registered with the board are responsible for the salon at all times, even when not present at the salon. The owner and the DLSM must ensure that:

(1) all practitioners, including nonemployees, who perform licensed services in the salon are in compliance with this chapter and Minnesota Statutes, chapter 155A; and

[For text of subitem (2), see M.R.]

B. The salon must designate and register only one person as the DLSM, consistent with part 2105.0305, ~~for each salon license held by the salon~~. This does not preclude a salon from having a business manager or other managers who are not licensed as operators or managers. Salons holding both a nail salon and an esthetician salon license may have a designated licensed salon manager for each license, or a cosmetologist salon manager may serve as the designated licensed salon manager for both licenses. An advanced practice esthetician salon manager may serve as a DLSM for an esthetician salon or an advanced practice esthetician salon.

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

2105.0410 LICENSED SERVICES NOT OFFERED IN A LICENSED SALON.

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

Subp. 2. Special events permits.

A. Licensees with an active manager's license may apply online for a special events permit. Applicants must carry professional liability coverage of at least \$25,000 for each claim and \$50,000 total coverage for each policy year, and must pay the fees required by Minnesota Statutes, section 155A.33.

B. The permit holder may only provide the following services:

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

(3) cosmetologists, estheticians, and advanced practice estheticians may remove and apply makeup.

C. Permits have the restrictions in subitems (1) to (6).

(1) Permits expire on December 31 of the year in which the permit is issued, but are valid only with an active manager's license held by the permit holder.

[For text of subitems (2) to (6), see M.R.]

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

E. A special event permit holder must not use the permit to provide regulated services in a mobile vehicle or mobile structure that is owned or operated by the permit holder or a board licensee unless the mobile vehicle or mobile structure is licensed as a mobile salon under this part. A licensed mobile salon does not require a special event permit for services offered in the mobile salon.

Subp. 3. **Homebound permit.** A homebound service permit authorizes a licensee to provide services in a licensed nursing home to residents or in the residence of an individual who is homebound.

A. To obtain a homebound service permit, an applicant must apply and:

(1) hold an active Minnesota cosmetologist, nail technician, esthetician, advanced practice esthetician, or salon manager license;

[For text of subitems (2) to (4), see M.R.]

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

C. A homebound service permit is not valid unless the permit holder's practitioner license is active. If the practitioner's license has expired, a permit must not be used until the practitioner has renewed the practitioner license.

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

2105.0830 COMPLIANCE WITH OTHER REGULATIONS.

Compliance with this chapter does not ensure compliance with other requirements set forth by federal, state, and local laws, codes, ordinances, and regulations as they apply to business operation, physical construction and maintenance, safety, and public health.

2110.0010 DEFINITIONS.

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

Subp. 2a. **Active license.** "Active license" means a current license that has not expired and is not retired.

Subp. 3. [Repealed, 41 SR 305]

Subp. 3a. **Advanced exfoliation.** "Advanced exfoliation" means a cosmetic procedure ~~removing skin cells throughout to partially or completely remove~~ the epidermis through manual, mechanical, or chemical means.

Subp. 3b. **Advanced extraction.** "Advanced extraction" means extractions performed using lancets or needles.

[For text of subps 4 to ~~15~~ 5, see M.R.]

Subp. 5a. **Basic exfoliation.** "Basic exfoliation" means the removal of dead skin cells in the stratum corneum layer of the epidermis through manual or chemical means.

Subp. 5b. **Basic extraction.** "Basic extraction" means extractions performed using gloved fingers, cotton swabs, or comedone extractors.

[For text of subps 6 to 15, see M.R.]

Subp. 15a. **Electrical energy treatments.** "Electrical energy treatments" means advanced practice esthetic services for the ~~personal cosmetic care of the skin epidermis~~ that use various forms of ~~light or electrical energy~~ including light, direct current, indirect current, and sound.

[For text of subp 16, see M.R.]

Subp. 16a. **Extraction.** "Extraction" means the cosmetic technique of removing impactions and comedones from follicles.

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

Subp. 18a. **Lymphatic drainage.** "Lymphatic drainage" means a procedure using a light rhythmic pressure applied by manual or other means to the skin using specific lymphatic manipulations to promote drainage of the lymphatic fluid through the tissue.

[For text of subps ~~16~~ 18a to 19, see M.R.]

Subp. 20. **Unregulated service.** "Unregulated service" means those services not defined as the practice of cosmetology under Minnesota Statutes, section 155A.23, subdivision 3, and that are exempt from regulation by the board. Unregulated services are ear piercing; body art; body painting; henna tattoos and permanent tattoos; eyebrow embroidery; eyebrow microblading; permanent hair removal; and permanent makeup; tanning by UV radiation and spray tanning units; injectables; services for theatrical, television, film, fashion, photography, or media productions; media appear-

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ances; mortuary services; massage; body wraps and lymphatic drainage when performed by a massage therapist; ~~and~~ the practice of medicine as defined in Minnesota Statutes, section 147.081, subdivision 3; hair braiding, hair braiding services, and hair braiders, as defined in subparts 17a to 17c; and threading as defined in Minnesota Statutes, section 155A.23, subdivision 13. Ordinances by local units of government that prohibit hair braiding, hair braiding services, or hair braiders, as defined in subparts 17a to 17c, or regulate any matter relating to licensing, testing, or training of hair braiding, hair braiding services, or hair braiders are preempted by this part.

2110.0125 INSPECTIONS.

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

Subp. 4. **Inspection penalties and discipline.**

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

B. Board staff must issue penalties prescribed in Minnesota Statutes, section 155A.25, for violations in subitems (1) to (3) cited during a board inspection of a school except as provided for in subpart 5. Licensees must pay penalties in full before any license is renewed or issued.

- (1) A school is subject to penalty for violations cited during an inspection for:

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

- (d) each active license of an instructor, designated school manager, or school not conspicuously displayed;

[For text of units (e) to (g), see M.R.]

- (2) A DSM is subject to penalty for violations cited during a school inspection for:

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

- (d) each active license of an instructor, designated school manager, or school not conspicuously displayed;

[For text of units (e) to (g), see M.R.]

- (3) An instructor is subject to penalty for violations cited during a school inspection for:

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

- (b) the instructor's active license not conspicuously displayed;

[For text of units (c) to (e), see M.R.]

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

2110.0310 SCHOOL LICENSURE.

Subpart 1. **Application contents.** An applicant for a cosmetology school must apply on forms supplied by the board, giving the following information:

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

M. a roster of all instructors, including license number, type of license, designation of employment status (full time or part time) and days of the week and hours scheduled for instruction;

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

O. a complete inventory of facilities, equipment, and machines supportive of instructional and clinical operations, as required by this chapter;

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

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

2110.0320 MAINTAINING A SCHOOL LICENSE.

[For text of subps 1 to ~~13~~ 9, see M.R.]

Subp. 10. **Change or addition of courses and curriculum.**

A. A school planning to discontinue any course offering must notify the board via e-mail.

B. A school planning to add a new course offering or a change to the curriculum for a currently approved course must apply for and receive board approval prior to offering the new or changed course. Application must include:

- (1) the course name and anticipated first offering date; ~~and~~
- (2) a detailed outline of the course or lesson plan, including:
 - (a) topics of the units of instruction;
 - (b) for each unit, identifying the hours devoted to the unit and designating the hours as theory, preclinic, or clinic hours;
 - (c) for each unit, identifying the unit prerequisites necessary for a student to have completed prior to beginning the unit;
 - (d) for each unit, identifying the textbook and supplementary instructional resources; and
 - (e) an indication of whether or not the school's instructors will use the instructor's manual associated with the textbook curriculum; and
- (3) an inventory of each device, equipment, instrument, or tool to be used by students. For each item, indicate:
 - (a) how many students will share the use of the item;
 - (b) whether students will use it in mannequin practice, student-student practice, or in clinical practice; and
 - (c) whether the item will be used in services offered and listed on the service menu in the school clinic.

[For text of subps 11 to 13, see M.R.]

Subp. 14. **License.** A cosmetology school must not operate without an active and conspicuously displayed school license.

[For text of subp 15, see M.R.]

Subp. 16. **Separation of school from any salon.** A salon must be operated as a separate and distinct business and the salon must be completely separated physically from the school.

2110.0390 PHYSICAL REQUIREMENTS.

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

Subp. 3a. **Dispensary.** Each school must have a dispensary area used to mix chemicals, mix disinfecting solutions, disinfect or sterilize tools and implements, and to store hazardous supplies. The dispensary must have a clean waste receptacle emptied daily.

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

[For text of subps 4 to 6, see M.R.]

2110.0500 CURRICULUM APPROVAL AND CONTENT.

Subpart 1. **Curriculum approval.** Cosmetology schools must have a board-approved curriculum divided into daily lesson plans. The curriculum must include theory and practical application of skills, including the instruction in parts 2110.0510 to 2110.0530.

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

Subp. 3. **Guest presenters.** Guest presenters may be used by a school when accompanied by the regular course instructor as long as the guest presenters are limited to one percent of the total curriculum time. If the regular course instructor is not in attendance when a guest presenter is present, the limitations of part 2110.0630 apply unless the guest presenter holds an active instructor license.

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

2110.0520 ESTHETICIAN TRAINING.

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

B. The first 120 hours must be preclinical instruction in the theory of sciences of anatomy, dermatology, and chemistry as related to skin care; infection control; safety procedures related to the practice of skin care; and Minnesota statutes and rules that pertain to the regulation of the practice of skin care; student orientation; and elementary service skills. Elementary service skills must be limited to the observation of an instructor demonstration, or student-to-student application of basic services related to esthetics.

C. There must be instruction in applied science and skills in the procedures of cosmetic care of the skin, client consultation and skin analysis, applications of facials and makeup, and in waxing.

[For text of items D and E, see M.R.]

2110.0525 ADVANCED PRACTICE ESTHETICIAN TRAINING.

A. Advanced practice (AP) esthetician training must consist of a board-approved curriculum of ~~600~~ 500 hours that includes items B to E. A prerequisite for the training is completion of the esthetician or cosmetologist training in part 2110.0520 at a board-licensed school within the past five years or an active Minnesota license as a cosmetologist or esthetician.

B. Part 2110.0500, subparts 2 and 3, do not apply to AP esthetician curriculums. Up to five percent of the AP esthetician curriculum may be accomplished through field trips, and up to five percent of the AP esthetician curriculum may be provided by guest presenters when accompanied by the instructor. If the regular course instructor is not in attendance when a guest presenter is present, the limitations of part 2110.0630 apply unless the guest presenter holds an active instructor license.

C. A combined esthetician and AP esthetician program approved by the board may be offered to any student and must include both the esthetician training in this part and part 2110.0520. Students who partially complete a combined program under this item are not eligible for an esthetician license unless the partial training received meets the requirements of part 2110.0520.

D. There must be theoretical instruction in the following: advanced cell histology of the skin; lymphatic system; wound healing; skin classification systems; dermatological disorders and terminology; advanced practice skin care treatments; chemistry and biochemistry of product ingredients and modalities; electrical and light energy; client consultation with skin classifications and medical history; infection control; and health and safety.

E. There must be clinical instruction in the following: ~~professional skin treatments within the scope of practice for an AP esthetician on skin analysis, client consultation; manual and machine advanced exfoliation services, electric energy treatments, lymphatic drainage, and infection control and safety procedures.~~

(1) skin analysis;

(2) client consultation;

(3) dermaplaning or a machine exfoliation service;

(4) chemical peels to include alpha hydroxy acids, beta hydroxy acids, trichloroacetic acids, and blended acid peels;

(5) electrical energy services to include services using direct current, indirect current, sound energy, and light energy;

(6) advanced facial treatments using lymphatic drainage and advanced extractions;

(7) skin needling; and

(8) infection control and safety procedures.

2110.0545 SKILLS COURSES.

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

C. Cosmetologists must attend a cosmetologist skills course taught by a cosmetology instructor, estheticians must attend an esthetician skills course taught by an esthetician, advanced practice (AP) esthetician, or cosmetology instructor, and nail technicians must attend a skills course taught by a nail technician or cosmetology instructor. AP estheticians must attend a skills course taught by an AP esthetician instructor.

[For text of items D and E, see M.R.]

2110.0630 INSTRUCTORS.

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

E. Esthetician instructors and nail Instructors are restricted to instruction in the area of their practitioner license and may not instruct in other disciplines. Advanced practice esthetician instructors are restricted to instruction in esthetics and advanced practice esthetics.

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

2110.0670 STUDENT RECORDS.

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

E. The school must maintain the following reports for each student:

[For text of subitems (1) to (4), see M.R.]

(5) documentation signed by the school owner or DSM must indicate that the student has successfully completed the course of training, including documentation of the student's completion of the practical exercises, as required by parts 2110.0510, item D; 2110.0520, item D, subitem (1); and 2110.0530, item D, subitem (1), or as required by the board-approved curriculum; and documentation of the student's successful completion of the skills certification review, on a form acceptable to the board; and

[For text of subitem (6), see M.R.]

2110.0705 TRANSFER STUDENTS.

Subpart 1. **Transfers from another school or state.** Students who have completed a portion of required training at another school or in another state or country may apply as a transfer student to a cosmetology school to complete the required training. Accrued student hours are valid for five years and apply to students who have partially completed a school program in or out of state. The school must include in the student's records documentation of any transfer of credits, and copies of student transcripts and records from the original school. Any records from another country, including records in English, must be evaluated by a board-approved credentialing agency at the student's or school's expense.

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

Subp. 2. **Practitioners from other countries applying as a transfer student for an evaluation.** Individuals who have practiced cosmetology in other countries and who are seeking licensure must obtain a course completion certificate

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by a licensed cosmetology school as a requirement to become licensed. The applicant may apply as a transfer student and request an evaluation to identify any further training necessary to obtain the course completion certificate.

Subp. 3. Evaluation of transfer students.

A. The method of evaluation must include a review of the student's records, training, and work experience, and must include a skills test. Any records from another country, including records in English, must be evaluated by a board-approved credentialing agency at the student's or school's expense.

B. The evaluation results must identify any specific additional training necessary for the issuance of the course completion certificate, based on the training requirements identified in this chapter for ~~cosmetologists, estheticians, and nail technicians~~ each field of licensure and the school's assessment of the student's training and experience.

C. The school must maintain in the student's record the evidence and documentation of the school's evaluation, including the method of evaluation, the dates and location of the student's original training, any testing results, copies of any transcripts or diplomas used in the evaluation, and an explanation of the typical training or apprenticeship required in the country where the student previously practiced.

2110.0710 FULL COURSE OF INSTRUCTION.

No student shall be enrolled in a school for less than a full course of instruction, except that a licensed individual or a previously licensed individual requesting a refresher course, an applicant who has failed the state examination and requests additional training, a transfer student, a student who has enrolled only to learn unregulated services, and reciprocity applicants who require additional schooling may be enrolled for these purposes.

2110.0720 DISPLAY OF LICENSES.

Active licenses of all instructors, the designated school manager, and the school must be conspicuously posted in the reception area.

2110.0740 SCHOOL CLINICS.

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

H. All students are required to wear an identification badge at all times. The badges must be at least two inches by one inch; state the student's name; and state that the student is either a "Cosmetologist Student," "Esthetician Student," "AP Esthetician Student," or "Nail Technician Student." Badges must be furnished by the school as part of tuition costs.

[For text of items I and J, see M.R.]

REPEALER. Minnesota Rules, parts 2105.0010, subpart 3a, and part 2105.0420, are is repealed.

Department of Health

Division of Health Policy – Health Economics Program

Notice of Public Interest Review Application for New Hospital Beds and Opportunity for Public Comment

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health (MDH) has received a filing under *Minnesota Statutes* 144.552 requesting public interest review of an intent from Regions Hospital to add 100 licensed beds at an existing facility in the City of Saint Paul. The hospital is seeking increase inpatient capacity within the next 10 years by adding 36 medical/surgical beds, 20 obstetrics beds, and 20 psychiatric beds. The proposal would also add an additional 24 medical/surgical beds by 2040.

Under Minnesota Statute, a hospital seeking to increase its number of licensed beds or an organization seeking to obtain a hospital license must submit a plan to MDH. MDH is required to review the plan and issue a finding within 90 days (or up to six months in extenuating circumstances) on whether the plan is in the public interest. As part of the review process, MDH considered views of affected parties, including the general public. To provide feedback to MDH, please submit written statements or comments to the following address:

Alisha Simon
Health Economics Program
Minnesota Department of Health
P.O. Box 64882
St. Paul, MN 55164-0882

Comments may also be submitted electronically by e-mailing them to alisha.Simon@state.mn.us.

For more information regarding public interest reviews, including this proposal, please visit the MDH website found here: <http://www.health.state.mn.us/divs/hpsc/hep/moratorium/index.html>.

Questions about the public interest review process may be directed to Alisha Simon at 651/201-3557 (Alisha.Simon@state.mn.us).

Department of Human Services

2019–21 Federal Child Care and Development Fund (CCDF) Plan Public Hearing and Comment Notice

We invite your input and feedback on the proposed 2019–21 Child Care and Development Fund (CCDF) Plan. The CCDF Plan describes how state and federal funds will be used to improve the quality of child care and development, and help low-income families access care for their children. Due to 2014 reauthorization of the Child Care and Development Block Grant (CCDBG), there are significant changes to the Plan. There are a number of ways to learn more about Minnesota's proposed CCDF Plan and provide feedback.

On April 23 and April 25, 2018 The Minnesota Department of Human Services (DHS) is holding public hearings on the CCDF Plan. This event will take place in Saint Paul, Minnesota and is open to the public. We have worked to ensure the widest accessibility possible for all Minnesotans, to view the public hearing in-person, via live-broadcast or video recording.

The live-stream of the CCDF Plan public hearing is accessible from almost any device with an internet connection (at home, work, or library). For those unable to view the hearing live, the recording of the hearings will be available by April 26, 2018 after the event. It will remain available for 60 consecutive days, with convenient 24/7 access online (see links below).

Feedback on our proposed CCDF Plan will be accepted at any time during the comment period.

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Public Hearing Location

Date & time: Monday April 23, 2018 from 9:00 a.m. to 12:00 p.m.
Wednesday April 25, 2018 from 6:30 p.m. to 9:30 p.m.

Location: Minnesota Department of Human Services, 444 Lafayette Road North, Saint Paul, Minnesota 55164

- Monday April 23, 2018 on the 5th floor in rooms 5137 and 5138
- Wednesday April 25, 2018 on the 5th floor in rooms 5137 and 5139

Online: Link to *test* video-streaming technology on your computer (click “Watch us Live”):

- <http://www.house.leg.state.mn.us/>

Link to live video-streaming access *during* the hearing:

- April 23 & April 25 live links: <https://go.usa.gov/xnMXr> or <https://go.usa.gov/xnMXg>

Link to the archive of the hearing (available *after* April 26):

- April 23 recorded links: <https://go.usa.gov/xnM9h> or <https://go.usa.gov/xnMXc>
- April 25 recorded links: <https://go.usa.gov/xntgu> or <https://go.usa.gov/xntgh>

R.S.V.P: If you plan to attend in-person, please email dhs.CCDFreform@state.mn.us by Thursday, April 19, 2018. Attendees must register prior to the hearings to gain access within the building.

Proposed 2019–21 CCDF Plan and Comment Period

We will post the proposed 2019–21 CCDF Plan on the DHS website by April 12, 2018. We will continue to accept feedback on the proposed CCDF Plan until June 8, 2018. Comments and questions about the proposed Plan may be emailed to dhs.CCDFreform@state.mn.us or mailed to Child Development Services, Minnesota Department of Human Services, PO Box 64962, Saint Paul, MN 55164-0962.

Department of Human Services website link

Here is a link to the Child Care page on the DHS website: <https://go.usa.gov/xnMXj>
Scroll down to find “2019–21 Child Care and Development (CCDF) Plan.”

Directions

Department of Human Services
Lafayette Building
444 Lafayette Road North
Saint Paul, Minnesota 55164

From Minneapolis and areas west of St. Paul:

Take 94 east to the Seventh Street exit (you will see the exits in this order: Fifth, 10th, then Seventh). Take a left onto Seventh Street and go to the first stoplight (this is Lafayette Road). Turn left onto Lafayette. DHS' 444 Lafayette Building is one-half block up and the first office building on the right.

From Minneapolis International Airport or Bloomington:

Take Highway 494 to 35E north to 94 east. Take the Seventh Street exit. Turn left onto Seventh Street, then left onto Lafayette Road. DHS is one-half block up and the first office building on the right.

From areas east of St. Paul:

Take 94 west to the Mounds exit. Take Mounds Avenue to East Seventh Street. Turn left onto Seventh Street (you'll be heading west). At the second stoplight, which is Lafayette, turn right. DHS' 444 Lafayette Building is one-half block up and the first office building on the right.

From areas north of St. Paul:

Take 694 east to 35E south. Take the University Avenue Exit (107C) and turn left on University. Take University to Lafayette Road and turn right. DHS' 444 Lafayette Building is two blocks down on the left.

From areas south of St. Paul:

Take 35W (or 35E) north to 94 east to the Seventh Street exit. Take a left onto Seventh Street and go to the first stoplight (this is Lafayette Road). Turn left onto Lafayette. DHS is one-half block up and the first office building on the right.

– Or –

Take 35E north to 494 east to Highway 52 north. This turns into Lafayette Road when you cross the river and get to Seventh Street. Cross over Seventh Street and DHS' 444 Lafayette Building is the first office building on the right.

Rochester:

Take Highway 52 north to St. Paul. This turns into Lafayette Road when you cross the river and get to Seventh Street. Cross over Seventh Street and DHS' 444 Lafayette Building is the first office building on the right.



Official Notices

Metropolitan Airports Commission (MAC)

Notice Of Draft EA/EAW Availability & Public Hearing for Lake Elmo Airport Environmental Assessment/Environmental Assessment Worksheet for Proposed Airfield Improvements

Notice is hereby given that on the 4th day of April 2018 in the Auditorium at the Oak-Land Middle School in Lake Elmo, Minnesota, the Metropolitan Airports Commission (MAC) will hold a public hearing to receive testimony relative to the draft federal Environmental Assessment (EA) / state Environmental Assessment Worksheet (EAW). The MAC will hold the public hearing on:

Wednesday, April 4, 2018

6:00 p.m. Open House

6:30 p.m. Staff Presentation

7:00 p.m. Public Hearing

Oak-Land Middle School Auditorium
820 Manning Avenue North
Lake Elmo, MN 55042

During the EA/EAW process, the MAC and its consultant studied and analyzed the environmental impacts of proposed airfield improvements at Lake Elmo Airport. In accordance with its responsibilities under the National Environmental Policy Act (NEPA), the Federal Aviation Administration (FAA) requires the MAC to complete an EA to obtain federal funding for the improvements. The MAC is also responsible under State law for completing an EAW, which was completed concurrently. During the EA/EAW process, numerous environmental categories were reviewed for possible effects. In addition to direct environmental effects, the process considered the related social and economic effects. The EA/EAW process involved extensive public outreach and opportunities for public involvement, including three public information meetings and regularly convening a community panel as the draft document was developed. The results of the analysis are published in the Draft EA/EAW document, which is available for download on the project website: <https://www.metroairports.org/General-Aviation/Lake-Elmo-Environmental-Assessment/Documents-and-Links.aspx>

Written comments will be accepted until **5:00 p.m. on April 19, 2018**. Written comments can be submitted via email to ContactLakeElmoAirportEA@mspmac.org, submitted in-person at the Public Hearing, or mailed to:

Lake Elmo Airport EA/EAW Comments
c/o MAC Environment Department
6040 28th Avenue South
Minneapolis, MN 55450

Minnesota Pollution Control Agency (MPCA)

Watershed Division

Notice of Availability and request for comment on the Draft Watershed Restoration and Protection Strategies (WRAPS) and Total Maximum Daily Load (TMDL) Reports (Reports) for the Duluth Urban Area Streams Subwatershed

Public Comment Period Begins: March 19, 2018

Public Comment Period Ends: 4:30 P.M. on April 18, 2018

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the WRAPS and TMDL Reports for the Duluth Urban Area Streams Subwatershed. The draft Reports are available for review at:

<https://www.pca.state.mn.us/water/total-maximum-daily-load-tmdl-projects>.

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Written comments on the draft Reports must be sent to the MPCA contact person listed below by April 18, 2018 at 4:30 p.m. The comments should indicate whether they are about the WRAPS Report or the TMDL Report. The MPCA will prepare responses to comments received and make any necessary revisions to the documents.

Subsequent to the revision(s), the draft TMDL Report will be submitted to the U.S. Environmental Protection Agency (EPA) for approval; the WRAPS Report will be forwarded to the MPCA Commissioner for approval.

Required by the state Clean Water Legacy Act, a WRAPS Report is a document summarizing scientific studies of a major watershed no larger than a hydrologic unit code (HUC) 8. The WRAPS Report includes the physical, chemical, and biological assessment of the water quality in the watershed, identification of impairments and water bodies needing protection, and identification of biotic stressors and sources of point and nonpoint pollution. The TMDL Report focuses on pollution caused by excess *E. coli* bacteria, total suspended solids (TSS), and elevated water temperature and chloride exceedances in streams in the Duluth Urban Area. The TMDL Report is a scientific study that calculates the maximum amount of a pollutant that a water body can receive (known as the "loading capacity") without exceeding water quality standards, and allocates pollutant loads to the various pollutant sources. The WRAPS Report incorporates the findings of the TMDL Report, and also includes strategies for maintaining waterbodies with good water quality in the watershed, including the protection of floodplains and cold water seeps, springs or discharge areas, maintenance of urban forests and shoreline vegetation and by reducing or desynchronizing stormwater runoff.

The "Duluth Urban Area Streams Watershed" consists of portions of the St. Louis River Major Watershed HUC 04010201) and the Lake Superior South Watershed (HUC 04010102), including all of the developed areas in the Duluth area and surrounding communities from Mission Creek to the Lester River. The remaining portions of the St. Louis River Watershed and Lake Superior South Watershed are concurrently being addressed as part of separate TMDL and WRAPS efforts. The Duluth Urban Area Streams Subwatershed is in northeastern Minnesota in the Lake Superior Basin, and in the Northern Lakes and Forests ecoregion. The watershed is 141 square miles and covers portions of Carlton and

St. Louis counties. The entire watershed is in the St. Louis River Area of Concern, designated under Annex Two of the United States and Canada Great Lakes Water Quality Agreement of 1987. The EPA and other federal and state agencies are working to restore the impaired beneficial uses within the Area of Concern.

The dominant land use in the Duluth Urban Area Streams Watershed is residential and the dominant land cover is forest. Various types of development constitute the majority of the remaining land cover, with grassland/shrub, outcrops and wetlands each making up less than 5% of the watershed as a whole. The watershed contains several beaches and 11 trout streams that do not meet water quality standards for aquatic life and/or recreational uses. Despite not meeting water quality standards in several areas, the Duluth Urban Area watersheds contain 16 designated trout streams, and is well known for its abundance of scenic and high quality streams.

Agency Contact Person: Written comments and requests for more information should be directed to:

Brian Fredrickson
Watershed Project Manager, Watershed Division
Minnesota Pollution Control Agency
525 South Lake Avenue, Suite 400
Duluth, Minnesota 55802
Phone: 218-302-6604 or 800-657-3864
Fax: 218-723-4727
Email: brian.fredrickson@state.mn.us
Website: <http://www.pca.state.mn.us/water/tmdl>

TTY users may call the MPCA teletypewriter at 651-282-5332 or 800-657-3864.

Preliminary Determination on the Draft WRAPS and TMDL Reports: The MPCA Commissioner has made a preliminary determination to approve this WRAPS Report and submit this TMDL Report to the EPA for final approval. A draft Report is available for review at the MPCA office at the address listed above and at the MPCA Website:

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<https://www.pca.state.mn.us/water/total-maximum-daily-load-tmdl-projects>. Suggested changes will be considered before the documents are finalized and the TMDL Report is sent to the EPA for approval.

Written Comments: You may submit written comments on the conditions of the draft WRAPS and TMDL or on the Commissioner's preliminary determination. Written comments must include the following:

1. A statement of your interest in the draft WRAPS or TMDL Report;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft documents that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

Petition for Public Informational Meeting: You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that may be held to solicit public comment and statements on matters before the MPCA, and help clarify parts of the document and resolve issues. A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons for holding a public informational meeting; and
4. The issues that you would like addressed at the public informational meeting.

Petition for Contested Case Hearing: You also may submit a petition for a contested case hearing. A contested case hearing is a formal hearing before an administrative law judge that provides evidence on issues requested to be changed. In accordance with Minn. R. 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the draft WRAPS and TMDL; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft WRAPS and TMDL Reports. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision. A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in Minn. R. 7000.1900, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition, and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

MPCA Decision: The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on these Reports. If the MPCA does not receive written comments, requests, or petitions during the public comment period, the MPCA staff as authorized by the Commissioner, will make the final decision on the draft Reports.

Minnesota State Agricultural Society (Minnesota State Fair) Board of Managers Meeting Notice

The Minnesota State Agricultural Society board of managers will meet at **10 a.m. Tuesday, March 27** at the Libby Conference Center on the State Fairgrounds. The session will be a general business meeting. The Society is the governing body of the Minnesota State Fair. Agendas are available upon request by calling the Minnesota State Fair at (651) 288-4400.

The 2018 Minnesota State Fair runs Aug. 23 - Labor Day, Sept. 3.

Board of Water and Soil Resources (BWSR) Notice of Public Comment Period for the Proposed Minnesota In-Lieu Fee Wetland Mitigation Program

The Minnesota Board of Water and Soil Resources (BWSR) is seeking public comments on its proposal to develop an in-lieu-fee (ILF) mitigation program in Minnesota. BWSR recently completed a Prospectus and draft compensation planning framework for the ILF program which has been submitted to the U.S. Army Corps of Engineers, St. Paul District (Corps) for review in accordance with the Federal Mitigation Rule (33 CFR 332.8). BWSR is issuing this notice to provide the public in Minnesota an opportunity to comment on the proposed ILF program and its operation as a form of wetland replacement under the Wetland Conservation Act (WCA). The ILF program must comply with the requirements of the Federal Mitigation Rule, and the Corps is conducting a concurrent review under the Federal Clean Water Act via public a notice that is posted on the Corps Regulatory Branch webpage.

An ILF is an alternative mechanism for the public to satisfy wetland replacement requirements under WCA and Section 404 of the Clean Water Act. An ILF program involves the restoration, creation, enhancement, and/or preservation of wetlands through funds paid to a governmental entity to satisfy a replacement requirement. Similar to a wetland mitigation bank, an ILF program sells wetland credits to applicants/permittees whose replacement obligation is then transferred to the program sponsor.

The ILF program proposal is intended to focus primarily on wetland replacement for the Local Government Roads Wetland Replacement Program. However, BWSR has proposed to make ILF wetland credits available to the public when wetland bank credits are not available in the bank service area where the impact occurs in accordance with the Federal rules governing the operation of an ILF program. The ILF program will initially be limited to the St. Croix River watershed until other watersheds are added to the program via development and approval of compensation planning frameworks for those watersheds. A copy of the ILF Prospectus and draft compensation planning framework for the St. Croix River Watershed can be downloaded from the BWSR website at <http://www.bwsr.state.mn.us/wetlands/index.html>

Comments on the proposed ILF program will be accepted from March 19, 2018 through April 18, 2018. Comments should be sent to the following address:

Minnesota Board of Water and Soil Resources
ATTN: Tim Smith
520 Lafayette Road North
Saint Paul, MN 55155

State Grants & Loans

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

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

Department of Employment and Economic Development (DEED) Notice of Grant Opportunity

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development (DEED) places notice of any available grant opportunities online at <https://mn.gov/deed/about/contracts/>

Minnesota Housing Notice of Application for Funding for Administrators for the 2018 Enhanced Financial Capacity Homeownership Initiative (Homeownership Capacity)

The Minnesota Housing Finance Agency (Minnesota Housing) announces the availability of funds under the Enhanced Financial Capacity Homeownership Initiative (Homeownership Capacity) to provide financial support to eligible organizations that provide intensive financial empowerment and homeownership training to households of color or Hispanic ethnicity and low-income renters who have the goal of homeownership in Minnesota. We are seeking proposals from community-based non-profit organizations that have 501 (c) (3) status and governmental organizations.

The application materials will be available March 19, 2018 on www.mnhousing.gov -> Lenders & Homeownership Partners -> Community Development -> Other Community Development Programs

All application materials must be received by Minnesota Housing no later than **3:00 p.m. CST Tuesday, April 17, 2018**. Submission instructions can be found in the Homeownership Capacity Application Guide available on the Minnesota Housing website.

If you have questions please contact the Homeownership Capacity Team at homeownershipcapacity.mhfa@state.mn.us or by phone at 800-710-8871.

Department of Human Services Economic Assistance and Employment Supports Division (EAESD) Notice of Request for Proposals for Qualified Grantees to Provide Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T)

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services, through its Economic Assistance and Employment Supports Division (State), is seeking Proposals from qualified responders to provide Supplemental Nutrition Assistance Program (SNAP) Employment and Training (E&T) services to eligible SNAP E&T participants. This RFP will be used to select and contract with third-party training providers focusing on skills training driven by local labor market needs. These could include community-based organizations, community, or technical colleges.

Selected agencies will join 8 other third-party providers currently contracted with the State. Service providers must pay one hundred percent (100%) of the cost of operating a SNAP E&T program using non-federal funding and can seek up to fifty percent (50%) reimbursement of allowable and eligible costs from the State.

State Grants & Loans

Work is proposed to start Monday, July 2, 2018. For more information, or to obtain a copy of the Request for Proposal, contact:

Ashely Snyder
Department of Human Services
P.O. Box 64951
444 Lafayette Road North, St. Paul, MN 55155
Phone: (651) 431-3850
Ashely.snyder@state.mn.us

Ashely Snyder 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 no later than **3:00 p.m., Central Time, Monday, May 14th. Late proposals will not be considered.** Faxed or e-mailed proposals will not be considered. One (1) original and nine (9) copies of the Proposal must be delivered to:

Attention: Barb Alt
MN Department of Human Services
444 Lafayette Road North
PO Box 649951
St. Paul, Minnesota 55155
Phone: (651) 431-3884

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.

Department of Human Services

Equal Opportunity and Access Division (EOAD)

Notice of Request for Proposals to Qualified Grantee to Provide Telephonic Multilingual Referral Line (MRL) Services to Clients with Limited English Proficiency (LEP) in the State of Minnesota

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to Qualified Grantee to Provide Telephonic Multilingual Referral Line (MRL) Services to Clients with Limited English Proficiency (LEP) in the State of Minnesota

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

Alejandro Maldonado
Department of Human Services
Equal Opportunity and Access Division (EOAD) Division
P.O. Box 64997
540 Cedar Street, St. Paul, MN 55155 2208
Phone: (651) 431-4018, Fax: (651) 431-7440
alejandromaldonado@state.mn.us

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

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, April 23, 2018. Late proposals will not be considered.** Faxed or e-mailed proposals will

State Grants & Loans

not be considered.

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.

Department of Human Services Housing and Support Services Division Notice of Request for a Qualified Grantee to Develop Community Living Infrastructure throughout the State of Minnesota

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to develop community living infrastructure throughout the state. The intent of this Request is to support the needs of people with disabilities and housing instability who want to live in the community. The grant funding in the Community Living Infrastructure Grant program will fund: 1) outreach efforts; 2) housing resource specialists; 3) and funding for counties, tribes, and collaboratives to administer and monitor the Housing Support program.

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

Mary Pederson Hogan or Kristine Davis
Department of Human Services
Housing and Support Services Division
P.O. Box 64842
St. Paul, MN 55164-0842
Phone: (651) 431-3941
mary.pedersonhogan@state.mn.us
Kristine.davis@state.mn.us

Mary Pederson Hogan, Kristine Davis, and Jane Lawrenz are the only people 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, April 23, 2018. Late proposals will not be considered.** Faxed proposals will not be considered.

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.

Department of Human Services

Mental Health Division

Request for Proposals for a Qualified Grantee to Coordinate Trainings Logistics for the Mental Health Crisis Providers in the State of Minnesota

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to coordinate training logistics for the Mental Health Crisis Providers in the State of Minnesota.

Work is proposed to start May 15, 2018. For more information, or to obtain a copy of the Request for Proposal, contact:

Niambi Shakir
Department of Human Services
Mental Health Division
P.O. Box 64981
540 Cedar Ave N
Phone: (651) 431-4083 Fax: (651)431-7418
Niambi.Shakir@state.mn.us

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

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, May 1st, 2018. Late proposals will not be considered.** Faxed or e-mailed proposals will not be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:
http://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 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)

Lake Superior College

Request for Proposal for Helicopter Flight Training Services

NOTICE IS HEREBY GIVEN that proposals are being solicited for helicopter flight training services for Lake Superior College's Center for Advanced Aviation (CAA). The CAA is located at the Duluth International Airport, 4960 Airport Road, Duluth, MN 55811. Vendor would be responsible for all helicopter flight training, including maintenance of the aircraft provided.

For additional information or to request a copy of the RFP packet, please contact:

Mike Francisco, Purchasing – purchasing@lsc.edu
Lake Superior College
2101 Trinity Rd, Duluth MN 55811
Telephone: 218-733-5968

Proposals are due at the Lake Superior College Business Office, 2101 Trinity Road, Duluth, MN 55811 by **12:00 p.m. on Friday, April 6, 2018**.

This notice and the Request for Proposal do not obligate the State of Minnesota, Minnesota State Colleges and Universities or Lake Superior College to award a contract; and reserves its right to withdraw from the RFB if it is considered to be in its best interest.

Minnesota State Colleges and Universities (Minnesota State)

Winona State University

Request for Proposal for Communications/Marketing Strategist and Website Designer/Programmer

Notice is hereby given that Winona State University (WSU) is seeking proposals REQUEST FOR PROPOSAL (RFP) FOR COMMUNICATIONS/MARKETING STRATEGIST and WEBSITE DESIGNER/PROGRAMMER.

Proposal specifications are available by contacting Laura Mann, Purchasing Director, PO Box 5838, 106 Somsen Hall, Winona, MN 55987 or via email to LMann@winona.edu.

Sealed proposals must be received by Laura Mann, Purchasing Director, at Winona State University, PO Box 5838 or 175 West Mark Street, Somsen Hall 106, Winona, MN 55987 by **Friday, April 13, 3:00pm CT**.

Winona State University reserves the right to reject any or all proposals and to waive irregularities or informalities in proposals received.

Minnesota State Colleges and Universities (Minnesota State)

Winona State University

Request for Proposals to Provide Internet Service, TV Service, Special Networks and Telecommunication Services

Notice is hereby given that Winona State University (WSU) is seeking proposals to provide Internet Service, TV Service, Special Networks and Telecommunication Services.

Proposal specifications are available by contacting Laura Mann, Purchasing Director, PO Box 5838, 106 Somsen Hall, Winona, MN 55987 or via email to LMann@winona.edu.

Sealed proposals must be received by Laura Mann, Purchasing Director, at Winona State University, PO Box 5838 or 175 West Mark Street, Somsen Hall 106, Winona, MN 55987 by **Thursday, April 12, 2018 3:00pm CT**.

Winona State University reserves the right to reject any or all proposals and to waive irregularities or informalities in proposals received.

Minnesota State Colleges and Universities (Minnesota State)

Winona State University

Notice of Request for Qualifications (RFQ) for Public Art Design and Commission for Education Village Terrazzo

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities ("Minnesota State"), on behalf of Winona State University, is soliciting qualifications from interested artists for the above referenced project.

A full Request for Qualifications (RFQ and attachments) is available at the Minnesota State Colleges and University's Vendor Opportunities website: <http://www.minnstate.edu/vendors/index.html>

An informational meeting is scheduled for Thursday, March 22, 2018, at 2:00pm (CST) via Adobe Connect. The meeting will provide an overview of the process and an opportunity to ask questions regarding the project and the contract. Any questions should be directed by email only to the Owner's Representative, John Stelten, of CPMI at JStelten@cpmi.com. Questions will be taken by this individual only and must be received by Tuesday, March 26, 2018, at 3:00pm (CST).

Qualifications must be delivered to:

Winona State University
ATTN: Tara Smith
175 West Mark Street
Room 100
Winona, MN 55987

Qualifications must be received **NO later than Thursday, March 29, 2018 at 3:00pm (CST)**. Late responses will not be considered. Winona State University reserves the right to cancel this solicitation if it is considered to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

State Contracts

Department of Commerce

Division of Energy Resources

Notice of Professional Technical Contract Availability for Evaluation and Update of the Minnesota Technical Reference Manual (TRM)

The Minnesota Department of Commerce, Division of Energy Resources is seeking solicitations from qualified organizations or individuals to perform an evaluation and update of Minnesota Technical Reference Manual (TRM) for program years 2020, 2021 and 2022. The total estimated value of this solicitation is \$300,000. Following the release of these updates, the contractor will provide ongoing technical support for the TRM, and Smart Measure Library through 2022. The contractor will attend working meetings regarding current TRM work, develop a draft list of new measures for potential development and inclusion in the TRM, and work with the Department to present this draft list to the TRM Advisory Committee and move forward with the resulting new measures and updates.

A Request for Proposals (RFP) and required forms will be available for download on the Department's website (<http://mn.gov/commerce/>) through Monday, April 09, 2018. Potential responders may also request a hard copy of the RFP by mail from this office. Requests for hard copies must be received by the Department no later than 11:59p.m Central Time (CT) on Monday, April 16, 2018.

The RFP and forms can be obtained from:

Preferred Method: <http://mn.gov/commerce/>
Hover over "Topics", then click on "Request for Proposals"

U.S. Postal Service: Grants & Contracts Team
Minnesota Department of Commerce
Division of Energy Resources
85 7th Place East, Suite 280
St. Paul, MN 55101-2198

Proposals submitted in response to this RFP must be received no later than **11:59p.m Central Time (CT) on Monday, April 16, 2018. Late proposals will not be considered.** Instructions for submitting proposals are detailed in the RFP.

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

Minnesota Historical Society (MNHS)

Request for Proposals for HVAC and Domestic Fresh Water Renovation at the Split Rock Lighthouse

Split Rock Lighthouse
3713 Split Rock Lighthouse Road
Two Harbors, MN 55616

The Minnesota Historical Society (MNHS) is seeking bids from qualified firms to provide all labor, materials, equipment, and supplies for the HVAC and Domestic Fresh Water Renovation project at the Split Rock Lighthouse Visitor Center, 3713 Split Rock Lighthouse Road, Two Harbors, MN 55616. The Work consists of, but is not limited to, selected removal and replacement of HVAC equipment and the removal and replacement of a domestic water storage system. All work must be done in accordance with the Drawings, Technical Specifications, Instructions to Bidders, General Conditions, Supplementary Conditions, and the Contract, as well as this Request for Bids.

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

There will be a **MANDATORY** pre-bid meeting for all interested parties on **Friday, April 6th, 2018 at 10:00 A.M. Central Time** at the Site, which is located at Split Rock Lighthouse, 3713 Split Rock Lighthouse Road, Two Harbors, MN 55616. The meeting shall take place in the Visitor Center.

Proposals must be received by Mary Green Toussaint, MNHS Contract Manager, or her agent by **2:00 P.M. Local Time on Tuesday, April 24th, 2018. 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.

Minnesota Historical Society (MNHS) Request for Proposals for Minnesota History Center Parking Lot & Ring Road Mill and Overlay

The Minnesota Historical Society is seeking proposals on the milling and overlay of its parking lot, ring road and surrounding areas at 345 Kellogg Blvd West, St Paul, Minnesota 55102. Walker Consultants is acting as the lead designer and project manager on behalf of the Minnesota Historical Society.

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

A mandatory pre-bid informational meeting will be held at **2:00 pm local time on Monday, March 26, 2018** at the Minnesota History Center. The address is 345 West Kellogg Ave, St. Paul, MN 55102. All contractors wishing to bid on this project must attend this meeting.

Proposals must be received by Mary Green Toussaint, MNHS Contract/Purchasing Manager, or her agent by **2:00 CST, Tuesday, April 10, 2018. 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.

Minnesota Judicial Branch 4th Judicial District Request for Proposal for Digital Signage Software and Services

The Fourth Judicial District is using this competitive selection process to obtain proposals from a qualified business to contract for the acquisition of Digital Signage Software and related development services.

The request for proposal does not obligate the Fourth Judicial District to award a contract. The Fourth Judicial District reserves the right to cancel the solicitation if it is considered to be in its best interest.

Interested party's submissions must be in writing and received by the Fourth Judicial District no later than **12:00 p.m. CST, April 17, 2018**. The sealed proposal must be sent to the following address; no electronic submissions will be accepted:

Fourth Judicial District
Attention: Paul Hinz
Hennepin County District Court
300 South Sixth Street
Suite A-1720
Minneapolis, MN 55487

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

State Contracts

Minnesota Department of Transportation (MnDOT) Engineering Services Division Notices Regarding Professional/Technical (P/T) Contracting

P/T Contracting Opportunities: MnDOT is now placing additional public notices for P/T contract opportunities on the MnDOT’s Consultant Services website. 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.

Taxpayers’ Transportation Accountability Act (TTAA) Notices: MnDOT is posting notices as required by the TTAA on the MnDOT Consultant Services website.

MnDOT’s Prequalification Program: MnDOT maintains a Pre-Qualification Program in order to streamline the process of contracting for highway related P/T services. Program information, application requirements, application forms and contact information can be found on MnDOT’s Consultant Services website. Applications may be submitted at any time for this Program.

MnDOT Consultant Services website: www.dot.state.mn.us/consult

If you have any questions regarding this notice, or are having problems viewing the information on the Consultant Services website, please call the Consultant Services Help Line at 651-366-4611, Monday – Friday, 9:00am – 4:00pm.

Minnesota Zoo Request for Bids to Provide Master Planning Documents

The Minnesota Zoo seeks qualified bidders to provide Master Planning Documents.

The Master Plan for the Minnesota Zoo will evaluate the entire Zoo site and recommend a ten-year plan for upgrades to existing facilities, exhibits, and amenities, as well as growth and development of parts of the campus that are currently undeveloped and undisturbed, showcasing the natural beauty of the Zoo’s 485-acre campus. The projects in the Master Plan will: add new exhibits and features for guests and staff; revitalize/refresh existing areas; provide needed infrastructure investments and additions; mobilize the campus; provide an introduction to nature in the undeveloped areas; and increase Zoo revenues.

To obtain RFB documents please contact Derik Otten via email at derik.otten@state.mn.us

Key Dates

It is anticipated that the evaluation and selection will be completed by:

- Proposals due 4/18/18-11:00 AM
- Interviews – if appropriate 4/19/18-4/21/18
- Final Selection 4/21/18

Work on the Master Plan is expected to be completed by 12/31/18

- Contract Negotiation 4/21/18-5/1/18
- Design Process & Workshops 5/1/18-12/30/18
- Final Documents 12/31/18

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.

